



CAFCASS FACTSHEET

Making a new start

Adoption



Adoption is a legal decision that permanently transfers parental responsibility for a child from one family to another. There are several different kinds of adoption cases in which Cafcass get involved.

This factsheet covers the following kinds of cases:

- * When parents decide it may be best if their child is adopted.
- * When the child lives in a step-family and the birth parent's new partner wants to adopt the child.
- * When a local authority is concerned about the welfare of the child and supports a plan of adoption for the child. For more information on our work in these cases, please see our factsheet, 'Keeping children safe'.



Our role will depend on the kind of adoption case and for most cases the court process takes between six and 12 months to complete.

If you are a parent who wishes to have your child adopted

If you agree to the adoption, the Cafcass worker (sometimes called a reporting officer) will talk to you to make sure that you fully understand what the adoption means for you and your child and that you really do agree to it. They will make sure that you have received all the important information about the planned adoption and will make sure that you have thought about the possibility of any future contact with your child, for example, in person or through letters. If they believe that you genuinely agree to the adoption and understand what it means, they will also witness your signature on the court papers agreeing to the adoption.

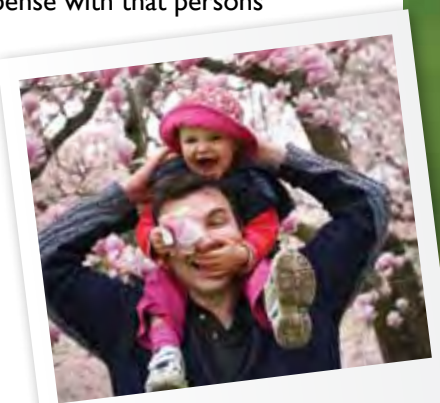
The Cafcass worker will send the signed court papers and a short report to the court as evidence that you have agreed to the adoption. If the court agrees to the adoption, a judge will make an 'adoption order' which will end all legal ties between you and your child.

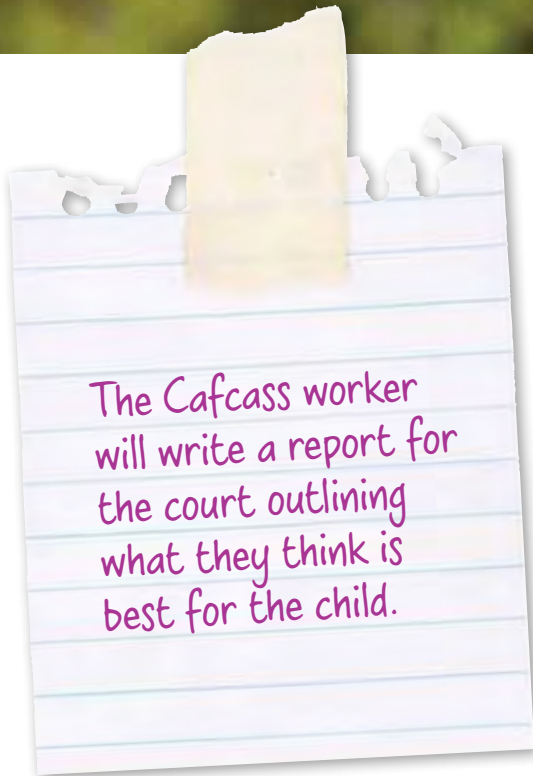
Step-parent adoptions

If you are a step-parent and want to adopt your partner's child, you must either be married to them, or be in a long-term relationship with them. Or, if you are in a same-sex relationship, you can adopt a child if you are in a long-term relationship or you are in a registered civil partnership. Before you can go ahead with the adoption, the birth parent who does not live with the child must be asked to agree to the adoption.

The Cafcass worker will speak to all the adults involved in the case to get their views on the adoption and to find out whether they agree to it. It is the Cafcass worker's responsibility to find out the views of the parent who does not live with the child, such as what steps have already been taken to find this parent. They may also make their own enquiries to try to find the other parent. If they cannot find the parent or the parent refuses to take an active role in the process, the Cafcass worker will get a direction from the court on what else should be done.

If a mother or father with parental responsibility does not agree to the adoption, there are two options. Firstly the court can 'dispense with that persons consent' on the basis that they are being unreasonable. (This means they do not have to have the other person's permission.) Or secondly they can listen to everyone's views and then decide.





The Cafcass worker will write a report for the court outlining what they think is best for the child.

If a parent with parental responsibility cannot be found, the court can also 'dispense with that person's consent'. If a father does not have parental responsibility, he will usually still be served with the adoption papers but it is not necessary to get his written permission.



The Cafcass worker's report

In both of these different types of adoption cases, the Cafcass worker will write a report for the court outlining what they think is best for the child. They will use the information from the meetings with the adults in the case to help them to do this and will also tell the court what the child's wishes and feelings are. They may also talk to other people such as social workers, health professionals and teachers before making a recommendation to court. The report will also cover other matters that the court needs to know about such as future contact arrangements with birth parents or other people who are important to the child.



The court will read the Cafcass worker's report and listen to the views of all the people involved in the case before deciding whether the child should be adopted.

Throughout the whole process the Cafcass worker will be able to answer any questions you may have.

However, you may also want to get specialist legal advice through a solicitor who is experienced in children law cases and who is a member of the Law Society Children Panel, or through the Citizens Advice Bureau.



© Cafcass. Published March 2010 ISBN 9789999101233

Cafcass, Sanctuary Buildings, Great Smith Street,
London, SW1P 3BT www.cafcass.gov.uk

