

Understanding open adoption

Information for adoptive parents and birth parents



Open adoption allows the child, adoptive parents and birth parents to know each other and the circumstances of the adoption. It also allows the parties to have contact with one another and exchange identifying information, to the extent that all parties agree.

Children in open adoption tend to have a better understanding of their adoption, display greater curiosity, and as adolescents, are more satisfied with their degree of contact with their birth family.

As adoptive parent/s are the legal parents of the child, open adoption is about a child gaining an understanding of their identity. It is not about co-parenting. Most adoptive parent/s are also comfortable with the arrangement, have positive relationships with their child's birth parents, and communicate more openly with their child about adoption.

Adoption Services is supportive of an open adoption arrangement when it contributes to the child's wellbeing and best interests, and is accepted by all parties to an adoption. Birth parents and adoptive parent/s are encouraged to negotiate an adoption plan outlining their views and wishes about their open adoption arrangement.

Adoption Services acts as the intermediary between the birth parents and adoptive parents to facilitate agreement about the type of open adoption arrangement the parties are comfortable with, and prepares an adoption plan.

Preparing an adoption plan

An adoption plan supports open adoption by enabling the birth parents and adoptive parent/s to:

- consider anything that will provide for the child's wellbeing and interest
- consider particular arrangements for the adoption, such as the type and degree of contact
- consider consenting to the release of identifying information from one person to the other
- explore the adoptive parent's commitment to telling the child about the circumstances of the adoption
- commit to practical ways to uphold the adoption plan.

An adoption plan is mandatory, and must be agreed to before an application for a final Adoption Order is made, where:

- the parties wish to have 'in-person' contact with each other
- the child is, or has been under a Child Protection Order
- the prospective adoptive parent/s are not from the same Aboriginal or Torres Strait Islander community or language group as the child.

While adoption plans are mandatory in some cases, it is the practice of Adoption Services to prepare an adoption plan for all Interim Adoption Orders. The adoption plan contains the views and wishes of all parties in one document, even if the birth parent/s and adoptive parent/s do not wish to have communication or contact with each other.

Adoption Services assists adoptive parent/s to develop an adoption plan before the making of an interim or final Adoption Order, to be presented to the Children's Court.

Adoption plans are not legally enforceable, and can only be reviewed at the request of the parties to the adoption plan. It is the responsibility of the parties to uphold and honour the agreements in the plan.

For more information about adoption plans, refer to adoption resource 3 'What is an adoption plan?' which can be found on www.qld.gov.au/adoption

In preparing the adoption plan, birth parents and adoptive parent/s are encouraged to consider the type and frequency of contact they wish to have with each other. This includes using the Mailbox Service for the exchange of non-identifying information, consenting to the exchange of identifying information, and even face-to-face contact.



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What is the Mailbox Service?

The Mailbox Service is provided by Adoption Services to receive and forward correspondence and other items between parties to an adoption in Queensland. The birth parent, adoptive parent, and the child may choose to exchange letters, cards or small gifts with each other through the Mailbox Service.

Other family members may also take part in mailbox with the consent of the birth and adoptive parent/s.

The Mailbox Service helps the adoptive parent/s and birth parent/s to have non-direct contact with each other during the child's life. Open communication benefits the child, birth family and adoptive parent/s by:

- reinforcing positive family relationships for the adopted child as they grow into an adulthood
- exchanging information about the child's birth history, the birth family's medical and social history
- providing a realistic understanding about the reasons for the child's adoption
- enabling the child to develop a relationship with their birth family, without feeling disloyal to their adoptive family.

For adoptions in Queensland, any party to an adoption can talk with Adoption Services about using the Mailbox Service, before or after the Adoption Order is made.

The frequency of exchanges through the Mailbox Service varies for each adoption. If parties are unsure of the frequency of contact they should have, Adoption Services recommends that correspondence be exchanged at least twice a year, usually around birthdays, Christmas or other significant events.

Adoption Services will discuss participation in the Mailbox Service with the birth parent, during pre-present counselling. Participation in the Mailbox Service is discussed with prospective adoptive parent/s prior to the making of an Interim Adoption Order.

Adoption Services assists parties to an adoption to decide which information can be shared, including the names that the parties would like to be known as. Adoptive parent/s are encouraged to participate in the Mailbox Service, even if the birth parent/s does not respond immediately.

Photographs of children under two years of age are considered to be non-identifying, and may be exchanged through the Mailbox Service. Photographs of children over two years old are considered as identifying, and consent must be given by all parties to the adoption, before the photographs can be exchanged.

For more information about the Mailbox Service, refer to adoption resource 11 'Using the Mailbox Service' which can be found on www.qld.gov.au/adoption

What is non-identifying information?

Non-identifying information includes:

- information about the person's characteristics, their social and cultural background
- a person's given name (unless the name is distinctive or could identify the person in conjunction with other non-identifying information)
- information about the child's development
- information about important events in the child's life
- information about the child's medical condition and the medical history of the birth family.

Non-identifying information can be exchanged between birth parent/s, adoptive parent/s and the child, as agreed to in the adoption plan, and through the Mailbox Service. It allows parties to an adoption to learn as much background information about each other as possible, before deciding whether to apply for identifying information.

People do not have to explain their reasons for requesting non-identifying information. However, it assists Adoption Services to understand why the information is sought, so they can search for information recorded in the department's records.



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What is identifying information?

Identifying information includes any information that could identify a person, their location or a family member — such as surnames, addresses, names of schools or workplaces, names of extended family members, contact details, or details about particular events such as sport competitions, or holiday destinations.

The *Adoption Act 2009* allows adoptive parent/s and birth parent/s to consider the option of being more 'open' about the adoption, up until the child turns 18 years old. This means allowing the birth and adoptive families to receive information about each other's identities, begin corresponding with each other, and perhaps, decide to meet.

Adoptive parent/s, birth parent/s or the child (with their adoptive parent/s' consent) can make a request to Adoption Services for identifying information about the other party. Consent must be given in writing by both parties before Adoption Services can release identifying information.

The *Adoption Act 2009* includes safeguards to protect the interests of all of the parties, in particular the child, when exchanging identifying information. Adoption Services must consider how the release of identifying information may affect the child's wellbeing and best interests, including:

- the child's views (depending on their age and maturity) about possible contact with their birth parent/s
- whether the release of information could be harmful to the child.



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Adoption Services is unable to contact one party on behalf of the other party to discuss the release of identifying information if:

- there is a court order restricting the release of identifying information
- making contact is inconsistent with the adoption plan
- the party has informed Adoption Services they do not wish to be contacted.

Further information

Department of Child Safety, Youth and Women

Adoption Services

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