

# Adoption in Victoria

c. 1928 –

## Details

---

Adoption in Victoria was regulated by the state for the first time with the passage of the *Adoption of Children Act 1928* which became law in July 1929. The first legal adoption in Victoria was registered in October of that year. Before that time unofficial, de facto adoptions, which were not recognised in law, were sometimes arranged by both Government and non-government organisations, as well as by individuals.

The *Adoption of Children Act 1928* became law in July 1929 and the first legal adoption in Victoria was registered in October of that year.

Before that time unofficial, de facto adoptions, which were not recognised in law, were sometimes arranged by both Government and non-government organisations, as well as by individuals (most notably midwives, as well as solicitors).

Donella Jaggs identifies the first reference to 'official quasi-adoption' in the 1869 Annual Report of the Department for Industrial and Reformatory Schools. She writes that with the introduction of boarding out from the 1870s, 'quasi adoption' became more desirable for the Victorian government, as it would provide 'free homes for children who would otherwise be long-term costs'.

Voluntary and charitable organisations, such as the Victorian Infant Asylum founded in 1877, also organised adoptions, long before the passage of the 1928 legislation.

Private adoptions organised by charitable organisations came under more scrutiny with the passage of Infant Life Protection legislation in 1890 and 1907, which required the registration of adoptive parents. Information about adoptions can sometimes be found in Infant Life Protection records.

The Neglected Children's Department declared in its Annual Report for 1907: 'We feel that it is a deplorable thing that children can be disposed of in the easy manner now existing – through daily newspaper advertisement – in many cases no care being taken by the person arranging the adoption as to the class of mother or home the child is going to.'

Jaggs writes of the growing movement in favour of adoption legislation, that would provide all parties with 'secrecy, safety and stability'. She writes of the Act's effect in Victoria:

*Voluntary organisations responded enthusiastically, since the Act did appear to advantage all parties. It advantaged adopters by giving them security of tenure. It advantaged mothers of illegitimate children by offering them the certainty that their children would become permanent members of good families and that their own guilty secret would be kept. It advantaged children by giving them security and most advantages of legitimacy. It advantaged the charitable agencies, because it enabled them to develop a prestigious and satisfying service which extended their work with destitute women and children. It also appeared, at least to some enthusiasts, to offer a means of reducing the number of slum-dwellers.*

The 1928 Act for the first time provided for the transfer of parental rights, duties, obligations and liabilities to adoptive parents and offered secrecy, safety and stability to the child and the adoptive parents.

People seeking information about adoptions should therefore bear the year 1929 in mind. Because of the unofficial nature of adoption before that time, there are generally no records that can be called 'adoption records'. Researchers may, however, locate information or clues in other records, such as records of state wardship, fostering, boarding-out, court records, and maintenance records and in printed material such as the Police Gazettes. Information may also be available from non-government organisations which are or have been involved in child welfare and adoption.

The *Adoption Act 1964* banned all private adoptions. From this time, organisations had to be registered as approved adoption agencies under Victorian legislation.

The 1984 *Adoption Act* was a significant shift in adoption policy in Victoria. The 1984 Act focused on the needs of adopted children, and enshrined a child's right to access information about his or her family of origin. The Hon. Pauline Toner (who died in 1989) was an important figure in the introduction of this legislation to the Victorian Parliament.

Following the Commonwealth Senate Inquiry into forced adoption practices, which found that up to 250,000 babies were forcibly removed from their predominantly young mothers, on 25 October 2012, the state government apologised to all those affected by forced adoption practices in Victoria.

## Gallery

---



Who will adopt this Little Chap?

### Who will adopt this little chap?

**Description:** This image appeared in the Methodist *Spectator* newspaper on 21 July 1905. It is of a child named Douglas, aged 20 months, described by Elza M. Presley in her monthly notes about the Methodist Homes for Children as a 'beautiful little fellow, whose appearance we feel sure will captivate someone. We would again point out that it is very necessary for us to get homes for the children as our accommodation is limited, and when both homes are full, as is the case at present, it becomes impossible to receive other cases, however urgent they may be.'



WHO WILL ADOPT THIS FINE LAD ?

### Who will adopt this fine lad?

**Description:** This image appeared in the Methodist *Spectator* newspaper on 22 October 1903. Fannie E. Webb, in her 'Livingstone Home letter' in the newspaper described the [unnamed] boy as 'a fine, sturdy little fellow'.

## More info

---

# Related Entries

## Related Events

- [Inquiry into Commonwealth Contribution to Former Forced Adoption Policies and Practices, Commonwealth of Australia \(2011 - 2012\)](#)
- [Parliamentary Apology for Past Adoption Practices, Parliament of Victoria \(25 October 2012\)](#)
- [Inquiry into Responses to Historical Forced Adoptions in Victoria \(28 May 2019 - August 2021\)](#)

## Related Glossary Terms

- [Forced Adoption \(c. 1940 - c. 1970\)](#)

## Related Organisations

- [The Victorian Infant Asylum \(1877 - 1902\)](#)
- [Adoption and Family Records Service, Department of Human Services \(c. 1984 - November 2010\)](#)  
AFRS was an adoption information service.  
Date: 1984 - 2010
- [Victorian Adoption Network for Information and Self Help \(1989 - current\)](#)  
VANISH is a self-help organisation for people affected by adoption.
- [Adoption Information Services, Department of Justice and Community Safety \(2019 - current\)](#)  
Adoption Information Services is the agency managing access to records of Adoption in Victoria.

## Related Legislation

- [Infant Life Protection Act 1890, Victoria \(1891 - 1915\)](#)
- [Adoption of Children Act 1928, Victoria \(1929 - 1959\)](#)
- [Adoption of Children \(Amendment\) Act 1954, Victoria \(1955 - 1959\)](#)
- [Adoption of Children Act 1958, Victoria \(1959 - 1966\)](#)
- [Adoption of Children Act 1964, Victoria \(1966 - 1987\)](#)
- [Adoption of Children \(Information\) Act 1980, Victoria \(1981 - 1987\)](#)
- [Adoption Act 1984, Victoria \(1985 - current\)](#)

# Resources

- Quartly, Marian; Swain, Shurlee; Cuthbert, Denise; Drefus, Kay and Taft, Margaret, *The market in babies: stories of Australian adoption*, 2013
- Herman, Ellen, [The Adoption History Project](#), No date
- Harris, Helen Doxford, *Infant Life Protection Act of 1890 - index to mothers, children, nurses and adoptive parents*, 2001
- Harris, Helen Doxford, [Infant Life Protection Act 1890 - Information compiled by Helen D. Harris OAM, 2004-10.](#), No date
- [The History of Adoption Project website](#), 2010
- Barnett, F Oswald, *Is it safe to adopt a baby? : a social study*, 1948
- Lothian, Kathy, [Australian Adoption Records - Victoria](#), The History of Adoption Project, 2010
- VANISH, [A Post-Adoption Guide: searching for records and birth relatives](#), 2013
- Department of Health and Human Services, [Finding Records](#), 2016

# Other Resources



**Title:** 'Conditions and rules for adopting children by the Victorian Infant Asylum'

**Type:** Image

**Date:** 1890s

[Details](#)

---

You can view this page online by visiting <https://findconnect.efront.digital/entity/adoption-in-victoria/>

---