

Accessing birth records

INFORMATION FOR PEOPLE WHO HAVE
BEEN ADOPTED IN SCOTLAND



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The National Archives of Scotland

2 Princes Street

Edinburgh

EH1 3YY

Tel 0131 535 1314

www.nas.gov.uk

Useful Addresses

Much of the information included in this Leaflet is taken from a very useful guide, published by Birthlink Adoption Counselling Centre, called Relatively Clear - Search Guide for Adopted People in Scotland £8.99.

Birthlink

21 Castle Street
Edinburgh EH2 3DN

Tel 0131 225 6441

www.birthlink.org.uk

General Register Office for Scotland

New Register House
3 West Register Street
Edinburgh
EH1 3YT

Tel 0131 334 0380

www.gro-scotland.gov.uk

The General Register Office for England and Wales

Adoptions Section
Trafalgar Road
Southport
PR8 2HH

Tel 0300 123 1837

www.direct.gov.uk

The General Register Office for Northern Ireland

Oxford House,
49 – 55 Chichester Street
Belfast
BT1 4HL

Tel 02890 252000

www.nidirect.gov.uk

Introduction

This leaflet has been written to provide information for people who have been adopted in Scotland 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 provides a service of counselling and support to those wishing to seek information and/or trace birth relatives.

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

How can Social Work help?

If you wish, we can arrange a meeting with you. This will generally be offered to you in a Social Work Office that is local to your home. Before we proceed, there are a number of issues you should know about.

- 1** We require proof of identify at our first meeting, so you should bring either your birth certificate, driving license, passport or an official letter addressed to you.
- 2** The age at which you can search: in Scotland you need to be 16 or older to get a copy of your original birth certificate. The original birth certificate is important, as it gives the adopted person's birth surname, and this is needed to inform any search for birth relatives. It might be helpful for you to see your birth certificate because this might give you some information. Social Work will discuss this with you, and also explain the duty of confidentiality that we have to all other people who might be mentioned in your file.

If you are under 16 and have issues about your birth history, it is still possible for us to provide counselling and support.

- 3 Unfortunately we are not resourced to carry out searches on behalf of adopted people for birth relatives, but we can give advice and support about the process. Additionally we can give information about agencies who may be able to undertake some of the searching on your behalf.
- 4 If your adoption was granted in England, the process is different. Please ask for the Leaflet that explains the services that we can provide in relation to your search.
- 5 Aberdeenshire Council makes no charge for the counselling and support provided to adopted people.

What information am I entitled to?

There are 3 places where you may find birth record information. These are:

- 1 The Adoption Unit, General Register for Scotland, New Register House, Edinburgh, which will hold your original birth certificate.
- 2 The court which granted your adoption, which may hold court process papers.
- 3 The adoption agency that was involved at the time of your adoption.

Aberdeenshire Council will search for your adoption agency records. At the same time we will discuss with you whether or not it is appropriate for you to follow up an enquiry with the General Register Office in Edinburgh (for the birth certificate) and with the court that granted your adoption order.

Additional Sources of Information

CoramBAAF have useful information on their website about search and reunion:

www.baaf.org.uk/info/lpp/search/scotland.shtml.

BAAF have also developed an Adoption Search and Reunion website, to be found at www.adoptionsearchreunion.co.uk. The website provides information for adopted people, birth relatives and adoptive parents in England and Wales. General information on this website will apply to Scotland.

Representation and Complaints

Whilst it is Aberdeenshire Council's intention to provide a good service, if you have issues regarding representation or a complaint, please ask for the leaflet "Have your say Compliments, Complaints and Comments", which is available from all Social Work offices and on Aberdeenshire Council's website.

As Aberdeenshire Council is regulated by the Care Inspectorate in Scotland you may also complain to:

The Care Commission
Johnston House,
Rose Street,
Aberdeen,
AB10 1UD Tel: 01224 793870

Further Reading

The Adoption Reunion Handbook
by Liz Trinder, Julia Feast and David Howe - John Wiley and Sons

Reunions by Sarah Iredale - The Stationery Office

Heart of Reunion: some experiences of reunion in Scotland by Ros McMillan and Gwen Irving. Barnardo's 1997 (available from www.barnardos.org.uk)

Services at Birthlink

Adoption Contact Register for Scotland

As we have mentioned throughout this leaflet, Birthlink is an agency in Edinburgh which has expertise in searching for birth relatives, as well as providing a tracing service for those unable to carry out the search for themselves. In addition, Birthlink provides a service called the Adoption Contact Register for Scotland. This is a confidential central point of contact that can be used to link any two parties who have registered and want a link to happen. Any adopted person who is over 16 can register with Birthlink, as well as a birth mother, birth father or other birth relative. If you are an adopted person under the age of 16, your adoptive parents would be able to register on your behalf. This registration will lapse at 16, when re-registration will have to take place by the young person themselves. You do not have to register with this service, but it may help your search by saving a lot of time and expense. Birthlink will provide this service for a fee, details of which can be found by contacting them directly.

The Scottish Adoption Registry

This is a computerised register of all adoptions made in Scotland through an approved adoption agency. It is still being compiled by Birthlink, but if your adoption is included in the Registry, it will tell you which Social Work Agency holds your records.

Adoption Counselling Centre

This is a one stop point of contact for those seeking information and advice on adoption issues that affect adults.

What information can the General Register for Scotland provide?

On reaching the age of 16 you have the right to obtain from that office the information shown on your original entry on the Register of Births. You can purchase a copy of this by writing to the Adoption Unit at New Register House, or you can call there if you wish in person to see the extract for yourself and if you wish, purchase a copy. The staff at New Register House will explain the procedure and will tell you the charges. It would be helpful to phone them beforehand before visiting to ensure that they have an appointment available, at Tel 0131 334 0380. Again you will need proof of identity. They have a website at www.gro-scotland.gov.uk.

For some people seeing the information on their original birth certificate will satisfy their search for information, but for others, it will just be the first step in their search.

What information will I get from my original Birth Certificate?

Your original Birth Certificate should give:

- 1 the district in which your birth was registered
- 2 the entry number of your registration of birth
- 3 your name(s) and surname
- 4 your sex
- 5 your date of birth
- 6 your place of birth
- 7 your father's name and occupation, if paternity has been established (in adoption situations, it is quite common for the father's name not to be on the birth certificate, but it may be available from the court records or the adoption agency records. Aberdeenshire Council would only be able to share details identifying a birth father if paternity had been admitted or established).
- 8 your mother's maiden name, occupation and usual residence if this is different from your place of birth
- 9 date of your parents' marriage and place of marriage
- 10 informant's name and qualification.

If you were born in Scotland but adopted elsewhere in the UK

Your original birth certificate will be held in New Register House in Edinburgh. The Entry will have been marked "Adopted (England or Northern Ireland)". Therefore the Entry for your adoption will be held in that part of the UK and you should apply to the Registrar General in the relevant country. Birthlink can assist you with aspects of your search within Scotland and there would be a fee for their assistance.

If you were adopted in Scotland but born elsewhere in the UK

Your original birth certificate will be held by the Registrar in the part of the UK where you were born, and the entry will have been marked "Adopted (Scotland)". If you do not already know your birth name, the staff at New Register House will inform you and will also tell you where you can apply for a copy of your original adoption certificate when you apply to them for your full adoption certificate.

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.

Once you have searched for a marriage entry, you should search the birth indexes for children of the marriage. Remember to search for male and female births, as they have separate indexes. If any of the children were subsequently adopted, this will be indicated in the margin of the index of that child's birth certificate. You will not be able to get their adopted names, but it may be helpful to see if our agency holds any information that we could subsequently share with Birthlink to progress your search by the three way contract detailed above.

If any of your birth mother's children are aged over 16, it is worth checking the marriage indexes as their marriage certificate will hold an address which might be the same as your birth mother at the time of their marriage. Progressively, you may be able to find up to date information that will help you to locate your birth relatives, with the assistance for instance of the Electoral Register, telephone directories etc. If you know the name of your birth father, you can follow this process in relation to him also.

It is also important to bear in mind, particularly where birth parents may be elderly, that a search of the death indexes might show possible information about the death of your birth mother, her husband, her parents and/or children.

If you have not been able to find the information that you want, you may need to pursue your search outside Scotland. The General Register Office for England is based at Smedley Hydro, Trafalgar Road, Southport, Merseyside, PR8 2HH
Tel 0300 123 1837, www.direct.gov.uk

For Northern Ireland, you can apply for certificates to the Registrar General for Northern Ireland, 49 – 55 Chichester Street, Belfast BT1 4HL.

What is an Adoption Certificate?

An Adoption Certificate is a Certificate which is issued by the Registrar General for Scotland when he is informed that an Adoption Order has been made in a Scottish Court. When a copy of such an order is delivered to the Registrar General for Scotland, he makes an entry in the "Adopted Children Register". At the same time, the entry in the Register of Births is marked "adopted". The Registrar General maintains a confidential index which enables him to identify the link between the adopted person and the original birth entry, but this index is not open to the public.

Short or abbreviated adoption certificates can only be obtained from New Register House. The short certificate does not contain any reference to adoption and it only tells you the country and not the place where you were born. It is likely that your adoptive parents obtained such a certificate at the time of your adoption. If you wished to obtain a copy, you can write to New Register House and request this. They will advise you of the charge and will arrange for one to be posted out to you.

The full adoption certificate may also have been obtained by your adoptive parents at the time of your adoption. Again if you do not have a copy, you can purchase one through New Register House. The information that is included in the full certificate is:

- 1** The volume number and year (since 1966)
- 2** The entry number
- 3** Names and surname
- 4** Sex
- 5** Date of birth
- 6** Country of birth
- 7** Name/s and surname of adopter/s
- 8** Occupation of adopter/s
- 9** Address of adopter/s
- 10** Date of adoption order
- 11** Court which made the order

Probably the most important piece of information, if you are wanting to take matters forward, is the name of the court which made the adoption order. This will help you to gain access to the court process papers. We now go on to tell you about this process.

What information can the Court Process Papers provide?

If you were adopted in Scotland, information about your adoption can be obtained from the legal documents that were lodged in the court at the time of your adoption. Once you have reached the age of 16, you have the right to access to these records, but you need to have details about your birth name. If you contact the Sheriff Court which granted your adoption order and give them details of both your birth name and the date of your adoption order (which is on the full adoption certificate), the court will confirm if they have the papers, if not where they are held and how you can make arrangements to view them. The court process papers are sealed documents and can only be opened in specific conditions, including a condition that you have provided proof of identity.

If the court that granted your adoption order no longer holds your records, it is likely that they will be held at the National Archive of Scotland in Edinburgh. That office is situated next door to the General Register Office at New Register House in Edinburgh. If you are unable to attend either the court or the National Archive of Scotland personally, it is possible to authorise someone in a professional capacity to attend on your behalf and take note of all of the details.

How might you go about your Search?

Searches at the General Register Office

The General Register Office administers the records of births, marriages and deaths in Scotland as well as holding the Adopted Children Register. If you wish to search personally, the office is open from 9 am – 4.30 pm Monday to Friday. It is best to telephone in advance to ensure they can accommodate your visit. You will have to pay a fee to search the records. If you are unable to undertake a search yourself, you can ask staff at the Birthlink to arrange this on your behalf. Their contact address is highlighted at the end of this leaflet. They can supply a leaflet explaining their service and their search fees.

Additionally Birthlink are now offering a three way contract to trace birth relatives, for example a brother or a sister. As birth relatives may have a right to confidentiality, Aberdeenshire Council may not immediately be able to share information about them directly with you. However, what we can do is to provide this information to Birthlink, which will enable them to do the search for the birth relative. If a birth relative is found, identifying information about them could be passed to you, but only with their permission. Birthlink charge a fee for their services and enquiries about this should be made to Birthlink. Birthlink is a non-profit making organisation with charitable status.

If you decide to undertake the search yourself it is often helpful to start with information that you have about your birth parents. If your birth mother was not married at the time your adoption, you may wish to search marriage indexes from the year of your birth onwards, to see if she married later. Any marriage certificate will show her age and address and her parents' names, and the name of her husband. Names of witnesses may also help your search. If the marriage ended in divorce, the marriage certificate will be marked RCE in the corner. In this instance, you may wish to search for an entry of re-marriage for either partner.

The kind of information that may be included in records is:

- 1 The date of birth of your parent/s
- 2 Their approximate age at the time of the adoption
- 3 Details of their family at the time of adoption
- 4 Where they lived
- 5 Whether family members were in employment
- 6 Whether family members participated in the decision making about the adoption
- 7 The interests, health and physical characteristics of your birth mother and possibly birth father.
- 8 Some information about the reasons for adoption at that time.

If since the time of the adoption any members of your birth family have maintained contact with the adoption agency, details of that contact should be included in the file. In addition to receiving from our agency a written summary, you may wish to see your file or receive documents from it. If Aberdeenshire Council holds the file, you must put a simple request in writing for file access to the Team Manager of the Adoption Team, Aberdeenshire Council Social Work Service, 93 High Street, Inverurie AB51 3AB or email adoption@aberdeenshire.gov.uk. We could help you with this letter if you wished. Where the file is held by another agency, we will, if you wish, seek their view as to whether information can be shared, and let you know that agency's decision. Alternatively, you may wish to approach that agency yourself. Again it is perhaps helpful to point out that if paternity has not been established or accepted, it is unlikely we would be able to give identifying information about a biological father.

What might the Court Process Papers tell you?

The Court Process Papers may give additional information to that which you are able to find from your original birth certificate. They may identify the adoption agency, if one was involved, details about your birth parents, the name of a mother and baby home or any additional addresses for your birth mother. You may expect to find the following information:

- 1 The details from the petition for authority to adopt (this is the application made by your adoptive parents in relation to the adoption). Your birth or putative father may or may not be named.
- 2 Details from the consent to adoption form, signed by your legal parents, if they have signed this. However, please note that your birth father's consent would only be required if he is your legal father, and there will be no consent form if your legal parent/s refused to consent to your adoption. If you were adopted before 1984, there may be a note of the names and addresses of witnesses, who may be family members or friends and this may help your search. After 1984, the rules were stricter and the consent form had to be witnessed by an official appointed by the court, called a Reporting Officer. If you were 12 or over at the time of your adoption, you should see your own signature on the consent to adoption form.

- 3 Details from the Report by the Curator ad litem. The Curator ad litem is someone appointed by the court to investigate the adoption application and safeguard your welfare during the adoption process. Usually a solicitor or social worker will have prepared these reports. Sometimes these reports are brief and give no additional information that will help your search. Alternatively they may include details of the adoption agency, a mother and baby home, a children's department or social work department, which may help you to further your search. You should be aware that the report by the Curator ad litem may hold some distressing information or serious problems that influenced the adoption plan. You may wish to discuss such information with the Social Worker who offers counselling to you throughout this process.
- 4 Other papers – since 1984 the court papers should always include a report prepared by the local authority social work department or the adoption agency which arranged the adoption. Until the 1970s most adoption orders in Scotland were granted by the Sheriff after reading the papers relating to the adoption without an actual court hearing. In a number of cases, birth parents were unwilling to sign the consent form, but did not appear in court. However, if your birth parents actively contested your adoption, there would have been a court hearing and therefore papers relating to this and the Sheriff's notes setting out the facts and the grounds on which he or she proceeded.

Adoption Agency Records

You may already know whether an adoption agency was involved in your adoption. If you do not know whether an agency was involved in your adoption, you can make your own enquiry by checking the court process papers or you can register with the Birthlink based at 21 Castle Street, Edinburgh, EH2 3DN, Tel 0131 225 6441. They will be able to check the Scottish Adoption Registry on your behalf. The Centre also holds some information about existing and closed adoption agencies. It may be that an adoption agency did not arrange your adoption, but the court process papers may indicate the name of a local social work office, formerly known as the children's department, and they may still hold some records in relation to you, so that is worth checking.

Records held by Aberdeenshire Council

In Aberdeenshire Council, it is recognised that it is important for adopted people to have access to information that may answer their questions about their pre-adoption history. Adoption records by law have to be kept for 100 years. This is to allow people the space of a lifetime to come back and make enquiries. Whilst it is not generally our practice to trace relatives on your behalf, we would wish to be as helpful as possible and would be able to share information from records that relates directly to yourself as an adopted person. We will discuss with you the appropriateness of you accessing the information available to you from birth records and the court process before providing information from our records.

Because of reasons of confidentiality, it may not be possible to share the whole record held by the agency, as it may contain information about other people that we would not have permission to share. However, in this case, we will provide as full information as possible, relating to yourself.