

Open Adoption

c. 1984 –

Details

Open adoption is when an adoption occurs with no secrecy, the child can know who their birth parents are and the birth parents have the right to keep in contact with the child. It can be compared to closed adoption practices of the twentieth century and the effects these had on many people involved in adoption.

From the mid 1980s, adoption legislation in Australian jurisdictions was amended to reflect the shifting attitudes towards adoption and the acknowledgement of the harm caused by secrecy and closed adoptions.

In an open adoption, the child has a right:

- To know about the adoption before an application is made, if they are old enough to know
- To have, and 'continue to have' information about the parent(s) of their birth
- To be able to maintain a relationship, 'free from pressure' with the parent(s) of their birth and their extended family if possible

The parent who consents to the adoption of their child has 'an opportunity to be actively involved' in the legal and other processes of the adoption.

The Western Australian Department for Child Protection and Family Support's guide for step-parents who are considering adoption explains the difference between open and closed adoption:

In the past it was thought that secrecy was in the best interest of all parties to adoption. However over the years, these secrecy provisions have caused a lot of distress to those affected by adoption. Extensive research found that many adopted people want to know about their original family heritage without necessarily affecting the close relationship with their adoptive family. Adoptive families, it has been found, often lived under the strain caused by the pretence and secrecy they felt compelled to maintain.

Victoria's *Adoption Act* 1984 was a significant shift in policy and the first Australian act to enshrine a child's right to access information about his or her family of origin.

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Related Glossary Terms

- [Closed Adoption](#)

Related Legislation

- [Adoption Act 1984, Victoria \(1985 - current\)](#)
- [Adoption of Children Act 1988, Tasmania \(1988 - current\)](#)
- [Adoption Information Act 1990, New South Wales \(1990 - 2003\)](#)
- [Adoption Act 1994, Western Australia \(1994 - current\)](#)

The Adoption Act 1994 made it possible for adoption in Western Australia to be an open and transparent process for all parties.

Date: 1995 -

- [Adoption of Children Act 1994, Northern Territory \(1994 - current\)](#)
- [Adoption Act 2000, New South Wales \(2000 - current\)](#)
- [Adoption Act 2009, Queensland \(2009 - current\)](#)

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