

Accessing birth records

INFORMATION FOR PEOPLE WHO HAVE
BEEN ADOPTED IN ENGLAND AND WALES



The General Register Office for Northern Ireland

Oxford House

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Belfast

BT1 4HL

Tel 0300 200 7890 (028 9151 3101 if calling from outside Northern Ireland)

www.gro.nisra@dfpni.gov.uk

CoramBAAF

Coram Campus

41 Brunswick Square

London

WC1N 1AZ

Tel 020 7520 0300

www.corambaaf.org.uk

Representation and Complaints

Whilst it is Aberdeenshire Council's aim to provide a good service, if you have issues regarding representation or a complaint please ask for the leaflet 'Have Your Say:

Compliments, Comments and Complaints', which is available

from all Social Work offices and on Aberdeenshire Council's website. As Aberdeenshire Council's Fostering and Adoption

Service is regulated by Social Care and Social Work Improvement Scotland, you may also make a complaint to The Care

Commission, Johnston House, Rose Street, Aberdeen AB10

1UD Tel: 01224 793870

Introduction

This leaflet has been written to provide information for people who have been adopted in England and Wales and who wish to seek information about their birth records.

Wanting to find out more about our origins is an important part of establishing our identity. Aberdeenshire Council Social Work Service provides a service of counselling and support to those wishing to seek information and/or trace birth relatives. Aberdeenshire Council makes no charge for the counselling and support provided to adopted people.

Standard 11 of the National Care Standards for adoption agencies sets out what you can expect from the Social Work Service. You can see these at:

www.scotland.gov.uk/Resource/Doc/924/0011828.pdf.

The Adoption and Children Act 2002 is the main legislation in England and Wales that makes provision for adopted adults (at least 18 years of age) to have entitlement to apply to the General Register Office for access to their birth record.

What are the legal rights of people adopted in England and Wales?

Since 1975 adults adopted in England and Wales have been able to apply to the General Register Office, P.O. Box 2, Southport, Merseyside, PR8 2JD, Tel 0300 123 1837, for access to the original record of birth. On adoption an entry is made in the Adopted Children's Register in the child's new name, for which Certificates are available. The original birth entry is marked "adopted". The information that links his or her new name with his or her original record is kept confidential by the General Register Office. However it is used by the General Register Office so that any person adopted in England and Wales who is entitled by law can receive this information about their birth particulars.

Adults adopted between 12 November 1975 and 30 December 2005 who are 18 years old or over have a choice about whether they would wish to see an adoption advisor, or have the information sent to them direct. The adoption advisor may be able to offer practical advice and guidance as well as discussing any concerns or issues important to the adopted person.

Adults adopted in England and Wales prior to 12 November 1975 have the same entitlement to information, but they have to attend an interview with an adoption advisor before this information can be given to them. This is because, up until that date, when birth parents came to the decision to place their child for adoption, it was done on the understanding that the children would have no access to their birth records. Parliament subsequently debated proposals to give adopted adults access to their birth records, but made the provision in legislation that if they were to change the arrangements made in good faith, there would need to be some provision to protect and support all parties, ie the adoptee and birth family members, in the process of search and reunion. Therefore those adopted before 12 November 1975 have the same entitlement of access to information from the General Register Office, but are required to attend for a counselling interview.

How do you apply for information?

If you were adopted in England and Wales, you need to apply to the General Register Office, Smedley Hydro, Trafalgar Road, Southport, Merseyside, PR8 2HH, Tel 0300 123 1837 for an application form to access your birth records. Once the General Register Office receives your completed application form, he will advise you in writing about the next step. Due to the volume of applications, your application may take a number of weeks.

What can Aberdeenshire Council Social Work Service Provide?

As an adopted person, the Adoption and Children (Scotland) Act 2007 says that you are entitled to an assessment for a support service from Social Work. As a local authority, this will generally be provided by a Social Worker within the Family Placement Service, who has experience of adoption.

Further Reading

The Adoption Reunion Handbook
By Liz Trinder, Julia Feast and David Howe
John Wiley and Sons, Ltd

Reunions by Sarah Iredale
The Stationery Office

Additional Sources of Information

CoramBAAF
Campus 41 Brunswick Square
London, WC1N 1AZ
Phone: 020 7520 0300
Email: mail@corambaaf.org.uk

Useful addresses

Adoptions Section, General Register Office
Room C201
Trafalgar Road
Southport
PR8 2HH
Tel 0300 123 1837
www.direct.gov.uk

The National Archives

Kew
Richmond
Surrey
TW9 4DU
Tel: 020 8876 3444
www.nationalarchives.gov.uk

How might you go about your search?

The General Register Office administers the records of births, marriages and deaths in England. You may wish to search the records that they hold for records of birth family members at the National Archives, www.nationalarchives.gov.uk, Tel: 020 8876 3444. If you wish to visit their Centre, you should contact them, and they will be able to advise on the fee payable.

What other services might be available?

Birthlink is based in Edinburgh and they provide the Adoption Contact Register for Scotland, which can be used where either the adoption or the birth took place in Scotland.

<http://www.adoptionsearchreunion.org.uk>

Contacting Birth Relatives

Before making contact with a birth parent or relative, you should consider the situation of those parties and the possible distress such an approach might cause both them and yourself. At Aberdeenshire Council we have experience in matters of both counselling and mediation in this sensitive process and would be very willing to help. It is very important to consider the use of a third party at this stage of your search, in order to protect everybody's interests.

What will happen at the meeting with the Social Worker?

The purpose of counselling from a Social Worker is to give adopted people basic information about their adoption in a helpful way and to help adopted people understand some of the possible effects on themselves and others in relation to their enquiry about birth records. The Social Worker would be able to support you in the process of accessing your birth records, should you wish this.

When you meet with a Social Worker, you will be asked to provide information such as a birth certificate, passport, driving license or bank card, in order to protect confidentiality and ensure that information is shared appropriately.

The General Register Office will have sent the Social Worker information, which they will give you. This will include your original birth name and the name of your birth mother and possibly the name of your birth father. The Social Worker will not have a copy of your original birth record at the initial interview, but will be able to give you the necessary application form in respect of this. You can therefore apply for your original birth certificate at any time, and there will be a standard charge for the issuing of a birth certificate.

What information will I get from my original Birth Certificate?

Your original Birth Certificate should give:

- 1 The date and place of your birth
- 2 The entry number of your registration of birth
- 3 The name under which you were originally registered
- 4 Your mother's name, and perhaps her occupation
- 5 The name and address of the person who registered the birth
- 6 The date of registration
- 7 The name of the Registrar

If a child's parents are not married to each other, the father's name is not always on the birth certificate.

How can I access my adoption records?

It may be that your adoption was arranged either by an adoption society, a local authority, or privately, for example through a doctor or solicitor. In some instances a birth mother may have arranged a private adoption by a relative. If your adoption was arranged through an adoption society or a local authority, there may be records held by that organisation.

The current legislation in England and Wales (the Adoption and Children Act 2002) enables you to make direct application to the court which granted your adoption order for the name of the local authority/adoption agency involved in your adoption. You will be able to write to the court under Section 54(3) of the Adoption Rules 1984 or Rule 32 of the Magistrates' Courts (Adoption) Rules 1984, if indeed your adoption order was granted at a Magistrate or Juvenile Court. Alternatively the adoption advisor will be able to help you with this, if you prefer.

In making written application to the court, you will need to supply the following details:

- The court reference number (if it was a Magistrate/Juvenile Court that made the Order, although very often there is no court reference stated)
- The date of the adoption
- Full original birth details ie birth name and surname and birth mother's name and date of birth
- Full adoptive details, i.e. name and surname after adoption and adoptive parents' names (the date of the order and the court where the order was made can be found on your adoption certificate).

Once you have received the name of the organisation involved in your adoption, you or your Social Worker will be able to contact them to see if your adoption file still exists. While Aberdeenshire Council would wish to be supportive to you in accessing your records, there can be no guarantee about the existence of information, since before 1984 adoption agencies were only required to keep records for 25 years, and court records are not kept indefinitely. If the Council is able to help you to access your file from another local authority, that authority will have its own policy about information sharing. Generally local authorities are willing to share information that relates to you. Information relating to third parties is protected by the Data Protection Act 1998.

What is the Adoption Contact Register?

The General Register Office operates an **Adoption Contact Register**. The purpose of this is to put adopted people and their birth relatives in touch with each other if this is their stated wish. Further information about the Register is contained in a leaflet available from the General Register Office, and also from www.direct.gov.uk. There is a fee for registering. The adopted person will need to know their birth name and some information about their birth before they can register.