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Our Ref: DCFD2011/4983

Senator Rachel Siewert  
Chair, Standing Committee on Community Affairs  
Parliament House  
PO Box 6100  
CANBERRA ACT 2600

Dear Senator Siewert

**RE: INQUIRY INTO COMMONWEALTH CONTRIBUTION TO FORMER FORCED ADOPTION POLICIES AND PRACTICES.**

Thank you for your letter dated 9 November 2011, which seeks further information about how the decisions were made to restrict information regarding adoptions during the period from 1950 – 1970.

In 1978, the Northern Territory (NT) was granted self-government by an Act of the Commonwealth Parliament. Prior to this, the NT was administered by the Commonwealth and any forced adoption practices or policies were the responsibility of the Commonwealth.

Before and for some years after self government, adoption legislation did not allow the release of identifying information to any person, regardless of their stake in the adoption process.

The *Adoption of Children Act 1994* made identifying information available to parties to adoption for the first time in the NT. In the public debate that preceded the introduction of the Act, most people who had been affected by adoption strongly supported information access provisions. However alternative views were also expressed, in particular some relinquishing parents claimed they had been guaranteed confidentiality when relinquishing children for adoption. In attempting to balance the recognised need to remove secrecy from the adoption process and honour any past guarantees of confidentiality, the Act treats adoptions which took place under previous legislation in a different manner to adoptions finalised after 1994.

An information veto provision is only available in relation to adoptions finalised prior to 1994. An adopted person or relinquishing parent may lodge a veto of up to 3 years which prohibits release of information which identifies them. Upon veto expiry or revocation, it can be reinstated for further periods of up to 3 years.

In respect to adoptions finalised since 1994, both relinquishing parents and the adoptee have automatic information access and there is no information veto provision.

If you require additional information please contact Ms Sue Moore Executive Director Care & Protection Policy & Program Development on \_\_\_\_\_ or via email

Yours sincerely

**Clare Gardiner-Barnes**

3 /02/2012