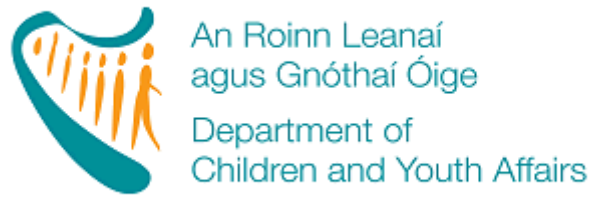


PRESS RELEASE



**Minister Zappone publishes the
Adoption (Information and Tracing) Bill 2016
An adopted person aged 18 years or over who was adopted prior to
commencement will have a statutory entitlement to the information required
to apply for his or her birth certificate, subject to certain conditions.**

25th November, 2016

The Minister for Children and Youth Affairs, Katherine Zappone TD, today published the Adoption (Information and Tracing) Bill 2016.

The Minister said “I am delighted to be able to publish the Adoption (Information and Tracing) Bill 2016 today. Over the past year, work has been ongoing to draft this important legislation. This Government fully appreciates that the desire to know one's identity, or to re-establish contact, is fundamental and entirely reasonable. However the balancing of rights of those affected by adoption cannot be discounted.”

The Bill provides that the Adoption Authority of Ireland will have overall responsibility for the safeguarding of adoption records, including information relating to informal ‘adoption’ arrangements and persons whose birth was incorrectly registered. All adoption records, which are currently held in a number of locations, are to be transferred to the custody of the Authority. The Bill provides that the records are to be indexed and a searchable electronic database of the records is to be created. The Authority is to ensure that all adoption records are to be kept in a suitable and secure location with access to be provided to a person to view his or her own records, where that person has an entitlement under the Bill.

The Bill provides for the Child and Family Agency to operate an information and tracing service. It provides for structured and regulated access to information and tracing services for those affected by adoption, subject to informal ‘adoption’ arrangements or an incorrect registration of their birth. Where both parties consent, the Agency will facilitate contact between the two parties.

A key provision of the bill is to provide for a scheme where the information required to obtain a birth certificate may be provided to an adopted person subject to certain conditions. A copy of an adopted person's adoption order will also be provided, subject to the same conditions.

The following measures are provided for in the Bill to ensure that the birth parents' right to privacy is protected –

- offering support and guidance to both parties;
- enabling a birth parent to register his or her name on the Register of Adoption Contact Enquiries and to express his or her preferences in relation to contact;
- notifying a birth parent (whose name is entered on Register) in advance of the proposed release of birth certificate information and providing that parent with an opportunity to provide Tusla, the Child and Family Agency with a statement setting out his or her view that there are 'compelling reasons' as to why the information should not be released; and
- providing that, where a birth parent has not registered his or her name on the Register or has registered a 'no contact' preference on the Register, an adopted person will be required to sign a declaration that he or she will not contact his or her birth parent.

The above provisions go to make up a suite of measures that will safeguard privacy rights of individuals. It is also proposed to hold an awareness campaign to alert persons affected by the adoption to the intention to release information to enable an adopted person to obtain his or her birth certificate (or a copy of his or her adoption order).

The Bill also provides for specified personal or birth family information to be provided to an adopted person on request.

A person who may have been the subject of an informal 'adoption' arrangement or an incorrect registration of their birth and a birth parent of that person is also entitled to apply for information.

The Minister concluded: *"I recognise the hugely emotive issue this is for so many people on both sides of the search for information. We must work to ease the fears, and in some cases misunderstandings, about what greater transparency will mean among those who fear the consequences of consenting to the release of records. And we must work to help those looking for their birth details to understand and cope with the often unavoidable sensitivities and roadblocks along the path to finding the information they need."*

If a person has any concerns about the effects of the proposed legislation, they are advised to contact their local Tusla office. Details of which can be found at: www.tusla.ie.

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Notes to Editors:

- The Heads and General Scheme of the Adoption (Information and Tracing) Bill were approved by Government in July 2015 and subsequently referred to the Joint Oireachtas Committee on Health and Children for pre-legislative scrutiny.

- The Joint Committee's recommendations were forwarded to the Minister in November 2015 and following consideration of the Committee's recommendations, a revised scheme was developed which amended the previous suite of measures to balance the right to identity of the adopted person with the right of the birth parent to privacy and to be left alone.
- The Government approved the drafting of this Bill, taking account of the report of the Oireachtas Joint Committee on Health and Children on the pre-legislative scrutiny of the general scheme and heads of the Bill in December 2015.
- A copy of the Bill and further information is available at www.dcy.gov.ie

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