

Adoption Authority of Ireland

Rules for Consulting Relevant Non-guardians about placements for adoption

The Adoption Authority of Ireland was established as an independent regulatory body on 1 November 2010 following the enactment of the Adoption Act 2010.

The mission of the Adoption Authority is to make sure that adoption-related services meet the highest standards throughout the entire adoption process. In all activities, the best interests of children come first.

These procedures support this mission. We will use these procedures from 1 January 2018.

Terms used in these rules

Adoption is a life-changing process for everyone involved. It needs to be underpinned by a strong legal process to protect everyone's rights. It's important, therefore, that any information we provide is as clear as possible. These are some terms you need to know to understand this information sheet.

Term	Explanation
Accredited body	A body authorised by the Adoption Authority of Ireland to carry out functions regarding adoption.
Acts	The Adoption Acts 2010 to 2017
Authority	The Adoption Authority of Ireland acting through its Board
Child	Any person who is under 18
Guardian	An adult who has legal rights and duties in relation to a child

Term	Explanation
Relevant non-guardian	<p>Relevant non-guardians include:</p> <ul style="list-style-type: none"> • a father of a child who is not a guardian of the child; • a person who has been appointed the guardian of a child but who has not been granted certain rights of guardianship; • a person appointed by the court to be a temporary guardian of a child; and • a parent of a donor-conceived child who is not a guardian of the child.

Rules about consulting with relevant non-guardians

- (a) Any relevant non-guardian of a child may write to the Authority to say they want to be consulted about a proposal by an accredited body to place a child for adoption. The relevant non-guardian must fill out and return Form F3.
- (b) Before an accredited body can place a child for adoption (place a child into the custody of prospective adoptive parents), they must submit a Form F4 to the Adoption Authority to confirm whether or not a relevant non-guardian has expressed an interest in the adoption of that child. In response and as soon as possible, the Authority will give the accredited body a copy of any request from a relevant non-guardian.

The Authority may not have received any request from a relevant non-guardian when the accredited body submits Form F4. If the Authority receives a request from a relevant non-guardian any time after receiving Form F4, the Authority will give the accredited body a copy of it as soon as possible.

- (c) If an accredited body is unable to consult a relevant non-guardian of a child, the accredited body must tell the Authority about this. If the

Authority is satisfied that the relevant non-guardian has been identified and enough efforts have been made to contact, notify and inform them, they can authorise the accredited body to place the child for adoption.

(d) The Authority must take these steps to ensure that every relevant non-guardian of the child is consulted about the proposed placement for adoption **unless** the Authority is satisfied that:

- this is not possible because the identity of the father is unknown and the mother or guardian of the child will not or is unable to reveal the identity of the father; **or**
- this would be inappropriate because of the relationship between the relevant non-guardian and the mother of the child, or because of the way the child was conceived.

In these cases, the Authority will apply to the High Court for approval to authorise the accredited body to place the child for adoption. After getting this authorisation, the accredited body may place the child for adoption shortly after the High Court has approved the placement.