

## The Law and You

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The Adoption and Children Act 2002 came into force in both England and Wales on 30th December 2005. Adopted adults and their adult birth relatives have a new right to apply for an Intermediary Service. This means that an adopted adult can ask an Intermediary Agency to trace, and establish whether contact would be welcome with a birth relative.

## Key Changes in the Law

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If you were adopted before 30th December 2005, the Act brought in the following changes:

- Adopted adults and their adult birth relatives can request a regulated intermediary Service
- Adopted people can make it known on the Adoption Contact Register that they do not want contact at all, or only in certain circumstances
- Adopted people can put a qualified or absolute veto on contact on their adoption file
- Intermediary Agencies cannot disclose identifying information about adopted adults without first getting their consent
- Adoption Support Agencies and Adoption Agencies may charge fees to cover costs incurred. However, adopted persons cannot be charged for access to their adoption records
- The courts and the Registrar General now have to give you the information they may hold about the circumstances of your birth and adoption
- People adopted before 12th November 1975 will be given priority in relation to Intermediary Services

## What is an Intermediary Agency?

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An Intermediary Agency is an organisation that helps you get in touch with other people. They can do this by acting as a 'go between' so that you and the person you are looking for can choose whether and how you want to go ahead. It can be:

- an Adoption Support Agency
- a Voluntary Adoption Agency
- a Local Authority

If your Local Authority does not offer an Intermediary Service, they can refer to you to a registered Adoption Support Agency.

## After Adoption's Intermediary Service

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After Adoption has a well established intermediary service operating in areas where this work is funded by the Local Authority.

Additionally from 1st April 2009 After Adoption will be running a national self-funding Intermediary Service for anyone wishing to trace and attempt to make contact with birth relatives. The service will be available to birth relatives and adopted adults irrespective of whether or not there is an After Adoption service running in their area.

People applying for the service will be asked to meet the project worker at one of our offices to discuss the work that will be done and to prove their identity and demonstrate the link between themselves and the person being sought. Service users may need to travel to this first meeting, though this can happen at any of our regional offices and subsequent work will be mainly conducted over the phone. We will be building on our experience of providing intermediary work over the past 15 years. As well as the specialist project worker, we have a team of dedicated and experienced family researchers, some paid, some voluntary, who undertake the searching for lost relatives.

## How Can I Find Out Information About My Birth Family?

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You can find a lot of information yourself. You can contact the Registrar General for your birth certificate. If you don't have enough information for them to find your birth certificate, you can apply to the adoption agency that arranged your adoption, or the agency that now holds the files if they have been transferred. Also the Local Authority where you were adopted may also hold some information.

You can ask an Adoption Agency or an Adoption Support Agency to act as an Intermediary Agency for you.

*This could be the agency who placed your child for adoption, your Local Authority or any other registered agency. After Adoption can provide this service for you.*

The agency will establish who you are - this involves completing an application form and proving your identity.

*Throughout this whole process your agency will offer counselling and support, as the law recognises that this information can be emotional and difficult to handle.*

The agency may contact your birth relatives and ask for their permission to give you information about them.

The agency will share with you non-identifying information about your birth relatives.

*This information alone will not be enough for you to find or contact your birth relatives but may include general information about their life around the time you were adopted, and other information such as family medical histories etc.*

If you wish to make contact, either by sending letters or meeting face to face, your Intermediary Agency can sometimes arrange this, or if not, direct you to an agency working in your area who can. For this intermediary and reunion service, the agency will work with both you and your birth relatives, if both of you agree to the contact.

## The Adoption Contact Register (ACR)

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If you do not want a proactive service to try and establish contact with a birth relative but simply want to make it easy for them to find you, you can place your details on the Adoption Contact Register (ACR) held by the Register General.

### Adopted Children's Register in Southport

You need to write to the Registrar General and obtain a form ACR 108 which you will need to complete and provide certificates proving your relationship to the adopted adult.

The full address is:       General Register Office  
                                  Certificate Services Section  
                                  PO BOX 2  
                                  Southport  
                                  Merseyside  
                                  PR8 2JD

Alternatively, you can download the form from the internet from site [www.direct.gov.uk](http://www.direct.gov.uk) (type ACR 108 in the search box).

## Counselling

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The Adoption and Children Act 2002 came into force in both England and Wales on 30th December 2005. The Act provides clear pathways for both adopted people and birth relatives to seek information about the adoption and people involved. In the Act there is a provision for people involved in the adoption to receive counselling. This is to support them during the process of sharing or receiving information.

If you are an adopted person you will not have to pay for any counselling that you receive. Where you are seeking information about a relative and as a result the person contacted requests counselling, you may have to cover the cost of their counselling. Where you are responsible for the costs of another person's counselling you will be given full information on this. The counselling may take longer than one session.

## Further Information

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If you wish to talk to anyone about the information outlined in this leaflet then you can call our ActionLine on 0800 0 568 578. You can also visit [www.afteradoption.org.uk](http://www.afteradoption.org.uk).

The following sources of information may also be of use:

- Register General (IPS)  
[www.direct.gov.uk](http://www.direct.gov.uk)
- British Association for Adoption and Fostering  
[www.baaf.org.uk](http://www.baaf.org.uk)
- A full list of agencies providing a search and intermediary service can be obtained from  
[www.adoptionsearchreunion.org.uk](http://www.adoptionsearchreunion.org.uk)
- Commission for Social Care Inspection  
[www.cqc.gov.uk](http://www.cqc.gov.uk)
- Care Standards Inspectorate for Wales  
[www.csiw.wales.gov.uk](http://www.csiw.wales.gov.uk)
- OFSTED  
[www.ofsted.gov.uk](http://www.ofsted.gov.uk)