

Adoption in New South Wales

c. 1923 –

Details

Adoption means to replace a child's birth parents with a new family. Before 1923 there was no system of legal adoption in New South Wales. Unofficial adoptions took place and were arranged by advertisements in the press, private arrangements, through churches and the State Children's Relief Department.

Until 1923, adoptions in New South Wales were not regulated or properly recorded. However, a number of organisations arranged adoptions, including the government's State Children's Relief Board, who used the term 'adoption' to describe placing a state ward in a foster home, without paying fees for its care.

George Edward Ardill of the Sydney Rescue Work Society also arranged adoptions of children from his Homes. The Sisters of St Joseph arranged informal adoptions from their orphanages. According to Sister Kathleen Burford, couples adopting were obliged to sign a contract, agreeing to observe certain conditions. The orphanage staff visited the children in their new homes to ensure they were properly cared for, and if they found a breach of contract, would reclaim the child.

Unfortunately, the unofficial nature of adoption before 1923 means there are few records about it, or ways to trace name changes. Clues can be found in records of state wardship, registers of institutions, court records and Police Gazettes. Some non-government organisations, such as maternity and infant homes and churches, may hold information – for instance, a note on a register that a child was 'adopted'.

The *Child Welfare Act 1923* formalised adoption in New South Wales, although the adopted child did not gain the right to inherit from their adoptive family. The *Adoption of Children Act 1965* gave the adopted child the same inheritance and other rights as a natural child, and allowed the creation of a new birth certificate.

Since 1990, under the *NSW Adoption Information Act*, adopted children have had the right to gain access to their original birth certificate. The *Adoption Act 2000* further improved access.

From 1998 to 2000, there was a Legislative Council inquiry into Adoption Practices in NSW. The Committee considered adoption practices from 1950 to 1998. However, the primary emphasis of the Inquiry was on the practices occurring before the introduction of the *Adoption Information Act 1990*.

On Thursday 20 September 2012, in response to the Senate report of the inquiry into Commonwealth Contribution to Former Forced Adoption Practices, both Houses of the New South Wales Parliament apologised for forced adoption practices.

Gallery



Given or Taken?

Description: Four Corners report into forced adoptions in Australia. States that, over five decades in the 20th century, thousands of women gave up their newborn children for adoption. While they were supposed to make their decision freely, many claim they were coerced, bullied and their children were effectively stolen.

More info

Related Entries

Related Events

- [Inquiry into Adoption Practices in NSW, New South Wales Legislative Council \(1998 - 2000\)](#)
- [Inquiry into Commonwealth Contribution to Former Forced Adoption Policies and Practices, Commonwealth of Australia \(2011 - 2012\)](#)
- [Apology for Forced Adoption Practices, Parliament of New South Wales \(29 September 2012\)](#)
- [National Apology for Forced Adoptions, Parliament of Australia \(21 March 2013\)](#)

Related Glossary Terms

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

Related Legislation

- [Children's Protection Act 1892, New South Wales \(1892 - 1902\)](#)
- [State Children Relief Act 1896, New South Wales \(1896 - 1901\)](#)
- [State Children Relief Act 1901, New South Wales \(1901 - 1923\)](#)
- [Child Welfare Act 1923, New South Wales \(1923 - 1939\)](#)
The *Child Welfare Act 1923* was the first law in NSW that provided for legal adoption.
Date: 1923 - 1939
- [Child Welfare \(Amendment\) Act 1924, New South Wales \(1924 - 1939\)](#)
- [Child Welfare Act 1939, New South Wales \(1939 - 1987\)](#)
- [Child Welfare \(Further Amendment\) Act 1961, New South Wales \(1961 - 1965\)](#)
- [Adoption of Children Act 1965, New South Wales \(1965 - 2003\)](#)
- [Child Welfare \(Amendment\) Act 1966, New South Wales \(1966 - 1987\)](#)
- [Adoption Information Act 1990, New South Wales \(1990 - 2003\)](#)
- [Adoption Act 2000, New South Wales \(2000 - current\)](#)

Related Organisations

- [Methodist Adoption Agency \(- 1970s\)](#)
- [Seventh Day Adventist Adoption Agency \(- 1993\)](#)
- [State Children's Relief Board \(1881 - 1923\)](#)
- [State Children's Relief Department \(1881 - 1923\)](#)
- [South Sydney Women's Hospital \(1905 - 1976\)](#)
- [Tresillian Mothercraft Homes, Royal Society for the Welfare of Mothers and Babies \(1918 - current\)](#)
- [Tresillian Petersham \(1921 - 1997\)](#)
- [Child Welfare Department, State Government of New South Wales \(1923 - 1970\)](#)
- [St Anthony's Home Croydon \(1925 - 1980\)](#)
- [Myee \(1926 - 1977\)](#)
- [Tresillian Vacluse \(c. 1935 - October 1968\)](#)
- [Tresillian Wollstonecraft \(1940 - current\)](#)
- [Carramar \(1961 - 1984\)](#)
- [Post Adoption Resource Centre \(1991 - current\)](#)
- [Anglicare Adoption Services \(1997 - current\)](#)

Related Archival Collections

- [Records relating to Adoption \(1900? - current\)](#)
- [Records of the Anglicare Adoption Services \(1961 - current\)](#)

Related Archival Series

- [Applications and Adoption files for State wards \[Dependent Children and Adoptions Branch, Department of Community Services\] \(1940 - 1961\)](#)
- [Adoption Files \[Dependent Children and Adoptions Branch, Department of Community Services\] \(1947 - 1974\)](#)
- [Private adoption agency contact files \[Dependent Children and Adoptions Branch, Department of Community Services\] \(1950 - 1975\)](#)
- [Private Adoption files \[Dependent Children and Adoptions Branch, Department of Community Services\] \(1954 - 1967\)](#)
- [Presbyterian Adoption Agency adoption registers \[Dependent Children and Adoptions Branch, Department of Community Services\] \(1966 - 1975\)](#)
- [Benevolent Society adoption register \[Dependent Children and Adoptions Branch, Department of Community Services\] \(23 May 1969 - 1 September 1975\)](#)

Resources

- Senate Community Affairs References Committee, [Commonwealth Contribution to Former Forced Adoption Policies and Practices](#), 29 February 2012
- Bowen, Jennifer, [Tangled Web, Part I: the silence of consent](#), 20 March 2011
- McLean, Donald, *Children In Need: An account of the administration and functions of the Child Welfare Department, New South Wales, Australia: with an examination of the principles involved in helping deprived and wayward children*, 1955
- Burford, Sister Kath R.F.J., *St Anthony's Family Care*, 1989
- Thompson, Geoff and Hichens, Clay, [Given or Taken?](#), 27 February 2012
- [Mr. Walter Bethel](#), The Sydney Morning Herald, 7 March 1929
- [New Parents for "Nobody's Child"](#), The Sydney Morning Herald, 7 August 1939
- Law Reform Commission New South Wales, [Issues Paper 9 \(1993\) - Review of the Adoption of Children Act 1965 \(NSW\)](#), May 1993
- Law Reform Commission New South Wales, [Discussion Paper 34 \(1994\) - Review of the Adoption of Children Act 1965 \(NSW\)](#), April 1994
- Law Reform Commission New South Wales, [Report 81 \(1997\) - Review of the Adoption of Children Act 1965 \(NSW\)](#), 1997
- Stolen Generations' Testimonies Foundation, [Stolen Generations' Testimonies](#), 2009. Relevance: See testimony of Lorraine Mcgee-Sippel
- Mandryk, Miriam Kathleen, [Adopted Persons' Access to and Use of their Original Birth Certificates: An Analysis of Australian Policy and Legislation](#), June 2011
- Standing Committee on Social Issues, [Releasing the Past: Adoption Practices 1950 - 1998](#), 8 December 2000
- Sisters of St Joseph, [Letter from Sisters of St Joseph regarding location of records \[Correspondence, Item 6\]](#), Commonwealth Contribution to Former Forced Adoption Policies and Practices: Submissions received by the Committee, 25 August 2011
- NSW Registry of Births Deaths and Marriages, [Registry's Records](#), No date
- Burford, Sister Kathleen, [A history of St Anthony's Home Croydon](#), July 1989
- Department of Justice, [History](#), Children's Court of New South Wales, 2012
- New South Wales Government, Family and Community Services: Community Services, [Adoption](#), 2019
- Farrar, Patricia Doreen, [Relinquishment and abjection: a semanalysis of the meaning of losing a baby to adoption](#), 1999
- Quartly, Marian; Swain, Shurlee; Cuthbert, Denise; Drefus, Kay and Taft, Margaret, *The market in babies: stories of Australian adoption*, 2013
- [Patrick Sephton interviewed by Ann-Mari Jordens in the Bringing them home oral history project \(2001\)](#), 2001

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