



Information for Birth Relatives

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The Law and You

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

Key Changes in the Law

If the person you are seeking was adopted before 20th December 2005, the new Act brought in the following changes:

- You can now request a regulated intermediary service
- Adopted people can now make it known on their adoption file or the Adoption Contact Register whether or not they wish to be contacted
- Intermediary Agencies cannot disclose identifying information about an adopted adult without first getting their consent
- Adoption Support Agencies and Adoption Agencies may charge you for the service and for any costs incurred
- You may be responsible for the costs of counselling for the adopted adult who is contacted on your behalf
- The courts and Registrar General now have to give the information they hold relating to a child's adoption to the Intermediary Agency
- Priority will be given to cases involving adoptions that took place before 12th November 1975

What is an Intermediary Agency?

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.

The Adoption Contact Register (ACR)

Since 1976, changes in adoption legislation have enabled people who have been adopted to obtain a copy of their original birth certificate when they reach 18 years of age. From the certificate they can learn their original names and some details of their birth parents. This information usually consists of their mother's name, her address at the time of the birth and, in some cases her occupation. Following receipt of this information some adopted people decide to try to trace their birth families.

Adoption legislation does **not** allow birth family members to obtain the name of the adoptive family so that they can undertake a similar search. However, the GRO holds an Adoption Contact Register (ACR) to match up birth relatives and adopted people who would welcome contact with each other. If you do not want a proactive service to try and establish contact with an adopted adult relative but simply want to make it easy for the adopted person to find you, you can place your details on:

- The Adoption Contact Register (ACR) held by the Registrar General and/or on
- The adoption file of your relative

Counselling

You need to write to the Registrar General and obtain a form ACR 108, which you will need to complete, as well as 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 www.direct.gov.uk (type ACR 108 in the search box). There is a fee to register as a birth relative.

Counselling

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 certain information about the adoption and the 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 a birth relative and are seeking information about an adopted person you may be responsible for the costs of your own counselling and possibly the costs of the adopted person. Where you are responsible for the costs of another person's counselling you will be given full information about this.

Further Information

If you wish to talk to anyone about the information outlined in this leaflet, then you can contact us at birthrecords@ccsadoption.org or 0117 935 0005.

The following sources of information may also be of use:

- Registrar General (IPS) www.direct.gov.uk
- A full list of agencies providing a search and intermediary service can be obtained from www.adoptionsearchreunion.org.uk
- Care Standards Inspectorate for Wales <https://www.careinspectorate.wales/>
- OFSTED www.ofsted.gov.uk