

Adoption law reform

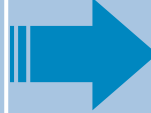
Current adoption system

Options we're considering

Purpose and principles



No defined purpose or guiding principles



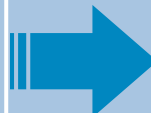
Child-centred purpose of adoption
Guiding principles ensure that children's rights are upheld

Legal effect



Birth parents are **replaced** with the adoptive parents

Adoptive parents get guardianship rights, responsibilities and duties



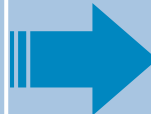
Birth parents and adoptive parents are **all** legal parents

Adoptive parents get guardianship rights, responsibilities and duties

Child participation



Children's wishes are given due consideration

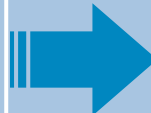


Children are supported to meaningfully participate
Children are encouraged and supported to share their views and have them taken into account

Family & whānau involvement



No legal requirement for birth family & whānau to be involved in the adoption process



A right for birth family & whānau to be involved in the adoption process

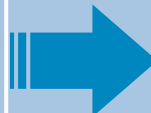
Post-adoption contact agreements help keep the child connected to family & whānau

Information and identity



Adopted people must be at least 20 years old to apply for their original birth certificate

Some adopted people must attend counselling before accessing adoption information



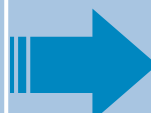
Automatic access to information on original birth record, with counselling available if requested

No age restrictions to access adoption information

Connections to culture



No legal recognition of adopted person's right to be connected to their birth culture



Adopted person's right to be connected to their birth culture is recognised and supported through cultural reports and other measures

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A Child's Journey*

***Note:** This journey map is to aid people's understanding of how a child could move through the adoption system we are considering. It is designed to provide a simple overview of the adoption process and therefore does not cover all aspects of the process. Other types of adoptions, including step-parent, intercountry and overseas adoptions, may follow a different process.



Before Application



Application

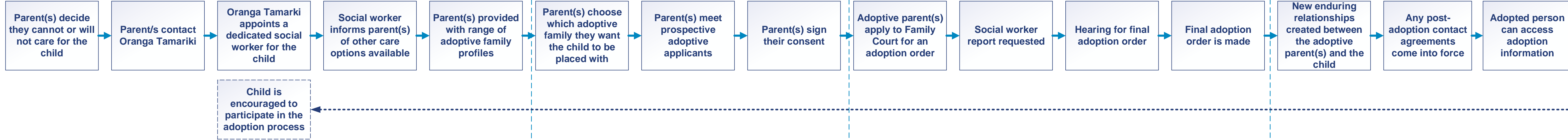


At Court

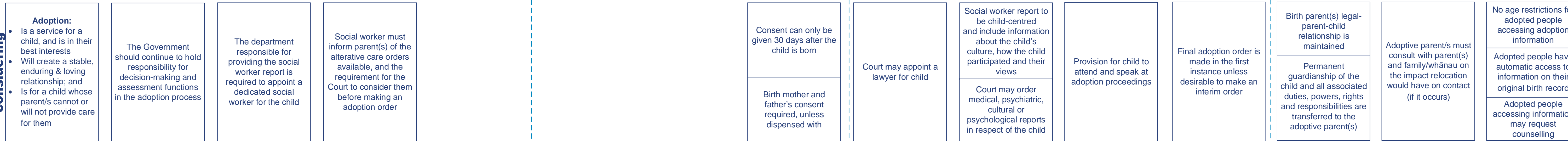


After adoption

Stage of Journey



Options we're considering



Principles



Adoption Law Reform

A Birth Parent's Journey*

***Note:** This journey map is to aid people's understanding of how birth parent(s) could move through the adoption system we are considering. It is designed to provide a simple overview of the adoption process and therefore does not cover all aspects of the process. Other types of adoptions, including step-parent, intercountry and overseas adoptions, may follow a different process.



Before Application



Application



At Court



After adoption

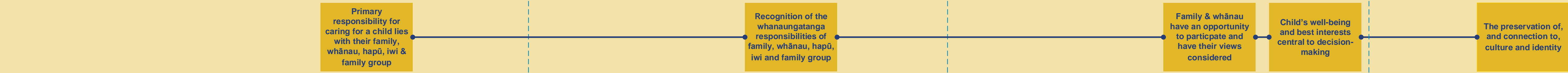
Stage of Journey



Options we're considering

<p>Adoption:</p> <ul style="list-style-type: none"> Is a service for a child, and is in their best interests Will create a stable, enduring & loving relationship; and Is for a child whose parent/s cannot or will not provide care for them 	<p>The Government should continue to hold responsibility for decision-making and assessment functions in the adoption process</p>	<p>Social worker must inform parent(s) of the alternative care orders available, and the requirement for the Court to consider them before making an adoption order</p>	<p>Parent(s) choose which adoptive family they want the child to be placed with</p>	<p>Parent(s) meet prospective adoptive applicants</p>	<p>Parent(s) and adoptive parent(s) create post-adoption contact agreement</p>	<p>Parent(s) sign their consent</p>	<p>Adoptive parent(s) apply to Family Court for an adoption order</p>	<p>Social worker report requested</p>	<p>Hearing for final adoption order</p>	<p>Final adoption order is made</p>	<p>New enduring relationships created between the adoptive parent(s) and the child</p>	<p>Any post-adoption contact agreements come into force</p>
<p>Adoption: Is a service for a child, and is in their best interests</p>					<p>Post-adoption contact agreements are required to be considered in all domestic adoption cases</p>	<p>Consent can only be given 30 days after the child is born</p>		<p>Family & whānau views on adoption to be included in social worker's report</p>	<p>Court must be satisfied alternative care arrangements have been considered</p>	<p>Final adoption order is made in the first instance unless desirable to make an interim order</p>	<p>Birth parent(s) legal-parent-child relationship is maintained</p>	
						<p>Birth mother and father's consent required, unless dispensed with</p>		<p>Cultural information to be provided to the Court in social worker's report</p>	<p>Parent(s) may attend and participate in adoption proceedings</p>	<p>Parent(s) may withdraw their consent up until a final adoption order is made</p>	<p>Permanent guardianship of the child and all associated duties, powers, rights and responsibilities are transferred to the adoptive parent(s)</p>	<p>Adoptive parent(s) must consult with parent/s and family/whānau on the impact relocation would have on contact (if it occurs)</p>

Principles



Family and whānau involvement in the adoption process

<p>Alternative care arrangements may include placements within family and whānau</p>	<p>Post-adoption contact agreements involve the wider birth family and whānau</p>	<p>Social worker to include family and whānau views in the social worker report</p>	<p>Family & whānau attend and participate in adoption proceedings if they so wish</p>	<p>Family & whānau to be consulted if adoptive parent(s) decide to relocate</p>
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An Adoptive Parent's Journey*

***Note:** This journey map is to aid people's understanding of how adoptive parent/s could move through the adoption system we are considering. It is designed to provide a simple overview of the adoption process and therefore does not cover all aspects of the process. Other types of adoptions, including step-parent, intercountry and overseas adoptions, may follow a different process.



Before Application



Application



At Court



After adoption

Stage of Journey



Options we're considering

<p>Adoptive applicants to engage with Oranga Tamariki before submitting an application to Court</p>	<p>An Applicant must be at least 18 years old to be eligible to adopt</p> <p>No eligibility to adopt criteria based on an applicant's sex or relationship</p>	<p>The Government should continue to hold responsibility for decision-making and assessment functions in the adoption process</p>	<p>Post-adoption contact agreements are required to be considered in all domestic adoption cases</p>	<p>Consent can only be given 30 days after the child is born</p> <p>Birth mother and father's consent required, unless dispensed with</p>	<p>Content of the suitability assessment used to inform the social worker report be left to professional discretion</p> <p>Social worker report to inform Judge's decision on suitability</p>	<p>Court must be satisfied alternative care arrangements have been considered</p> <p>Judge must be satisfied that the adoptive applicants are suitable to adopt</p>	<p>Final adoption order is made in the first instance unless desirable to make an interim order</p> <p>Parent(s) may withdraw their consent up until a final adoption order is made</p>	<p>Birth parent(s) legal-parent-child relationship is maintained</p> <p>Permanent guardianship of the child and all associated duties, powers, rights and responsibilities are transferred to the adoptive parent(s)</p>	<p>Adoptive parent(s) must consult with parent(s) and family/whānau on the impact relocation would have on contact (if it occurs)</p>
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Principles

Recognition of the whanaungatanga responsibilities of family, whānau, hapū, iwi and family group

Child's well-being and best interest central to decision-making

The preservation of, and connection to, culture and identity