Family Information Networks & Discovery (FIND)

Procedures Manual

Updated: April 2015

FIND website:

Preface

The FIND (formerly known as Adoption and Family Records Service [AFRS]) Procedures Manual has been produced to outline and reflect the current practices of the Program.

This manual is intended to be a document:

- for ‘Internal DHS Use’ only
- that provides transparency about procedures used within FIND
- that is developmental in its approach

It is intended to be used as a step-by-step resource/guide for staff, to
- assist with identifying current procedures and with decision making
- contribute to consistency of staff actions
- provide a reference for staff accountability
- provide a reference for information provided to clients and other stakeholders
- assist new staff during orientation to FIND

This manual reflects current practice and should be used in conjunction with:

- The Victorian Adoption Information Services Program Practice Manual
- Relevant legislation including:
  - Freedom of Information Act 1982
  - Adoption Act 1984; Adoption Regulations 2008
  - Information Privacy Act 2000
  - Victorian Charter of Human Rights 2008
  - Assisted Reproductive Treatment Act 2008

The FIND Procedures Manual will be regularly reviewed and continually adjusted as the Program changes over time and upon feedback received from staff.

Acknowledgements

It is important to acknowledge all FIND Staff and FIND Management for their input into the development of this Manual.

Particular acknowledgement is given to:

Elise Atkinson (Project Management and Manual development)

Procedures Manual Reference Group - Helen Georgiou, Kathy Brogan, Andrea McKie and Marianne Sulja

AFRS Executive (June 2010) - Sam Cavarra, Angela Karavidas, Maggie Luckham, Helen Georgiou and Brendon Carroll

The input of Marilyn Small (Corporate Integrity Information and Resolutions Unit), Fiona Sampson (Intercountry Adoption Service), Maggie Luckham (FRIS Administration Support Unit) and David Fox (SMR Client Relations Team) is also appreciated.
How to use this table of contents

This manual is divided into ten parts.

Parts 2-7 outline the procedures involved in the delivery of services by FIND.

Part 8 provides information about the management of complaints, breaches and incidents within FIND.

Part 9 is a Quick Reference Guide. This is a set of step-by-step instructions for how to perform certain tasks referred to in the body of the manual.

It may be useful to refer to directly, but its main purpose is for reference if unsure how to complete a task described in the manual.

Part 10 - Appendices include other useful reference information.
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## Acronyms and abbreviations used in this manual

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<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>AFRS</td>
<td>Adoption and Family Records Service</td>
</tr>
<tr>
<td>AIRS</td>
<td>Adoption Information Registration System</td>
</tr>
<tr>
<td>AIS</td>
<td>Adoption Information Service</td>
</tr>
<tr>
<td>ART</td>
<td>Assisted Reproductive Treatment</td>
</tr>
<tr>
<td>ASU</td>
<td>Administrative Support Unit</td>
</tr>
<tr>
<td>BDM</td>
<td>Registry of Births, Deaths and Marriages</td>
</tr>
<tr>
<td>DF</td>
<td>De facto adoption</td>
</tr>
<tr>
<td>DHS</td>
<td>Department of Human Services</td>
</tr>
<tr>
<td>FIND</td>
<td>Family Information Networks &amp; Discovery</td>
</tr>
<tr>
<td>FOI</td>
<td>Freedom of Information</td>
</tr>
<tr>
<td>FRIS</td>
<td>Family Records &amp; Intercountry Services</td>
</tr>
<tr>
<td>FS</td>
<td>Family Search</td>
</tr>
<tr>
<td>FWS</td>
<td>Former Ward Service</td>
</tr>
<tr>
<td>ICAS</td>
<td>Intercountry Adoption Service</td>
</tr>
<tr>
<td>IRS</td>
<td>Information and Records Services Unit</td>
</tr>
<tr>
<td>ILP</td>
<td>Infant Life Protection</td>
</tr>
<tr>
<td>NR</td>
<td>No record</td>
</tr>
<tr>
<td>RMP</td>
<td>Refugee Minor Program</td>
</tr>
<tr>
<td>IRS</td>
<td>Information &amp; Records Services (formerly DHS Archives)</td>
</tr>
<tr>
<td>VEC</td>
<td>Victorian Electoral Commission</td>
</tr>
</tbody>
</table>
Part 1 - Introduction

About Family Information Networks & Discovery (FIND)

Services provided by FIND

FIND helps people to access personal and family information, records and support about past Wardship and Adoption, and provides counselling services to people seeking information from Donor Conception registers in Victoria.

A brief outline of services offered is below.

**Parties to past Adoptions** *(adopted people, natural parents, natural relatives, adoptive parents and adult children of adopted people)*

- Provision of information from adoption records
- Search and intermediary services for people seeking contact with natural relatives
- Support and referral regarding adoption related issues

*Note: Eligibility for information and services varies; see the Adoption Act 1984 and AIS Program Practice Manual for further information.*

**Former Wards of the State** *(where wardship expired prior to 1986)*

- Access to wardship records and other records held by the Department of Human Services
- Search and intermediary services for people seeking contact with Former Wards
- Support and referral regarding issues related to Wardship

**Parties to Assisted Reproductive Treatment** *(including donors, recipient parents and people conceived through donor conception)*

- Prescribed counselling services for people seeking information from the Central and Voluntary registers through the Victorian Registry of Births, Deaths & Marriages (BDM).

Organisational Information

FIND is a state-wide program located in the Melbourne CBD and is part of the Victorian Department of Human Services.

FIND is managed by Family Records and Intercountry Services (FRIS) which reports to the Child Protection program in the South Division of the Department of Human Services.

FRIS consists of three state-wide services:

- FIND
- Intercountry Adoption Services (ICAS)
- Refugee Minor Program (RMP)

The Service Design and Implementation Group within DHS (Statutory and Forensic Services Branch, Out of Home Care) is responsible for the Policy direction and works together with the operational FIND program.

Key stakeholders

FIND has a number of key stakeholders. See Appendix 2 for a list of these stakeholders.
Contact chart for South Division

Executive Director (EO) Michael De'ath

Manager Executive Response and Coordination VPS6 Karyn Spencer

Executive Officer VPS6 Mark Melrose

Executive Assistant VPS4 Elizabeth Noel (A)

Director Client Outcomes and Service Improvement Branch (EO) Linda Glatne
Director Corporate Services Branch (EO) Geoff Houlahan
Director Child Protection Branch (EO) Marisa Diaz
Area Director Outer Gippsland Area (EO) Sharon Fisher
Area Director Inner Gippsland Area (EO) Angha Ajaxdratis
Area Director Southern Melbourne Area (EO) Silvia Alberti
Area Director Bayside Peninsula Area (EO) Marion Fere

Key:
(S): Ongoing substantive  (EO): Executive Officer
(F): Fixed term  (CIO): Chief Information Officer
(A): Acting  (CFO): Chief Financial Officer
(C): Contractor (non-VPS) (CPO): Chief Procurement Officer
(SMA): Senior Medical Advisor  (STS): Senior Technical Specialist

For internal use only – do not distribute outside of the department.

Content has been provided by local People and Culture Units. Queries should be directed back to your local unit.

This is a contact list and not the final organisational chart; it only includes the names of staff appointed or acting in roles as at 15 February 2013.
Historical Overview of FIND (formerly known as AIS and AFRS)

<table>
<thead>
<tr>
<th>Year</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>1982</td>
<td>Freedom of Information Act 1982</td>
</tr>
<tr>
<td>1984</td>
<td>Adoption Act 1984</td>
</tr>
<tr>
<td>1985</td>
<td>Adoption Information Service (AIS) established</td>
</tr>
<tr>
<td></td>
<td>Establishment of Central Register</td>
</tr>
<tr>
<td>1997</td>
<td>Provision of services to Former Wards of State and their families begins</td>
</tr>
<tr>
<td>1998</td>
<td>Provision of service to UK adoptees begins</td>
</tr>
<tr>
<td></td>
<td>AIRS (Adoption Information Registration System) introduced</td>
</tr>
<tr>
<td>2000</td>
<td>Information Privacy Act 2000</td>
</tr>
<tr>
<td>2003</td>
<td>Name change to Adoption &amp; Family Records Service (AFRS)</td>
</tr>
<tr>
<td>2005</td>
<td>FOI services to Former Wards transferred from Head Office to AFRS</td>
</tr>
<tr>
<td>2010</td>
<td>Implementation of Assisted Reproductive Treatment Act 2008 (ART Act)</td>
</tr>
<tr>
<td></td>
<td>AFRS commences provision of prescribed counselling services under ART Act</td>
</tr>
<tr>
<td>2013</td>
<td>Name change to Family Information Networks &amp; Discovery (FIND)</td>
</tr>
<tr>
<td></td>
<td>Amendments to Adoption Act 1984</td>
</tr>
</tbody>
</table>

The Adoption Information Service (AIS) began in 1985 with the sole purpose of meeting the DHS obligations under Part VI of the Adoption Act 1984, that is, to provide access to information about past adoptions.

From its inception in 1985 through to the early 1990’s, AIS focussed its resources on providing applicants access to adoption information. AIS along with numerous non-government approved agencies provided adoption information services to approximately 20,000 applicants within the first ten years of Victorian AIS Program operations. From 1995 to 2010 there have been approximately 14,000 further applications.

In the early 1990’s, AIS was co-located with the Intercountry Adoption Service (ICAS) and began exploring the development of adoption information services for Intercountry adoptive families and adopted people.

From 1997, AIS began provision of a range of search and support services to Former Wards of State and their families. In 1998, AIS signed an agreement with England’s National Register to provide statutory adoption information services to people living in Victoria who were adopted in the United Kingdom. AIS developed strong relationships with many adoption and wardship-related support and interest groups.

Originally managed through Central Office, the program management responsibility for AIS moved to the Southern Metropolitan Region (now South Division) in the late 1990’s. While managed through the region, by virtue of its ‘State-wide program’ status and associated need for easy and equitable access from across Victoria, AIS maintained its central position in the Melbourne Central Business District.
The Adoption Information Registration System (AIRS) was introduced in 1998 and enabled more efficient and effective maintenance of the Central Register. AIRS is an electronic client database that contains the Adoption Information Register and enables quick and accurate ‘linking’ of applications from family members (natural and adoptive family). An adjunct system was also established to enable AIS to record and retain information pertaining to eligible applicants, for reference should a related person apply for information at a later time.

The workload trends in adoption information changed over time. While the number of new applicants per year was decreasing, a significant proportion of work began to emerge from applicants returning for further services. Combined with the efficiency of AIRS in matching applications, a trend toward ‘post-record release’ services emerged more strongly. With this came a greater need for staff to deal with more complicated and/or protracted applications, and allocations became more likely to involve multiple applicants. As the number of Former Ward clients grew, more and more ‘links’ occurred between ward and adoption clients, reflecting the strong historical links between these practices.

In 2003, the service was re-named to Adoption and Family Records Service (AFRS).

In 2005, responsibility for the delivery of Freedom of Information (FOI) services to Former Wards in accordance with the Freedom of Information Act 1982 (FOI Act) was transferred from the then Department of Human Services (DHS) FOI unit to AFRS and this has enabled a more integrated delivery of access to records with other support services to this client group. Following the Victorian Parliamentary Apology to Care Leavers in August 2006, AFRS experienced a substantial increase in FOI applications from Former Wards.

In 2007, the FRIS Administration arrangements were reviewed, leading to the creation of a combined Administration Team providing support to all three program areas of FRIS.

In 2009, AFRS underwent an internal service review. Outcomes of the review included: a modified business workflow model which intended to streamline processes and improve service delivery, clarification of structure and responsibilities to deliver clear decision making points, increased promotion of AFRS and an all-day duty service.

In 2010, with the implementation of the Assisted Reproductive Treatment Act 2008 (ART Act), AFRS began providing mandatory counselling services to people seeking information from the Central and Voluntary registers through the Victorian Registry of Births, Deaths & Marriages.

In 2010, the service underwent a name change to Family Information Networks and Discovery (FIND).

As at 30 June 2013 there were approximately 40 000 registered applications since 1985 – 35,500 (or 89 percent) being AIS related, and 4,500 (or 11 percent) being Former Ward related.

FIND has experienced significant changes in ‘core business’ since its inception. Some trends and current issues faced by FIND include:

- A recent increase in demand for adoption information services following legislation change and government Apologies;
- An increasing proportion of AIS requests for ‘post-information’ assistance such as search and intermediary services rather than release of records;
- An increase and then more recent plateau in demand for access to information for the Former Ward client group since the 2006 Victorian State apology. These now form approximately half of all registrations with FIND; and
- The introduction of the provision of prescribed counselling under the ART Act.
- 2013 Amendments to the Adoption Act which enable natural parents to obtain identifying information about their adult adopted child, and provide adopted persons the opportunity to regulate contact by lodging a contact statement.
Commonwealth and State Policy drivers are influencing the provision of services by FIND include:

**Stolen Generations**
- National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families: Bringing Them Home Report 1997

**Child Migrants**

**Forgotten Australians**
- Senate Committee Report: A report on Australians who experienced institutional or out of home care as children 2004
- Victorian Government Apology to Forgotten Australians 2006
- Federal Government Apology to Forgotten Australians 2009
- Open Place established 2010
- Federal Government announcement of the 'Find and Connect Service' for Forgotten Australians and former Child Migrants
- Victorian Government Apology for Past Adoption Practices 2012
- Ombudsman’s investigation into the storage and management of ward records by the Department of Human Services 2012

**Persons affected by adoption**
- Federal Government Apology for Forced Adoption Practices 2013
- Royal Commission into Institutional Responses to Child Sexual Abuse

**Assisted Reproductive Treatment**
- Victorian Law Reform Commission report on Assisted Reproductive Technology & Adoption 2007
- Victorian Law Reform Committee Report: Inquiry into access by Donor-Conceived People to Information about Donors 2012
Part 2 – Summary of Procedures and Key Performance Indicators

Overview of Procedures and Key Performance Indicators (KPI’s)

<table>
<thead>
<tr>
<th>STAGE</th>
<th>Summary of Procedures</th>
<th>KPI’s (days)</th>
</tr>
</thead>
<tbody>
<tr>
<td>RECEIPT</td>
<td>Reception</td>
<td>1</td>
</tr>
<tr>
<td>ASSESSMENT</td>
<td>Team Leader</td>
<td>1</td>
</tr>
<tr>
<td>ACKNOWLEDGEMENT</td>
<td>Case Manager</td>
<td>2-3</td>
</tr>
<tr>
<td>(NB the Registration and Acknowledgement stages may take place in a different order depending on application type)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>REGISTRATION</td>
<td>Administration Support Unit</td>
<td>3-5</td>
</tr>
<tr>
<td>COLLATE</td>
<td>Case Manager</td>
<td>5-21</td>
</tr>
<tr>
<td>Administration Support Unit</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RECORDS RELEASE</td>
<td>Case Manager</td>
<td>22-45</td>
</tr>
<tr>
<td>SEARCH &amp; INTERMEDIARY</td>
<td>Case Manager</td>
<td>*22-200</td>
</tr>
</tbody>
</table>

*Additional KPI’s exist for S&I stages – see below

CLOSE                  | Case Manager          | |

Please note:
- The KPI’s for FOI applications are legislative requirements set out in the Freedom of Information Act 1982.
- The KPI’s for Adoption Information services are self-imposed by FIND.
- An additional KPI applies to applications from natural parents - identifying information is to be provided within 8 weeks (56 days) of the application being received regardless of whether the adoptee has been located.
## KPI’s for Search & Intermediary Stages

<table>
<thead>
<tr>
<th>Days</th>
<th>Task</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>46-120 (4 months)</strong></td>
<td>Locate family member &amp; clarify wishes for exchange of information or contact and CLOSE OR</td>
</tr>
<tr>
<td><strong>Around Day 120</strong></td>
<td>Review with Team Leader; Discuss option for Vanish to undertake search on behalf of FIND</td>
</tr>
<tr>
<td></td>
<td>Contact client &amp; discuss case direction/options and CLOSE OR continue search; continue mediation</td>
</tr>
<tr>
<td><strong>Around Day 150</strong></td>
<td>Review with Team Leader</td>
</tr>
<tr>
<td></td>
<td>Contact client to discuss case direction/options and CLOSE OR undertake s99 application OR continue mediation</td>
</tr>
</tbody>
</table>
Part 3 – Administrative Support Unit (ASU)

The Administrative Support Unit (ASU) provides administrative support to FRIS.

In relation to FIND, ASU provides the following support:

- Reception (including FRIS Duty email Requests)
- Registration of Applications
- BDM status requests.
- Monitoring FIND BDM inbox
- Ensuring records received are placed in client electronic file
- Searching for selected Adoption Records
- Other support tasks as required (including creation of application packs, interview kits and stationery orders)
- Scanning of files located by the Information & Records Services

Please note this section has been updated. Refer to the ASU Procedures Manual located on the F drive: F:\CYF FRIS FIND\Admin Support Unit (ASU)\ASU
Part 4 – Adoption Information Service (AIS)

Introduction

FIND began in 1985 as the Adoption Information Service (AIS) with the sole purpose of meeting the DHS obligations under Part VI of the Adoption Act 1984, that is, to provide access to information about past adoptions.

While FIND now also provides services to people affected by wardship and donor conception, the provision of information about past adoptions remains a key component of the services offered by FIND.

For more information about the history of FIND, see the Introduction of this manual.

For further information about historical developments in the provision of adoption information, please refer to the Victorian AIS Program Practice Manual.

For information about the history of adoption in Victoria, please see Appendix 19.

Current services

The Department of Human Services is one of four approved adoption agencies in Victoria. The other three are:

- Anglicare Victoria
- CatholicCare
- Connections

Each of these agencies has an Adoption Information Service (AIS) and all perform the same functions in terms of provision of information and support in accordance with the Adoption Act.

FIND provides AIS services for the Department of Human Services, and has a lead role in providing consultation and direction to the other agencies.

In addition, DHS (FIND) is responsible for maintaining the Victorian Adoption Information Register (AIRS – also sometimes called the Central Register). This register includes the names, addresses and wishes in relation to information exchange of each eligible applicant. It also has the capacity to identify when two parties have registered in relation to the same adoption.

FIND provides the following services to eligible applicants under the Adoption Act:

- Provision of information from adoption records
- Search and intermediary services for people seeking contact with natural relatives
- Support and referral regarding adoption related issues

Eligibility for information under the Act varies. A brief summary of eligibility follows. For further information refer to the Adoption Act 1984 and the AIS Program Practice Manual.

Adopted persons (over 18) may apply for:

- Original Birth Certificate
- Court Records to the adoption
- Agency records (including ward records)

This may include identifying information about natural parents and natural relatives (i.e. information from which their identity and whereabouts can be ascertained).
Adopted persons usually conduct their own search for natural relatives – see the Searching section for more information.

**Adult Children of Adopted persons may apply for:**

- Original Birth Certificate
- Court Records to the adoption
- Agency records (including ward records)

*The adopted person must be notified in writing of the enquiry and, if they object to the release of identifying information, non-identifying information only is released.*

**Natural parents may apply for:**

- Original birth certificate
- The consent form to the adoption
- The affidavit verifying the consent
- A copy of the adoption order, including the name and address of the adoptee and adoptive parents at the time of the adoption
- A summary of identifying information about the adoption and the adoptive family, taken from the Court Records
- Information from agency records relating to themselves

**Natural relatives may apply for:**

- Non-identifying information about the adoption and the adoptive family, taken from the Court Records

Natural relatives can request that a Case Manager conduct a search and outreach to the adopted person on their behalf.

**Adoptive parents may apply for:**

- Non-identifying information about the birth family, taken from the Court and Agency Records

Specific criteria apply for applicants **under the age of 18**; see the Adoption Act or AIS Program Practice Manual for further information.

**Eligibility for identifying and non-identifying information - summary**

<table>
<thead>
<tr>
<th></th>
<th>Identifying</th>
<th>Non-identifying</th>
</tr>
</thead>
<tbody>
<tr>
<td>-18 Adopted person</td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>+18 Adopted person</td>
<td>√</td>
<td></td>
</tr>
<tr>
<td>+18 Child of Adopted Person</td>
<td>√*</td>
<td>√*</td>
</tr>
<tr>
<td>Natural parent</td>
<td>√</td>
<td></td>
</tr>
<tr>
<td>Natural relative</td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>Adoptive Parent</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Non-identifying information is released where the adopted person objects to the release of identifying information.*
AIS Workflow Checklist

For detailed instructions on how to complete each step, see below.

**Assessment** (Team Leaders)
- Review applications and correspondence
- Check for previous registrations and request files
- Identify applications that can be referred to another AIS agency
- Forward application to case manager and update location on TRIM
- Enter details in NED and change status to ‘Acknowledgement’

**Acknowledgement – pre-registration** (Case Managers)
- Scope application and review NED for notes
- Acknowledge application by phone and/or letter or email
- Update NED to "Collate" and change status date

**Acknowledgement – part 2** (Registered file received from ASU)
- Check for Links on AIRS (write links on file cover)
- Review court records for defunct agencies
- Complete request from other agency records if required (email to Brendon)
- Submit request to Archives using template via FINDWARD folder
- Submit VEC search as required
- Ensure defacto/ILP search has been completed
- Submit request to FRISDUTY if search of Haven or Hartnett House registers is required
- Update NED status to 'Collate' or 'Records Release' and change status date

**Collate**
- Monitor Workload Report
- Tick 'ID received' box on NED when all documentation received
- Watch for ASU email notification for records scanned and transferred to client folder

**Records Release**
- Review Archival search response and ensure all searches complete
- Edit and prepare records
- Second layer check where required
- Contact client to arrange record release
- Release records – s.87 interview if required, advise of links
- Send records registered post for telephone interviews
- Follow up any actions re links
- Update NED status to Search, Intermediary or Closed with status date

**Search and Intermediary stages**
- Submit search requests to BDM
- Mediate with person sought after confirming identity
- Provide support and information
- Review with Team Leader where required

**Close**
- Update NED (including number of letters sent from VEC searches)
- Enter closure information in AIRS
- Update TRIM
- Send Client Feedback Survey
**Assessment**

The ‘Assessment’ stage is where incoming documentation is reviewed and allocated for follow up. **This is currently undertaken by Team Leaders.**

1) Collect mail daily from pigeon hole

2) **Review correspondence**

   Is this: (Use NED, TRIM, AIRS to assist)
   - Correspondence for an existing application
   - A new application
   - A document or application that FIND cannot assist with
   - Other documentation

(See Quick Reference Guide 3 for further detail)

**Correspondence for an existing application** (e.g. identification documents)

- Forward correspondence to allocated worker
- If no allocated worker, forward to Duty Worker for follow up
- Update location on TRIM

**New applications**

- Identify type of application (AIS) and Enquirer Type (Adoptee, Natural parent, Natural relative, Child of Adoptee, Other)
- Check AIRS and TRIM to see whether applicant has applied previously.
- Identify Work Value

<table>
<thead>
<tr>
<th>Application type</th>
<th>Work Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Request requiring records release only (under 100 pages)</td>
<td>1</td>
</tr>
<tr>
<td>Request requiring records release only (over 100 pages)</td>
<td>2</td>
</tr>
<tr>
<td>Search and intermediary required</td>
<td>3</td>
</tr>
</tbody>
</table>

- Identify Priority Status (if applicable) (see Quick Reference Guide 5)
- Identify whether any identification needs to be provided (see Quick Reference Guide 4)
- Allocate Worker and Decision Maker (will usually be same person)
  - Review Workload Reports on NED for each worker and allocate accordingly
- Update NED with above details and any relevant Additional Comments (see Quick Reference Guide 31). Change status to “Acknowledgement”.
- Place application in Allocated Worker’s pigeon hole
- Update location on TRIM
Documents that FIND cannot assist with:

This may include
- Applications where applicant is ineligible to receive information
- Enquiries about a service not provided by FIND

Actions
- Forward document to Duty Worker for appropriate follow up which may include a phone call, letter to client, and placement in the current “Correspondence” File (see Quick Reference Guide 8)
- Update document location on TRIM
Acknowledgement (part 1)

The Acknowledgement stage is where the Application for Adoption Information is acknowledged, any issues for follow up are identified and searches are submitted to request Court records. This is undertaken by the allocated Case Manager.

Pre-registrations

Prior to confirmation of adoption being received from BDM, an application is known as a ‘Pre-Registration’ and will be given to the Case Manager in a plastic folder as a paper file cannot yet be created.

Scoping

Review NED for any notes included by the Team Leaders. Scope the application to determine any follow up required:

Is request clear?

- Is it clear what documents the applicant is requesting? (i.e. own adoption information, information about someone else)

Have ID and supporting documents been provided?

- current identification showing their signature
- documentation showing name changes

Additional documentation is required for some applicant types, as follows:

- Child of Adoptee: Current name and address of parent (adoptive) or evidence of death
- Natural relative: Statutory declaration stating the relationship between them and the adopted person
- Natural father: Statutory declaration stating that they are the natural father of the adopted person

Does the applicant know which agency arranged the adoption?

Check the application form to see whether the applicant has included the agency that was involved in arranging the adoption (NB If a defacto entry exists, the agency may also be listed in the ‘Notes’ section on TRIM).

If the agency is known, check whether the adoption records are held by another AIS agency (see Appendix 13). If the agency is not known, this can be determined once the Court Records are received.

When another current AIS agency (CatholicCare, Connections or Anglicare or their predecessors) is identified in the court records as having arranged the adoption, current practice is to give the applicant the option to transfer to that agency.

See ‘Transferring a request to another AIS Agency’ below for further information.

NB Applications for information about adoptions that took place prior to 1928 need to be made under the FOI act or released administratively. They are not released under the Adoption Act – see Quick Reference Guide 9 for further information.
Create Electronic File

Use the Template folder located on the F drive

F:\CYF FRIS FIND\Client Electronic Files\AIS\New File Creation

Copy and paste this folder into the relevant folder on the F drive under:

F:\CYF FRIS FIND\Client Electronic Files\AIS

Rename the folder in the following format:

    SMITH, Joe (A) R99999
Acknowledgement Call

This is the first and a significant contact with the client. Below is a list of points to raise with the applicant, depending on their presenting needs and/or interest in such information.

- Acknowledge their application
- Introduce yourself as their contact person regarding their application
- Confirm the details of their request and clarify any unclear aspects
- Check that applicants have provided all possible names, birth dates and information required
- Try to obtain any more information that may assist with the search for records e.g. do they know where they were born or which agency arranged the adoption?
- Advise of any further identification/documentation required
- Let them know what to expect:
  - Outline services provided by FIND
  - What information they and others are able to receive
  - The interview process (including availability of individual, group and telephone interviews)
  - Expected timelines for release of information
- Assess client’s need for support in the release of their records
- This can be a good time to explore what has led them to making the application at this time and what their hopes/expectations/wishes are (some management of expectations may be appropriate at this stage. The section 87 interview will provide a further opportunity for this.)
- Refer to any other services/agencies as required, including VANISH.
- Advise that you will be available to them throughout the application process & that you will keep them updated

If the client is not contactable by telephone after two days, write a letter or email to the applicant and invite them to contact you in regards to their application.

Following the Acknowledgement call, place the application in the ‘Pre-Registration’ folder in the Acknowledgement drawer until status check and/or Court Records are returned.

Update the status on NED to “Collate”.

Last Updated: November 2013
Acknowledgement (part 2)

This stage follows the receipt of the registered file (or BDM response) from ASU. During this stage requests for any additional records are sent and links are checked on AIRS. This is undertaken by the allocated Case Manager.

Receipt of Court Records and/or Status Check

When the Status Check or Court Records are received:

- ASU will request the application in order to complete the Registration process and make up the paper and acknowledgement file. They will then return the paper file.
- Proceed with the acknowledgement process as outlined below

Post 1988 Adoptions- County Court Records

If the adoption occurred after 1988- the case manager will need to apply to the County Court directly for court records.

Process as follows:

- Wait for BDM Status Check to return, ensure adoption is confirmed.
- BDM will provide court reference number to be used to apply for court records.
- Fill in County Court Request form located, F:\CYF FRIS FIND\Adoption Information Service (AIS)\Letters and Templates.
- Save copy to client folder.
- Email the form (do not send via post) to Jason Kaye and cc both TL's (to ensure in the event of staff absence that this is processed accordingly).
- The County Court (Jason) will accept the form and has agreed that a turnaround time of 21 days will be required to process the request and retrieve the records for FIND. If for any reason there is cause for delay Jason will advise the program you and your respective TL accordingly.
- Please do not email the Deputy Registrar requesting whether the records have been located via additional emails.
- Please ensure you keep a copy of the form on your client file.
- Once you have received the records please provide to ASU - Tracee/Samphen to create an R file.

Check AIRS for links

- Check AIRS for any links to the applicant (See Quick Reference Guide 19)
- Collect Link and Refer to files from compactus and/or order files from Information & Records Services. Files may need to be reviewed before confirming or rejecting the link on AIRS.
- Update file locations on TRIM
Check which agency arranged the adoption

FIND can assist with information about:

- Adoptions arranged through the Department of Human Services (or its predecessors)
- Adoptions arranged through adoption agencies that are now defunct

When another current AIS agency (CatholicCare, Connections, Anglicare or their predecessors) is identified in the court records as having arranged the adoption, current practice is to give the applicant the option to transfer to that agency.

Check the Court Records to establish which agency arranged the adoption. Sections that can assist with this are:

- Natural mother’s consent
- Affidavit verifying consent
- The affidavit of the Guardian Ad Litum
- Affidavit of Applicants (Adoptive Parents)

Once the agency/agencies are established, identify whether these records are held by DHS or by another AIS agency (see Appendix 13 for list).

If records are held by another AIS agency, and the applicant is agreeable, transfer the request as per the process below.
Transferring a request to another AIS agency

If the request is being transferred at application stage:

- Contact the applicant to confirm they are happy for their request to be transferred
- Send an email or letter to the applicant to confirm the transfer and provide contact details of the relevant agency
- Send an email to the AIS contact person at the relevant agency advising of the transfer, and attach the application form (password protected).
- Close request on NED
- Place copy of client application on client file (if previously registered) or correspondence file (in Team Leader pod)
- Update TRIM location for application form

If the request is being transferred at a later stage, and Court Records/other records have been located by FIND:

- Complete steps above
- Send records to the agency via registered post (instead of email)
- Close on AIRS, NED and TRIM

Template letters and the current contact person for each agency are located at: F:\CYF FRIS FIND\Adoption Information Service (AIS)\AIS Agencies\Agency Contact Details

Links and referrals to other AIS agencies

Where there are links to a file, and these links have previously received service through another AIS agency, discuss this with a Team Leader.

The Team Leader will negotiate with the AIS agency as to who is best placed to proceed with the enquiry.
**No record of adoption and/or birth**

If Births, Deaths and Marriages cannot locate a record of adoption in Victoria, they will return the status check showing either:

**No record of birth and no record of adoption**

This indicates that there is no birth or adoption registered in Victoria that can be located with the information provided. Consider:

- Are all the details submitted correct? Are there any additional details that could be provided? (e.g. other names the person may have been known by). If needed, submit another status check request.

- The birth and/or adoption may have occurred in another state. Consider referring the applicant to interstate adoption information services (see Appendix 5).

**Record of birth but no record of adoption**

This may indicate that:

- The person was born in Victoria, and an adoption occurred interstate. See ‘Interstate Adoptions’ later in this chapter.

- The person has not been adopted
  - Consider the possibility of an informal or ‘de facto’ adoption (particularly if adoption occurred during the 1930’s or prior to this)
  - Submit a search under the FOI Act for a defacto adoption and ILP entry

**‘No record of adoption’ files**

Where no record of adoption can be found and the application is finalised, the application needs to be put into the current ‘No record of adoption’ file.

These are a series of Administration Files (starting with ADF…) that contain applications for Adoption Information where no record could be found of an adoption in Victoria.

These folders are kept in the Team Leaders’ area.

All documents must be **contained to this folder on TRIM** (see Quick Reference Guide 24) before being filed away.
Requesting records about an adoption

Records about an adoption may include:

**Files from the Agency that arranged the adoption**, relating to:
- The adopted person
- The natural mother
- The adoptive parents

**Additional Departmental records**, including:
- De facto adoption register
- Infant life protection register
- A ‘Departmental Legalisation’ file (where the adoption was arranged privately or through a solicitor and a departmental representative was the guardian ad litem)

**Where DHS or its predecessors arranged the adoption, there may be:**
- A ‘Non Ward’ file (mainly after 1964)
- Ward records (where the child was made a ward prior to adoption)

How to identify which records to request

1) **Use information provided by the applicant (in their application and the phone conversation) to assist in identifying records**

2) **The application and Court records can identify the agencies involved in the adoption:**
   - The natural mother’s consent and affidavit verifying consent can provide clues
   - Identity of the Guardian Ad Litem
   - Affidavit of Applicants (Adoptive Parents) – e.g. how the child came to be placed with them

See Appendix 13 for information about which agency holds particular records.

3) **Check the records for any mention of wardship**

Request ward records:
- if there is more than 18 months between the birth and the adoption order, OR
- if the adoption took place **prior to 1964** (children were sometimes made wards prior to adoption).

4) **Ensure the De facto adoption register has been checked for all adoptions prior to 1976 - this should be indicated on Statist Check in Electronic folder**

See Quick reference guide 9 for more details about this register.

5) **Ensure the Infant Life Protection register has been checked for all adoptions up to 1964 - this should be indicated on Statist Check in Electronic folder**

**The above steps are generally sufficient to identify all possible records. However, TRIM and the Defunct Adoption Agency indexes can also assist. See Quick Reference Guides 21 and 26 and Appendix 26 for further information.**
Where records are held

Records relating to adoptions are held in a number of locations:

**Information & Records Services (IRS)** (often referred to as DHS Archives) is located at 672 Bourke Street, Melbourne. IRS holds records about:

- Adoptions arranged by DHS and its predecessors (Department of Health and Community Services, Social Welfare Department)
- Agencies that arranged adoptions but are now defunct (e.g. Berry Street, Royal Women’s Hospital, Queen Victoria Hospital – see Appendix 13 for complete list)
- Records relating to **De Facto Adoptions** (see Quick Reference Guide 9 for further information)

**NB** Some of these records are stored at the Public Records Office of Victoria (PROV) but are obtained by IRS if needed.

IRS also holds additional Departmental records which may relate to adoptees and their birth and adoptive families, for example:

- Disability client records
- Juvenile Justice records
- Psychiatric records (requested through DHS FOI Unit)
- Hospital records (Fairfield Hospital and RCH Travancore only)

**NB** If records are about the adopted person and date from prior to their adoption, they are released under the Adoption Act.

**Anglicare, CatholicCare** and **Connections** hold records about adoptions arranged by their own agencies and predecessors.

- Anglicare was formerly known as the **Mission of St James and St John**
- CatholicCare was previously known as **Catholic Family Welfare Bureau** and **St Joseph’s Adoption Information Service**
- Connections was previously known as **Copelen Child and Family Services** and **Uniting Care Connections**

See Appendix 13 for a complete list of records held by the above agencies.
Requesting records from DHS Information & Records Services

Records are requested by placing an electronic request form in a folder on the F drive which is shared with Information & Records Services. Information & Records Services staff then conduct a search for records. ASU staff then scan any documents located, place them in the client’s electronic folder and notify the case managers via email.

The request form should be located in the client’s electronic folder.

1. Re-name the search folder with the following format: SURNAME, First name, R99999
2. Complete the search request form:

Indicate which searches need to be completed
Enter date 14 days from today
Copy and paste the birth and adoption details from the statistic check completed by ASU

Requesting records from another AIS agency

Last Updated: November 2013
Where a current AIS agency was involved in the adoption, but a client has chosen to proceed through FIND, the records and/or relevant information will need to be requested from that Agency.

- Complete the “Other Agency Request Form” and email it to Team Leader with the Adoption portfolio

This form is located at:

F:\CYF FRIS FIND\Adoption Information Service (AIS)\AIS Agencies\OTHER AGENCY Request Form.doc.

**Requesting records search for Haven or Harnett House Records**

If the Court records refer to the child or mother being placed at the Haven or Harnett House, ask ASU to conduct a check of the register books (held on CD at FIND).

This can be requested by emailing a request to frisduty@dhs.vic.gov.au. Copy the birth and adoption details from the statist check into the email to ensure ASU has all information required for the search.

*NB Archives may also hold additional records relating to the Haven and Harnett House. Ensure a search request is also submitted to Archives via electronic request as outlined above.*

**Submitting a VEC Search**

If a case will likely involve searching for an adopted person, submit a VEC electoral roll search request at this stage.

Complete the VEC request using the template located in the following folder: (F:\CYF FRIS FIND\Adoption Information Service (AIS)\Searching Tools\VEC search forms)

Email the VEC request using the password protected template to ceri.rees@vec.vic.gov.au and melanie.davidson@vec.vic.gov.au.

(If you email both they will cover each other in the event one person is away).

This completes the steps in the Acknowledgement stage. **Update Status on NED to “Collate”**.
Collate

The ‘Collate’ stage is where a search has been submitted for records and FIND is awaiting a response.

The progress of cases needs to be monitored at this stage. This is currently done by the Allocated Worker (Case Manager).

Monitoring the workload report

- Each Case Manager needs to monitor their own Workload Report on NED at least twice per week (see Quick Reference Guide 27)
- Follow up any cases that need further actions or need to be moved to a different Status

Receipt of identification or additional documentation

- When ID or additional documentation is received from an applicant
  - On TRIM: Contain document to applicant file (see Quick Reference Guide 24)
  - Place document in paper file
- Once all ID and required documentation has been received, tick the "ID received" tick box on NED
Record Release

This stage is where a search response has been received, and records are awaiting assessment and/or release to the applicant. This stage is currently the responsibility of the Case Manager.

Receipt of Search Response from Information & Records Services

Case Managers will receive an email from ASU advising that:

- ASU have placed the records in the client’s electronic folder
- ASU have entered the number of pages located on NED

Review each response, prioritising those most overdue.

Reviewing Search Responses

Open the applicant’s electronic folder and review searches conducted by ASU and Information & Records Services.

Check that:

- all possible names and dates of birth have been searched
- a search has been conducted for defunct agency records as requested
- a search has been conducted for defacto adoption and ILP entries as requested

If the ASU and/or Information & Records Services search response is not accurate or a further search is required

- Submit another search
- Leave status as ‘Collate’ in NED
- Advise Team Leaders so that any ongoing issues re accuracy of searches are addressed.

If the searches are accurate and complete, records are ready for editing and release to the applicant.

- Change status to ‘Record Release’ on NED

No Additional Documents

- Check response as described above
- If it is accurate and all required searches have been undertaken, proceed with release of Court Records

If records are ready for release but ID or other supporting documents have not been provided

- Contact applicant to remind of need for documentation
- If no response within 28 days, send a letter advising of case closure
- Close case (see Quick Reference Guide 35)
Assessment of records under the Adoption Act – “Editing”

This is completed by the Case Manager.

Records relating to an adoption are released in accordance with the Adoption Act 1984.

The Adoption Act specifies which information can be released to specific parties to an adoption. Records are therefore ‘edited’ under the Adoption Act prior to release to the applicant to and any information which cannot be released to the applicant is taken out.

Editing records is a challenging aspect of the work. The most common decision in editing adoption records involves determining whether it is reasonable to release information about third parties and natural family members.

Reference tools used to assist with editing include:

- **Editing Guidelines** – located at F:\CYF FRIS FIND\Adoption Information Service (AIS)\Editing Adoption Records
- **Victorian AIS Services Program Practice Manual** – F:\CYF FRIS FIND\Adoption Information Service (AIS)\AIS Standards

Steps involved in editing adoption records

1. Review applicant’s request to clarify what information they have requested
2. Open electronic folder of applicant
3. Review Case Note Proforma for any relevant notes regarding the application.

4. Create a new folder “Working Documents” and **copy** each record located into this folder (including Court Records and records from other AIS agencies)
5. Create a new folder “Released Documents”
6. Assess each record
   - Open record in Working Documents folder
   - Read through file
   - Place exemption boxes around required text using Adobe (see Quick Reference Guide 17)
   - Save file frequently

7. **Update NED** with the numbers of pages released in part, in full, or fully exempt

**Preparing records for release to applicant**

- Print the edited records. Make sure they are stamped at the top and bottom of each page (see Redax instructions in Quick Reference Guide 17)

- Print a blue cover sheet for each record describing the type of documents (e.g. Melbourne County Court Records, Royal Women’s Hospital Records)

  Located at F:\CYF FRIS FIND\Adoption Information Service (AIS)\Letters and Templates\Section 87 Interview Tools

- Place edited records and blue cover sheets in a folder or plastic pocket for release to applicant.
Second layer checks

Some records and applicant types involve a higher risk of ‘breaches’ (i.e. releasing information that should not be released). For these records, a ‘second layer check’ is conducted by another Case Manager.

As a general rule, files that require a 2\textsuperscript{nd} layer check are:

- Records for release to a Natural Parent
- Royal Women’s Hospital records
- Any other complex files that the case manager would like another worker to check prior to release

To arrange a second layer check, ask another Case Manager to conduct a check. There may be a roster in place, but if not, check for Case Manager availability. If unsure, check with a Team Leader.

Conducting a second layer check

The idea of the second layer check is to reduce the occurrence of breaches. The main thing to check for is that information that clearly should not be released has not been overlooked in the editing process.

- Review the edited records
- Place a post-it note or note any pages requiring further discussion and follow up with the allocated worker
The Mandatory Interview ("Section 87")

The following two pages have been taken from the Victorian AIS Program Practice Manual.

Applicants must have an interview with an Approved Counsellor before they receive any document or information from the adoption records. An interview is not mandatory for adopted applicants who have exchanged identifying information with the person(s) named on their original birth certificate (S87 [3]).

The mandatory interview is not an assessment of the applicant, nor does it involve the Counsellor in making decisions about what to release.

The primary purpose of the mandatory interview is to release adoption information to applicants in a supportive manner.

Objectives

- To inform the applicant of their own and others’ legal rights to information and privacy under The Act.
- To explain the services that are provided by the Program.
- To educate applicants about the sensitivities for all parties associated with search and outreach.
- To modulate applicants’ expectations of outcomes in relation to contact with natural relatives.
- To fulfil the legislative requirements of The Act.

S.87 (2) requires Agencies to provide applicants with information about the interview in writing.

Mandatory Interview Types

Applicants can choose to attend either an individual or group interview. Identification of the applicant is required at the time of the interview e.g. drivers licence.

1. **Face-to-Face Interviews** - it is expected that applicants will attend interviews in person. Applicants may bring a support person(s) to the interview.

2. **Telephone Interviews** are offered to applicants who live more than 3 hours from the CBD (e.g. country Victoria, interstate or overseas). Telephone interviews can also be offered in consultation with the Counsellor in cases where attending in person is not possible due to illness or disability.
Case Manager’s Role in the Interview

- Explain the rights of the applicant and the services to which the applicant is entitled. Inform them that different parties to an adoption have different rights under the Act.

- Inform the applicant if another party to the adoption has registered on the Central Register, and if so, any wishes expressed by that person about information exchange and/or contact.

- Discuss provisions for the lodgement of a Contact Statement by the adopted person.

- Provide a positive climate in which the applicant can discuss their wishes regarding contact with other parties to the adoption.

- Provide appropriate counselling, with referral to community based services if the issues require long-term counselling.

- Provide reading material to assist with preparation for search, outreach and reunion.

- Provide support for all parties during the period of outreach and initial contact. The Case Manager respects all parties to the adoption and maintains a neutral approach.

- For those applicants who are not entitled to receive identifying information (natural relatives, adoptive parents, underage adopted persons), the Case Manager explains the search process and can later act as an intermediary between the parties.

- Inform applicants of relevant self-help/support groups that are available.

- Raise awareness of issues:

  **Powerful emotions** - Can be experienced during the time of reunion which has been compared to 'an emotional roller coaster ride, from depression to ecstasy' (Gediman and Brown, 1989).

  **Grief and Loss** – Support may be required for people coming to terms with past adoption experiences. For example, those receiving information about difficult or traumatic events like the death of an adopted child, or those who learn they were conceived as a result of rape or incest.

  **Complexity of post-reunion relationships** - The need for time and patience as parties affected by this new relationship adjust to the situation.

  **Genetic sexual attraction** (GSA) - (Issue to be raised at the discretion of the Case Manager). Can sometimes occur in ‘parent-child’ and ‘sibling-sibling’ reunions. Such intense and unexpected feelings are more likely to dissipate if they are acknowledged and understood by the people concerned.

For example, at reunion, parties may experience an intense desire to touch or hold those from whom they have been separated for a lifetime. Because as adults the desire for physical intimacy is usually related to sexual relationships, this can be very confusing and can feel like sexual desire.
Preparing for a Section 87 interview

- Contact applicant to arrange a time for interview by telephone or in person
- Check that all records have been collated, edited and are ready for release
- Review case notes, application and records for indicators of significant issues for discussion with applicant (including links).
- A Team Leader can assist in preparing for discussion of difficult topics e.g. rape, incest, genetic sexual attraction

Documentation:
The following documents are given to the applicant at the s.87:

<table>
<thead>
<tr>
<th>Adoptee/Adult Child of Adoptee</th>
<th>Natural parent</th>
<th>Natural relative</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Records</strong></td>
<td><strong>Records and/or Court Summary</strong></td>
<td><strong>Court Summary</strong></td>
</tr>
<tr>
<td><strong>Certificate of Interview</strong> (to be signed by worker and applicant)</td>
<td><strong>Certificate of Interview</strong> (to be signed by worker and applicant)</td>
<td></td>
</tr>
<tr>
<td><strong>S.87 Kit</strong> (available from ASU) See Appendix 7 for contents</td>
<td><strong>S.87 Kit</strong> (available from ASU) See Appendix 7 for contents</td>
<td><strong>S.87 Kit</strong> (available from ASU) See Appendix 7 for contents</td>
</tr>
<tr>
<td><strong>Blue form</strong> Application to BDM for copy of original birth certificate (worker to sign and date back of form)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

NB In the case of a telephone interview, the documents are sent to the applicant by registered post (person-to-person) following the interview.

- Attach a covering letter (Located at F:\CYF FRIS FIND\Adoption Information Service (AIS)\Letters and Templates\Section 87 Interview Tools)
Conducting an interview

The following is a suggested format and checkpoints for discussion. Please note this is a guide only as each applicant’s particular circumstances are different.

- Introductions/general conversation
- Explanation of the interview – what it will involve
- Discussion about applicant’s experiences and what has led them to make their application. What hopes/fears/expectations do they have about:
  - the records;
  - search and reunion;
  - their natural parents, relatives or children
- Explanation of records and discussion of any issues arising from these
- Discussion of wishes regarding searching.
- Consciousness-raising regarding possible outcomes of searching and outreach
- Preparation for reunion experience

After the interview

- Complete an electronic Section 87 Interview Report, print and place on paper file.
- Make a follow up call to applicant if required. A further office visit may be arranged if applicant requires additional support.
**Links and ‘Refer To’ files**

The following two pages are taken from the Victorian AIS Program Practice Manual, with the exception of the diagram.

The Central Register [AIRS] has the capacity to link registrations, which relate to the same adoption.

A ‘link’ occurs where a member of the birth family and a member of the adoptive family are both registered in relation to the same adoption.

**Sibling Links**

This refers to two or more Adopted Persons recorded on the Central Register who have the same Natural parent.

The Central Register identifies Adopted Persons who have the same birthmother’s name. All details are thoroughly checked and the sibling relationship confirmed. This information is considered to be part of ‘information about the adopted person’ – Adopted Person’s rights under S.93 (1).

**Interagency Links**

This occurs when two agencies have received separate registrations which relate to the same adoption. It is preferable for one agency to take on case management responsibility. This decision is negotiated between senior staff of the agencies. Factors to consider include the timing of the agency contact and the level of involvement. See ‘Transferring a Request to another AIS agency’ earlier in this chapter.

**‘Refer To’ Files**

These files note a connection between registrations that are not links or sib links, and are used as a reference to assist in case management. For example:

1. An adopted sibling in the same adoptive family who has registered.
2. A natural father has previously registered, then the natural mother registers at a later stage, the Refer To connection is noted. The file will be used as a reference for case management, but the applicants would not be informed of the other registrant.

Please note, agencies may use a term other than “refer to” when connecting relevant files.
ADOPTEE

Birth Parent

Birth Relative

Adoptive Person adopted in the same family

Adoptive person applying again as a Birth Relative

Adoptive Parents applying

Natural Brother or Sister also adopted

LINK

DUAL

REFER TO

SIBLING LINK

Links Diagram
**Actions regarding Links**

Fundamental purpose: to give people the opportunity to express their wishes regarding contact

**Links**

The adopted person is informed of a **link registration of a natural parent or a natural relative** at an appropriate stage of the interview. Information is given to the adopted person about the nature of the registration. If the adopted person wishes to seek contact with the natural parent/relative and this wish is mutual, the Case Manager can facilitate this.

In cases where the adopted person does not want contact, the other party may be informed of the registration – consult with Team Leader.

**Sibling Links**

The applicant is informed of the registration of the adopted sibling(s). The Adopted Person can then apply as a ‘Natural relative’ and may choose to seek information or contact with the adopted sibling(s).

Where a 'Sibling Link' is identified, all siblings who have fulfilled the requirements of S.87, are informed where possible of others adopted before the case is closed. Appropriate time is allowed for the most recent interviewee to process their information prior to discussion of other siblings.

**'Refer To' Files**

Applicants are **not** informed of the other registrant or details from that registration. The file is used by the Case Manager as a reference for case management.

Following the Records Release stage, the case progresses to the Search or Intermediary Stage or to case closure. Case Manager to update NED accordingly.
Search & Intermediary

A brief description of the tasks involved in the Search and Intermediary stages follows.

Please refer to the AIS Program Practice Manual for further information.

Search and Outreach

"Searching" is the process of taking the available legal steps to identify and locate a person being sought. FIND undertakes "Searches" on behalf of certain clients, to locate people who are involved in some way with an adoption.

The purpose of a search is to try to make contact with the person sought, advise them of the enquiry, and give them an opportunity to convey their wishes regarding the enquiry and offer support and referral as required.

(Much of the following is taken from the Victorian AIS Program Practice Manual):

**Adopted persons and adult children** of adopted persons conduct their own search since they receive identifying information about the natural mother (and sometimes the natural father). They may obtain assistance from a variety of sources, including VANISH, the Registry of Births, Deaths and Marriages and private searchers. A Search Guide is provided at the time of the mandatory interview.

Self-search provides an opportunity for adopted persons to undertake a search in their own time and at their pace. Search advice is given in the mandatory interview. However, there is a capacity for AIS agencies to conduct the search if the Case Manager considers there are special circumstances, e.g. in the case of an adopted person with a disability or mental health issues.

**Natural parents** receive identifying information about the adopted person from the court records of the adoption. FIND may outreach to the adopted person to advise them that an application for identifying information has been made, and to discuss the provisions for lodging a contact statement. This may enable FIND to provide an intermediary service. However, the natural parent may also go on to conduct their own search or obtain assistance from VANISH. Penalties apply if the natural parent makes contact with the adopted person where a 'no contact' contact statement has been lodged by the adopted person.

**Aboriginal applicants** (adopted or fostered) may use the above resources, as well as Link-Up, an Aboriginal organisation providing assistance to people who were separated from their families. Link-Up assists with search, reunion and post-reunion issues. Other agencies such as Connecting Home or the Koorie Heritage Trust may also assist.

**Natural relatives, Adoptive Parents and Adopted Persons under 18**

Identifying information cannot be released without the written permission of the person sought. It is therefore the responsibility of the AIS agency to search on behalf of these applicants where current information is requested. The Act requires that the agency take 'reasonable steps to obtain that agreement in writing'.

**Adopted person under 18**

When the adopted person is under 18, the natural parent can request the adoptive parents be approached for information, however, there is no requirement that the adopted person be informed of the natural parent's enquiry. The agency must consider the wishes of an adopted person where these are known (S.95 (2) (a) (i)).
Preparation for search and outreach

Advise applicants of the process and steps involved.

Prepare applicants for possibilities of searching and outreach:

- Searching can be a lengthy process
- It is not always possible to locate the person or be sure that the right person has been located
- The person being searched for may have changed their name, married, moved interstate or overseas, or may not be listed on the electoral roll
- The person being searched for may be deceased

If located, the person being searched for may:

- Not respond or confirm receipt of outreach
- Take some time to respond (may be months)
- Wish to apply for their own information first
- Respond advising they do not want contact
- Respond advising they do want contact
- Be unsure of their wishes

Additional preparation may be required with natural relatives where they have not informed the natural parent of their application. See the Victorian AIS Program Practice Manual for further information.

Explore applicant's wishes for outreach

The Case Manager needs a basic understanding of the natural parent or relative, the reasons for their application and the timing of it, to adequately represent them in the role of outreach and mediation.

Some questions to consider:

- What type of contact would they like initially? In future?
- If the worker only gets to speak with the adopted person once, is there any particular information they would like to pass on?
- Would they be willing to pass on medical information even if the adoptee does not wish for contact?
Searching Checklist

Searching is an interactive process which will change according to the information available in each case. There is an expectation that the ‘Basic Search’ steps below will be completed for each case. The ‘More Complex’ search steps will vary according to the characteristics of the particular case.

Basic Search

Electoral Rolls
- Public electoral search (Commonwealth)
- Non public electoral roll search (Victoria)
- Check enrolment details online (Vic, WA, NSW - see details below)

NB Persons over 70 years of age are not required to register on the electoral roll
NB It is possible to search by DOB only if surname is unknown - if this is required, speak with ASU

Births, Deaths and Marriages (request using FIND stationary)
- Marriage
- Death
- Change of name

Electronic White Pages
May be useful:
- To confirm an existing address on documents – e.g. Court documents
- If the person sought has an unusual name
- Where you know the adopted person and spouse’s name

AIRS
- Check link and “refer to” files for any related birth or adoptive relatives
  These may provided previous addresses, phone numbers, and other contact persons

- TRIM – check name and date of birth

- Check all available records, e.g. Court, Agency, Ward Records

Google and Linkedin Search

Facebook Google and Facebook can be used as a reference tool to locate a person.

The FIND social media portfolio holder will have access to the FIND facebook page and can assist staff in searching via facebook.

Please refer to page 52 (Search) and 58 (Outreach) for more information.

If no success, consider repeating the process above for:
- Adoptive parents
- Adoptive siblings

NB always discuss with your applicant prior to outreach through other family members
More Complex Search

Online Death Indexes
- Newspapers - The Age, Herald Sun
- Ryerson Index
- Australian Cemeteries www.australiancemeteries.com
- Other Indexes as provided by Vanish (see sheet attached)

If the birth certificate or the agency records indicate the adoptive parents may have a “connection” with another state:
- Consult with AIS in the relevant state for advice

If adoptive parents indicated an intention to move overseas or were born in another country
- Consult with International Social Services (ISS) www.iss.org.au (03) 9614 8755
- International adoption information services may provide advice for searching internationally (contact details below)

If adoptive parents were from a small country town but cannot now be located:
- Consider contacting local information centre or genealogy society to see if anyone knows of the family

If adoptive parents/family members have died more than 10 years ago
- Access death certificate from BDM (for names of other family members, informant etc)

Do the records suggest a connection with corrections, disability, psychiatric or child protection?
- Prison Search (see contact details below)
- Disability – Contact Duty worker (area protocol)
- Psychiatric – Chief Psychiatrist, Dept of Health (see contact details below)

Missing persons information

Previous registrants (where the person has previously registered and the basic search is unsuccessful):
- Check the file for previous contact details and try contact through non specific letter and telephone call
- Check case notes for information about the person or family members that may assist
- If file indicates that person had a particular profession, e.g. teacher, you may consider contacting the relevant union and asking them to pass on an outreach letter

Information is not accessible to FIND from:
- Australian Tax Office
- Victoria Police
- Vic Roads
- Department of Immigration
- Medicare (except possibly in cases of medical emergency)
Further contact details:

Prisons

Victoria  8684 6552 to confirm adoptee in custody
Contact Sue Rennison on 8684 6577 for any further information
New South Wales  (02) 8346 1333
Australian Capital Territory (02) 6207 2764
Queensland  (07) 3227 6055
Western Australia  (08) 9264 6229
Tasmania  (03) 6216 8180
Northern Territory  (08) 8935 7466
South Australia  Must send request for confirmation in writing:
Fax number (08) 8115 5554

Chief Psychiatrist

Dr Ruth Vine
Chief Psychiatrist
Level 17, 50 Lonsdale Street
Melbourne 3000
Victoria, Australia
Toll free:  1300 767 299 (local call cost from anywhere within Australia)
Telephone:  (03) 9096 7571
Facsimile:  (03) 9096 7697

International adoption information services (may be able to provide advise for searching internationally):
Scotland- Birthlink:  http://www.birthlink.org.uk/

Interstate post-adoption services

NSW Adoption Information Unit  1300 799 023
QLD Adoption Services Queensland  (07) 3224 7415
SA Adoption and Family Information Service  (08) 8207 0060
TAS Adoption Information Service  (03) 6233 2273
ACT Adoptions and Permanent Care Unit  (02) 6207 1335
NT Adoption Information and Counseling Service  (08) 8922 7077
WA Past Adoption Services  (08) 9222 2555

Checking enrolment details online

Last Updated: November 2013
You need a name, possible address and date of birth for the person.


NSW  [http://www.elections.nsw.gov.au/](http://www.elections.nsw.gov.au/) and click on 'Where am I enrolled?' or go straight to:  

Recording Searches

- a clear record must be kept on file of all searches that are done
- when reviewing the progress of a search or taking on a reallocated case always check what has already been done

*If unable to locate a person, consult with a Team Leader for a review of the case.  
FIND has a 'non disclosure agreement' with Vanish who may be able to assist with a search if FIND has not been able to locate the person sought.*
Search Hints

Searching through old files

When trying to find a person who is registered with FIND and with whom there has not been any recent contact, a search through the old file for contact numbers may lead to their present location.

- Try adding a prefix that is usual for the area if the number is one number short (e.g. if the number is 15-20 years old)
- Ringing an old work number can be productive (be sure not to disclose the reason for the call). They may be able to advise what has happened to the person, or it may narrow down the search area for a White Pages search.

Phone calls

Where a large number of possible addresses have been located from the White Pages or electoral roll, phone calls can be a quicker way to get a result than non-specific letters.

A phone call may also be considered where there has been no response to non-specific letter/s after many weeks.

Tips for Case Managers:
- Never disclose the specific reason for the call unless speaking with the person sought
- Identify yourself by name and Department, but do not mention adoption or wardship
- The Case Manager may need to end a call in an unsatisfying way (for the person being called) if it is not possible to answer their question without disclosing private information
- It may be possible to discuss FIND’s role in uniting family members who have been separated. This may lead the person to provide further information (e.g. that they have moved interstate, died, married)
- It is not expected that people would give out contact numbers for themselves or their relatives, but it is possible to offer FIND’s contact number and ask them to pass this on to the person sought

Google and Facebook

Google and Facebook can be used as a reference tool to locate a person.

The FIND social media portfolio holder will have access to the FIND facebook page and can assist staff in searching via facebook. If a case manager would like a search on facebook to be completed, they will need to fill out a facebook search checklist (refer appendix.....) and provide it to the portfolio holder. The portfolio holder will complete a search on facebook and inform the case manager of the outcome of this search.

Information obtained on facebook may assist in contacting the client through other preferred means (outreach letter or phone call). For example, their facebook page may include:
- Their location
- Organisations the person is involved in
- Employer

It may also assist to confirm that it is the person sought e.g. by searching through their list of facebook friends.

In the event that we are able to locate the person sought on facebook, but there is not enough information to locate an address or phone number for them, we can make contact with them directly on facebook

(Please refer to Outreach Section on page 58 for more information).
Medicare

Where there is an urgent medical reason to locate a person, Medicare may pass on a letter to a person asking them to contact FIND. Again, do not mention adoption or wardship but it may be useful to discuss FIND’s role in uniting family members who have been separated.

To enquire about this, contact the Information Release unit at Medicare.

Interstate post adoption services

Check for any reference to the person sought having been in touch with another state’s post adoption service (government or non-government, e.g. Jigsaw WA or Department of Community Services NSW). It may be worth contacting that service and enquiring if they have an up to date address. They may offer help in finding the person on their electoral roll, or other databases.

Obituaries

If there is no record of death with BDM in Victoria, online death indexes may be worth trying. A few examples are:

- Ryerson index http://www.ryersonindex.org/

Interstate BDMs

Other states BDM’s are under no obligation to assist but have on occasion been able to conduct a search for death or marriage records. Ask other staff members for useful contacts within interstate BDM’s.
Section 99 - Where a person cannot be found or has not agreed to release of information

What does Section 99 pertain to and who can apply?

Where an eligible applicant has applied for information under the Adoption Act 1984 and:

- The person sought cannot be found
- The person has been found but has not provided a response
- The Case Manager feels that they can go no further with the search and/or the applicant is expressing their wish to proceed.

The applicant may apply to the County Court for the release of identifying information about the adopted person.

The County Court must be satisfied that a thorough search has been undertaken and that there are sufficient grounds before identifying information can be released to the applicant.

The client can be advised to apply under this section. Discuss this with a Team Leader first.

When does FIND consider the use of S99 applications?

This is a position of last resort.

When a “reasonable” search has been conducted and/or the usual outreach letters have had no response, Section 99 may be discussed with the applicant.

If the applicant wishes to proceed and the address of the person sought is known, a letter is sent (with a copy of the original outreach letter), to inform the person of the rights of the applicant under Section 99. This letter may bring about a response itself.

Where an adoptee responds but does not agree to exchange identifying information, a decision to wait and try again after a period of time may be recommended before Section 99 may be considered. Where the response is an absolute “refusal” particularly if a written refusal is received, FIND may do nothing further unless contacted by the adoptee.

See Appendix 9 for process of application under Section 99
Where an adopted person is deceased

Eligibility for information about a deceased adopted person:

**Under 18 years of age:**
If identifying information is sought about an adopted person who was under 18 at the time of their death, permission of the adoptive parents is required before identifying information is released.

**Over 18 years of age:**
Some identifying information can be released to an eligible applicant. This includes:
- A copy of the Adoption Order from the Court Records of the adoption
- The death certificate, if available

For adult adopted persons, the permission of the adoptive parents is **not** required before releasing identifying information to an eligible applicant.

If FIND does not have a copy of the Death certificate, the applicant may apply directly to the Registry of BDM after they have received a copy of the Adoption order.

It is good practice to advise the adoptive parents (if still alive) of the rights of natural parents and natural relatives. Adoptive parents in these circumstances are often open to providing information and photographs of the adopted person, and on some occasions go on to meet with the natural parent or relative.

Note: As with the release other information to natural relatives, identifying information about the deceased adopted person and their adoptive parents (i.e. adoption order and death certificate) to a natural relative is at the discretion of the Case Manager [refer S.97 (3) (a) (i)].

**Telling the applicant of the death**

Prior to telling:
- Check out possible supports (friend, counsellor, support group in area)
- Obtain information about adoptee from family members, if possible
- Support for self – discuss with supervisor and other workers

Telling the applicant:
- Where possible, arrange interview in office, or a visit
- Can preface telling of death with a question such as ‘when you first applied to us, what were some of the possible scenarios that you had imagined? What were some of the worst case scenarios?’ and then ‘unfortunately, we have been advised by Births Deaths and Marriages that (name) is in fact deceased’.
- Support applicant, acknowledging grief and shock
- Explore supports they have and offer to link with local supports if needed
Outreach

When possible names and contact details have been obtained, the Case Manager begins the outreach process.

FIND outreaches to:

- Adopted people on behalf of a natural parent, sibling or other relative
- Adoptive parents where the adopted person is under 18 years of age (see Victorian AIS Program Practice Manual)
- Birth family members on behalf of an adopted person in some circumstances (see Victorian AIS Program Practice Manual)

Timing of contacts (letters and phone calls) should be carefully considered so that:

- the Case Manager will be available to receive a response
- they avoid coinciding with birthdays, student exams or family occasions such as Mother's Day, Father's Day, Christmas

Outreach letters

Where a possible address has been located, an outreach letter can be sent asking the person to contact the Case Manager.

Non-specific outreach letter – used where there is any doubt about whether the recipient is the person sought (i.e. if not sure of correct name or address). This letter does not mention adoption.

Specific outreach letter – used where confident the recipient is the person sought and the address is current, e.g. correct name and date of birth on the (non-public) electoral roll AND matching address on public electoral roll.

A specific outreach letter should:

- Indicate that it is about the adoption and name the adopted person
- State the status of the person on whose behalf the outreach is made (for example, a natural mother/father or sister or brother)
- Explain the legal rights of the parties
- Offer counselling and support from the agency
- Include pamphlets and information about self-help organisations

The name and address on the envelope should be carefully checked before a letter is sent.

If the adopted person cannot be located and the whereabouts of the adoptive parents is known, the outreach is sent to the adopted person C/O the address of the adoptive parents.

If the adopted person is under 18, the outreach letter is addressed and sent to the adoptive parents.

Postage

- Outreach letters are sent in plain envelopes, for the privacy of the recipient
• The first letter is usually not sent registered post (or person to person). This is so as not to emphasise the 'importance' of the letter or alert other members of the household.

• Subsequent letters can be sent registered post and person-to-person:
  o Delivery of the item can then be checked by contacting Australia Post and quoting the registered post number.

Number of letters and time intervals

• If no response is received to the first outreach letter within a reasonable time*, and the letter is not returned, write a second letter referring to the first one and enclosing a copy. The letter should also:
  o Acknowledge that it often takes time to consider such a significant decision
  o Encourage the adopted person to contact the Case Manager to make known their current feelings about the enquiry
  o Reassure the adopted person that it is entirely their decision
  o Be sent registered mail, person to person, requesting a receipt, which will provide verification of the letter being received at the address.

• If there is still no response, telephone contact can be considered with a view to verifying the letter has been received.

• Where it is not possible to make telephone contact and after a reasonable time has passed, a third letter can be sent informing them of the provisions of Section 99. This letter informs them of the rights of their natural parent/relatives to identifying information under S.99. Discuss this with the Team Leader and applicant before proceeding.

A copy of the original letter and of the follow-up letter and a list of options should be included in this letter.

* "Reasonable time" will vary according to the applicant’s wishes and other relevant information known about the situation of the adopted person. A suggested time between outreach letters is one month. A reminder to send the next letter can be set up in Lotus Notes, or written in the Case Manager’s diary.

• If no response is received after three letters and it is certain that mail has been received by the intended recipient, no further letters to that address are usually sent.

Phone Calls

Phone calls can be considered as a method of outreach.

Where an address is located for the person sought, an outreach letter is considered as

• this allows the recipient time to consider their response
• they can call at a time convenient for them to speak

However, where a large number of possible addresses are located, or there is considerable uncertainty about the identity and location of the person sought, telephone calls can be useful, and a quicker way of getting a result than waiting to get responses from non-specific letters.

See ‘Phone Calls’ under Search Hints section, above, for ideas about how to conduct this call.

Remember not to mention adoption to anyone unless speaking with the adopted person directly.

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Facebook

In the event that we are able to locate the person sought on Facebook, but there is not enough information to locate an address or phone number for them, we can make contact with them directly on Facebook.

The social media portfolio holder will send a private 'inbox' message the person sought on Facebook. This message will be similar to the non-specific outreach letter sent in the post. The message will include the case manager's contact details and ask that they phone the case manager to discuss this enquiry.
Responses to outreach

It can be helpful for Case Managers to keep a list of people that are being outreached to in an easily accessible place on their computer. This can assist when the person rings in responding to outreach, as their name may not immediately be familiar.

Before disclosing that the matter relates to an adoption, the Case Manager establishes that the person responding is in fact the person sought by confirming their date of birth and other details as required. Every effort is made at all times to protect the privacy of the people involved.

When receiving a call as a response to outreach:

✧ Identify which case their response relates to. If time is needed to gather the file and/or review details of the case, ask reception to get their number and call them back in 5 minutes.

✧ Explain that you work for DHS, in a section that assists family members who are searching for one another

✧ Ask them to confirm:
  o Their date of birth
  o The name of the suburb they’re calling from (if more than one letter sent)

✧ If this matches, also get them to confirm their full name and parents’ names

✧ If this is the person sought:
  o Advise about FIND (e.g. provide information to adopted people and their family members)
  o Ask if they know what the call may be about
  o Explain that FIND has received an enquiry from a birth family member, and ask permission to tell them their first name

✧ FIND services
  o Intermediary service – contact can mean different things, e.g. ‘letter box’
  o Information they and other parties are able to receive

✧ Privacy
  o Their identity is protected and wishes respected

✧ Discuss their options:

  They may wish to:
  o Take some time to consider the matter
  o Apply for information about own adoption
  o Provide some information to pass on to the person enquiring
  o Receive a letter or email from natural relative via FIND
  o Arrange to have contact with natural relative
  o Decline all information exchange

✧ Discuss supports
  o If distressed, explore supports/ refer to Vanish

✧ Ask them to provide their phone number (if willing)

✧ Where person not wanting contact:
  o Ask if willing to confirm thoughts in writing
  o Ask permission to let enquirer know they are alive and well
When person not aware they are adopted

- Confirm additional details e.g. parents names, occupations, address to confirm they are the person named in the records
- Provide support and acknowledge difficulty of receiving information in this way
- Encourage them to apply for their own records. Information can be ‘part-released’ e.g. they may wish to receive the Court Records, or see the Adoption Order, and receive additional records at a later stage
- Discuss supports and refer as needed

Response from Adoptive Parents

Adoptive Parents sometimes respond on behalf of adult Adopted persons where for example:

1. Adopted person has asked them to respond on his/her behalf
2. Adopted person has thrown letter away
3. Adopted person has no intention of responding

(In these situations the Adoptive Parents may be quite sensitive to the position of the natural parent and be encouraging the adopted person to respond. This can be experienced as pressure by adopted person).

4. A letter has been intercepted by the Adoptive Parent.

Where a situation arises that an adoptive parent responds on behalf of an adopted person, it is important to advise the adopted person of this in writing. It should refer to the adoptive parent’s call and acknowledge the message they conveyed. The letter should also encourage the adopted person to contact the Case Manager to state his/her wishes.

Outreach on behalf of natural fathers

In the case of outreach on behalf of natural fathers, the case manager advises the adopted person that FIND is unable to confirm the identity of the natural father with certainty. However, adopted persons are informed that natural fathers sign a statutory declaration as a way of declaring their status. Occasionally, the name of the natural father can be found in the records which can provide further verification.
**Intermediary services**

*A brief description of the intermediary stage follows. See the Victorian AIS Program Practice Manual for further information.*

A FIND Case Manager can act as an intermediary where two parties wish to have contact without a direct exchange of information.

The intermediary process usually begins as a result of outreach on behalf of a natural relative or natural parent.

The Case Manager can forward letters or emails between parties, or relay agreed information by telephone.

The person making the outreach usually writes the first letter or email, unless otherwise agreed by the parties.

For natural relative applications, the Case Manager should ensure that *no identifying information* about either party is released without that person’s *written* permission. This involves carefully checking mail or emails that are forwarded on.

At each exchange of information, it is suggested that:
- The Case Manager contacts the receiving party to advise of the correspondence and check they are happy to receive it
- The Case Manager forwards the correspondence (initial letters are sent registered post; subsequent letters at discretion of Case Manager)
- The Case Manager contacts the sending party to advise that the correspondence has been forwarded on.

*In some cases where exchange has been occurring for some time, the Case Manager may not consider the above steps necessary.*

If one party includes *identifying information* and provides their permission for it to be released, it can be beneficial to check with the receiving party that they are willing to receive identifying information.

**Things to note:**

- The Case Manager’s role is that of an impartial third party
- An important part of the intermediary service is preparation of the parties for possible reunion, and managing expectations
- Reunion and post-reunion relationships can be significant and complex. Ensure clients are aware of possible issues, feelings and outcomes and are aware of available supports.

**Long term Intermediary Cases**

Cases to consider placing in the ‘Long Term Intermediary’ stage on NED include:
- Cases where there is infrequent but ongoing contact or exchange (these will be a work value of L1 on NED)
- Long term complex intermediary cases (these will be given a work value of H3 on NED)
Closure

AIS requests need to be closed on AIRS, TRIM and NED.

See Quick Reference Guide 35 for instructions.
Specific application types

Changes to the Adoption Act 1984 from 1 July 2013

Amendments to the Victorian Adoption Act 1984 from July 1 2013 mean that natural parents can receive identifying information about their adult adopted child recorded at the time of the adoption, without the need for the consent of the adopted child.

It also provides adult adopted persons adopted in Victoria prior to 1984, the opportunity to regulate contact with their natural parent by lodging a contact statement expressing their wishes.

Adopted persons may lodge a contact statement as a result of:

- Initiating an application with the relevant authority at the s.87 or following the s.87
- Submitting a contact statement without an application for records
- In response to an ‘outreach’ from the FIND program on behalf of the natural parent/s
- Following direct contact from their natural parent or other person mediating on their behalf

For further information regarding the amendments to the Adoption Act, please refer to the following documents:

* Contact Statement
* Information sheet for natural parents and for adult adopted persons
* Frequently asked questions for natural parents and adult adopted persons
* Practice Guidelines for AIS agencies regarding the changes to adoption legislation.

These are located on the F drive at:

F:\CYF FRIS FIND\FIND Program and Policy Documents\Adoption Amendment
Applications from natural parents

Amendments to the Victorian Adoption Act 1984 from July 1 2013 mean that natural parents can receive identifying information about their adult adopted child recorded at the time of the adoption, without the need for the consent of the adopted child.

Procedures for applications from natural parents are outlined below. Please also refer to the practice guidelines located on the F drive: F:\CYF FRIS FIND\FIND Program and Policy Documents\Adoption Amendment

Many of the procedures remain the same as for other adoption applications. Additional procedures for natural parent applications after 1 July 2013 are listed below.

Applications received and entered on TRIM and NED as per current process. Team Leader reviews application and allocates to case manager.

Acknowledgement/Collate

☐ Create electronic folder
☐ Acknowledge application with natural parent. Discuss wishes relating to information and contact with the adopted person. Discuss provision for adopted person to lodge contact statement.
☐ Send status check request to BDM

When Registered file is received from ASU:
☐ Check for links
☐ Review court records
☐ Order additional records from other agencies, archives, and ASU if required

Commence search for adopted person (see basic search list):
- Previous contact details if already registered
- Available electoral rolls (currently VEC)
- White pages
- Google
- Facebook
- Death/Marriage/Change of name check via BDM
- AIRS, TRIM, any available records

If address for adopted person located:
- Discuss outreach with natural parent
- Establish information they would like to pass on to adoptee
- Non specific outreach letter, or full outreach letter with information about new legislation, sent to adoptee

If adopted person responds to outreach:
- Advise of the enquiry by their natural parent
- Advise of natural parents entitlements to identifying information
- Advise of provision for them to lodge a contact statement if they wish

If adopted person not located and searches have been completed OR Adopted person does not respond to outreach by 8 week mark:
- Arrange s.87 and release of identifying information to natural parent
Records release

Prepare identifying information for release to natural parent (see updated Editing Guidelines). This will include:

- Identifying summary of information from the court records (see new template)
- Birth certificate, consent form, affidavit verifying consent
- Any other information in the court or agency records that relates to the natural parent
- A copy of the adoption order
- If BDM has provided the married name of the adopted person, this can also be included on the identifying summary provided to the natural parent

Arrange Section 87 with natural parent.

- See Practice Guidelines for suggested topics to cover in the interview.
- Make sure that the natural parent is advised if a contact statement is in place, and relevant penalties if adopted person expresses wish for ‘no contact’.
- Discuss outreach - including option to use an intermediary service including FIND and Vanish
- If natural parent will be conducting their own search, discuss suggestions for methods of searching, making contact and sample letters.

Intermediary

Provide intermediary service to natural parent and adopted person as required. This will vary according to each case:

Mediation where a contact statement is in place

Where an adoptee has specified a particular form in which they want contact to occur, advise the natural parent accordingly. This may involve direct contact of a specific form (e.g. letters, phone) between the adopted person and the natural parent.

It may also involve FIND continuing to provide an intermediary service in which the adopted person and natural parent communicate through the case manager at FIND.

Mediation where no contact statement is in place

There is no obligation for the natural parent to receive identifying information if they do not wish to have it.

There is also no obligation for the adopted person to lodge a contact statement if they do not wish to do so and are happy for FIND to continue as an intermediary. Both parties’ wishes for contact can be communicated by the FIND case manager as per current intermediary practice.

The most important circumstance for an adopted person to lodge a contact statement is if they wish to specify their wish for ‘no contact’.
Applications from natural fathers

BDM

The Registry of Births Deaths and Marriages (BDM) can only provide details to the parents registered on the birth certificate. If the natural father is not listed as the registered father then the Registry cannot release information. If the natural father is not listed on the birth certificate but is named in the Court records, the Registry can release information and will advise FIND that the natural father can apply to be added to the pre-adoptive birth certificate. The natural father can apply to the Registry to be added to the pre-adoptive birth certificate by providing a statutory declaration signed by the natural mother naming him as the natural father or, if there is no contact with the natural mother then a statutory declaration from a close family relative of the natural mother (mother, father, sibling) naming him as the natural father.

FIND

The standard of proof for natural fathers defined in S.82 Adoption Act is a statutory declaration. In relation to applications under section 96 (Natural parent's right to information about adult adopted person), 'natural parent' includes a man who satisfies the Secretary that there is prima facie evidence that the man is the father of the person, and there is no evidence to the contrary.

Birth Registration Schedules (BRS) – post 1960 to 1984

The BRS is the record on which the details of birth have been manually transcribed. They were sent by the hospital to Births, Deaths and Marriages (BDM) who then entered the details into their Register.

In the case of fathers, in the absence of a marriage, the father details if recorded on the BRS needed verification by letter from BDM and a response from the father. In the absence of a response or where the fathers name or contact details were not recorded on the BRS – only the mother and child were entered into the Register of Births.

The BRS can be obtained following an application to BDM. They are stored at the Public Records Office and can be ordered by BDM. BDM have advised that the BRS pre 1960 have been destroyed.

The value of the BRS is that in a small number of cases, the details of the father are recorded on the BRS, however has not been recorded on the birth certificate.

Application for the BRS:

The client will need to write to the address below outlining their request to apply for the BRS, supported by a copy of the original birth certificate, identification and the certificate of interview.

Access Manager
Births, Deaths and Marriages
PO Box 5220
MELBOURNE VIC 3001
Contact Statements

Procedures on receipt of a contact statement

Many of the procedures remain the same as current AIS applications.

- Contact statements will be registered as an ‘R’ number on TRIM and AIRS
- If a contact statement is lodged by someone who has applied previously, the contact statement will be added to their previous R file and the date of lodgement noted on AIRS and NED

Contact statements can be lodged:
- along with a current application for records
- separately without an application for records

If lodged separately, procedures are as follows:

Assessment (Team Leader)

☐ Check AIRS for previous registration of adoptee and any links (order file if needed)
☐ Allocate to Case Manager on NED
☐ Determine whether status check required:
  If no - create electronic folder and give to ASU to add contact statement to existing R file and update registrant details with type of contact
  If yes – update detail of type of contact and give to Case Manager
☐ Update location on TRIM

Case Managers:

☐ Create electronic file
☐ Submit status check request to BDM

When registered file received from ASU:

☐ Review Court Records to confirm adoption
☐ Check for links on AIRS
☐ Contact adoptee by phone to clarify contact statement, if needed.
☐ If there is an opportunity, topics for discussion with the adopted person include:
  - Different options for contact
  - Ability to revoke or amend contact statement
  - Duration of contact statement (5 years) and onus on adopted person to renew after this date
  - Adopted persons may initiate contact with the natural parent should they wish to do so, regardless of whether a contact statement is in place.
  - Able to apply for own records if they wish to do so

☐ Send letter to adoptee confirming lodgement of contact statement (plain envelope - see template letter)
☐ Ensure contact statement details are accurately entered on NED and AIRS
☐ Place copy of contact statement on natural parent’s file (if registered)
☐ Close on AIRS -
  Closure Outcome: ‘Search Refused’ for ‘No Contact’ contact statement
  ‘Counselling’ if a particular type of contact is specified
☐ Close on NED - Ensure contact statement details are correct
☐ Close on TRIM
‘Prior Contact’

‘Prior Contact’ refers to the situation where adopted persons have exchanged identifying information with a person named on their original Birth Certificate (S87 [3] of the Adoption Act).

From the Victorian AIS Program Practice Manual:

The adopted person is not required to attend an interview if a Statutory Declaration is provided to say they have exchanged identifying information.

Although not formally required to have an interview, it is good practice for the Case Manager to contact the applicant before the release of the records to provide them with an opportunity for discussion. They may wish to search for the other natural parent or natural relatives.

A copy of this Statutory Declaration can be obtained from ASU or from F:\CYF FRIS FIND\Admin Support Unit (ASU)\FIND\Application forms and documents\AIS Application Pack
**Re-releases, second and subsequent applications**

Where an AIS applicant has previously registered and attended an s.87 interview:
- they **do not** need to attend a second interview

If the applicant would like another copy of their adoption records (or a search for further records), this is called a 'Re-release'.

Ask the applicant to:
- Submit their request in writing along with a copy of some current identification showing their signature

If the applicant does not want another copy of their records, but would like their case re-opened for search and outreach or mediation:
- Ask the applicant to submit their request in writing along with a copy of some current identification (showing their signature) and contact details
- When the written request is received at Reception, it proceeds in the same way as an AIS application

**Registration of re-releases and further requests**

See ASU section for details of how second and subsequent requests are registered.

**Allocation of re-releases and further requests**

In allocating a worker, consideration is given to previous worker(s) allocated to the case.

**Re-release of Certificate of Interview**

Applicants who have attended a s.87 interview but who have misplaced their Certificate of Interview can request that another copy of this to be sent to them. This request needs to be made in writing and some current identification attached.

Steps to re-issue a Certificate of Interview:
- Check AIRS and/or client file for date of section 87 interview and worker’s name
- Complete another copy of the Certificate of Interview
  - Enter the date that the s.87 interview occurred
  - Under ‘approved counsellor’, sign current Case Manager’s name then write ‘on behalf of’ and the name of the Case Manager who conducted the interview

If a case is not currently allocated, the Duty Worker can re-issue a Certificate of Interview.
'Interstate adoptions' – where the adoptee is born and adopted in different states

If an applicant was born in Victoria and adopted in another state:

- They can register in Victoria and receive a copy of their original birth certificate and Adoption Order.

  Registering in Victoria means that their name can be placed on the Central Register. This enables links to be made with birth family who have also registered in Victoria.

- They can also register in the State in which the adoption occurred, to request full records. There are varying requirements in other states which they will need to be aware of, particularly relating to any veto legislation.

If an applicant was born in another state and adopted in Victoria, they can receive a copy of their adoption information through FIND.

Please note: Where a person is born interstate and adopted in Victoria, BDM only has a record of their adoptive name, not birth name. The Case Manager will need to include the adoptive name when requesting a status check.
“De facto” adoptions


Spouse adoptions

Release of information to:

1. Adult Adoptee

As the adoptee has exchanged identifying information with a person named on their original birth certificate, they are **not** required to attend a Section 87 interview (s87 (3) of the Adoption Act).

They are also **not** required to provide a Statutory Declaration verifying the exchange of identifying information (as this is implied by their application).

Although not formally required to have an interview, it is good practice for the Case Manager to contact the applicant before the release of the records to provide them with an opportunity for discussion. They may wish to search for the other natural parent or natural relatives.

- The content of the records can be discussed with the applicant over the phone. The hard copy of the records is then posted to the applicant.

- The conversation between the Case Manager and the applicant is recorded on a S87 interview sheet, as for non-spouse adoptions.

- Due to the time delay between birth and adoption with spouse adoptions, it is more likely that the applicant may be born in one state and adopted in another. See ‘Interstate adoptions’ on previous page for information and issues related to adoptions occurring interstate.

2. Adult Child of an Adoptee, Natural parent, Natural relative

- As the Adoption Act does not distinguish between spouse and non-spouse adoptions, these are proceeded with in the same way as applications for information about a non-spouse adoption.

- Some care may need to be taken with outreach, e.g. if outreaching to an adoptee where a spouse adoption has occurred, consider that this will likely mean that the natural parent becomes aware of the outreach.
UK adoptees

Although not placed on the Central Register, FIND offers a service to adopted persons from the United Kingdom (UK). Applicants apply directly to the UK agency for their records. FIND has the authority from the Registrar General’s Office in the UK to provide the mandatory office interview and release the records. Once the UK records are received at FIND, service provision takes place.

Process:

- Applicants need to apply to the UK directly for their records and nominate the Team Leader at FIND as the agent who will provide their interview.

  **General Register**
  Smedley Hydro
  Trafalgar Road
  Southport
  Merseyside PR8 2HH
  Tel: 0151 471 4313

- The records are then sent to FIND within 2-3 months.
- The client will receive a letter approximately one week before FIND receives their records advising that their records have been sent to FIND.

The client’s records will contain:

1) **CA 5 form** – Application for Birth Certificate

2) **Information Sheet (CA3b)** – Application/Letter for name of adoption agency

3) **ACR105 form** – Application to register on the Adoption Contact Register

4) Information about searching in the United Kingdom

**Further information about these is provided below.**

**CA 5 form – Application for Birth Certificate**

This form will show **partially completed** details of the applicant’s birth (not all details from original birth certificate).

The applicant will need to return this form to the address on the form to get a copy of their original birth certificate. This will show:

- When and where the child was born
- Names of the child and the natural mother and/or natural father*
- The natural mother’s address at the time of birth

* If the natural father is not named on the birth certificate, but is noted in the agency records, then his name will be provided to the applicant on a separate piece of paper.

**Information Sheet (CA3b)**

This form will enable the applicant to get the name of the agency that arranged the adoption.
The applicant will need to write a letter to the relevant court in order to receive the details of the adoption agency. Please advise the applicant when writing to the court to include details included in the 'Information sheet (CA3b Form)' provided to FIND, ie. Letter reference number, court reference number, full birth details and adoption details.

The Court will then write to the applicant and provide the name of agency who arranged the adoption. This agency can then be contacted to request any additional records that may be available. FIND will usually need to request records on behalf of the applicant as the agency is not usually willing to release the records direct to the applicant.

NB:
- The "Finding adoption records in the UK" book lists agencies that are now defunct.
- Sometimes there are no additional records, and it is important that applicants do not have ‘high hopes’ of receiving a lot of documents.

ACR105 form - Application form to register on the Adoption Contact Register

The purpose of the Contact Register is to put adopted people and their natural parents and/or natural relatives in touch with one another. An information booklet is provided that details the process. A fee is required.

Please note:
- No fee is charged by FIND
- An office interview is required
- Records received from the UK do not require further editing by FIND

Arrange interview:

The interview is conducted in the same way as an s.87 for a person adopted in Australia. Other than the forms described above, the main area of difference will be around searching, as the person may need to search overseas and therefore our search guide may not be relevant.

- Provide the applicant with:
  - Forms as received from the UK
  - FIND Cover Letter (located at F:\CYF FRIS FIND\Adoption Information Service (AIS)\UK Adoptee Procedures)
  - Myth and Reality
  - Sample contact letters
  - Information about support groups

- Photocopy the CA5 and CA3b forms and keep a copy on file. Ask the client to provide you a copy of the letter they provided to the court, if possible.

- Encourage the applicant to contact FIND once they have received notification of whether agency records exist, as they may require FIND to request these records on their behalf (the agency is not usually willing to release the records direct to the applicant).

Northern Ireland

Separate procedures apply for adoptions that occurred in Northern Ireland. Adoptees over the age of 18 can apply for their original birth certificate, however must have an interview with a counsellor first. The applicant can nominate a counsellor at FIND.

An application form is available from www.nidirect.gov.uk, and is sent to:

The Registrar General
Oxford House, 49-55 Chichester Street
Belfast BT1 4HL
Tel: (028) 9025 2000
Further information and resources regarding UK adoptions (including Northern Ireland) is located on the F drive:

F:\CYF FRIS FIND\Adoption Information Service (AIS)\UK Adoptee Procedures
Child of adoptee

Where the adoptee is alive, there is a requirement to notify them of the application. FIND allows them sufficient time upon the receipt of this notification (21 days) to advise of any concerns/objections they may have.

- Send a letter to the adopted person advising them of the application (template letter at F:\CYF FRIS FIND\Adoption Information Service (AIS)\Letters and Templates)

- This letter should be sent via Registered Post, Person to Person in every instance. A Registered Post Delivery Confirmation Advice Receipt should also be attached to allow FIND to be notified that the letter has been received.

- The letter notes a response within 21 days. This means from the date that the individual receives the registered letter (not the date the letter was written or sent out). This date can be established by the Registered Post Delivery Confirmation Advice Receipt.

- Should the parent (adoptee) object to the release of the information that the applicant (adult child of adoptee) may only receive non-identifying information (where available).

Please note: Do not issue a ‘Certificate of Interview’ if non-identifying information is provided.

Where applicants and/or parents are dissatisfied with the above advice, please inform them that they have the right to make an application to the Supreme Court for a judicial review in relation to the decision made (re: not releasing records/information).

Written permission

Where the adoptee has provided their written permission for their child to obtain their records, it is still necessary to send a letter to them advising them of the application and wait the 21 day period to allow them to object. The Case Manager may however wish to acknowledge receipt of their permission in this letter.
s.103’s

DHS and each approved agency are required to maintain a Register on which the names and addresses of all applicants are recorded. Wishes in relation to obtaining or providing information are also recorded.

As DHS maintains the Central Register (AIRS), the other approved Adoption Information agencies are required to forward registration details of applicants to DHS to be recorded on the Central Register.

'S.103’ refers to section 103 of the Adoption Act which requires that a central Adoption Information Register be established and maintained. An s.103 form is a form from another Victorian AIS agency advising FIND of registrant details to be entered onto AIRS.

Once applicant details have been entered into AIRS, a check is made for any links identified by AIRS and appropriate actions taken.

Procedures:

- s.103 received at Reception, entered on TRIM, AIRS, and NED, and a defacto/ILP check done. Paper File is then given to the Team Leaders.

- s.103 allocated to a Case Manager

Actions required:

1) Check for links and update AIRS
2) Check whether a contact statement is in place
3) Check result of defacto/ILP searches
4) Email the AIS agency to advise of results of above

- Advise if any links have been located. If links were provided service by a different agency to the one that has sent the s.103, consult with the team leader regarding which agency will provide service and how to manage links

- Provide an edited copy of any defacto/ILP register entries located – ensure this is password protected when attached to the email

- Advise agency if a contact statement has been lodged and any wishes expressed by the adoptee

When above steps have been finalised, case can be closed on NED, AIRS and TRIM.
Intercountry Adoptions

Please refer to Appendix 10 Practice Instructions: Responding to Enquiries Relating to Children Adopted From Overseas; and Appendix 11 : Guidelines in relation to enquiries relating to children adopted from overseas through the Intercountry Adoption Service (ICAS).

A brief summary of procedures is outlined below.

Procedure

1. Initial enquiry made

1. Discuss with client what their needs may be, e.g. assistance to locate a family member, access to records/documents or other general information matter.

2. The applicant is asked to complete an application form outlining their request for records and/or search and intermediary with the natural parent or adopted person.
   - Give the completed application form to Reception
   - The application is processed in the same way as an AIS application

2. Allocation of application

Application is allocated to a Case Manager. ICAS applications receive a Priority status.

i) Check ICAS electronic folders (ICAS worker may have created one already). If there is no folder, create a new one. If there are notes, please discuss with ICAS worker (See point 3 below).

ii) Acknowledge application
   - Clarify with the applicant which (if any) records they are seeking. Some applicants only want specific records (e.g. Adoption Order or records from country of birth) and this may save editing the entire ICAS file which can be quite large.

iii) Order records if required

Court Records
A copy of the Court records is usually contained within the ICAS file. If another copy is required:
   - Records pre-1988 are held by Births Deaths and Marriages. These can be requested through a status check as per usual AIS procedures.
   - For records dating from 1988 and onwards, BDM only has a Memorandum of the Adoption Order. Please ask ASU to request the full court records directly from the County Court.

Note that the original birth certificate is provided by the country of birth and therefore may not be available.

ICAS file
Ask ASU to order file if this is required. Check with ICAS worker first, as file may have already been requested by them.
3. **FIND/ICAS liaison**

Once case is allocated, Case Manager contacts the ICAS worker.

- Discuss application with ICAS worker to determine any follow up required by each worker
- Arrange a time for a joint s. 87 interview with the applicant, ICAS and FIND worker (in office or by telephone)
- Conduct joint interview
- ICAS worker to follow up any liaison with overseas adoption agencies as required

4. **Case closure**

- Case Manager to record interview on s.87 interview Report form
- Follow up call(s) to applicant as required
- Case Manager to continue to liaise with ICAS staff regarding outcome of involvement
- Close case (see Quick Reference Guide 35)
Section 100 Applications

A person who is not entitled to make an application under the Adoption Act may make an application to the County Court under Sect 100 for information about an adopted person.

Follow the steps outlined for Section 99 applications (Appendix 9).

The Case Manager is required to prepare a report for the court. As with Section 99 applications if the Case Manager is unable to recommend/support the application they need to state their reasons clearly in the affidavit.

The County Court will decide if special circumstances exist to allow for an order to be granted and information to be released.
Release of Adoption Records to an Agent

Background

FIND has a long standing practice of releasing adoption records only to the eligible applicants as defined by the adoption act and not through nominated agents.

Review of this practice

Legal advice received in 2009 from the Principal Solicitor Legal Services Branch is that there is no legal impediment in forwarding adoption information to an agent – provided the adopted persons appropriate ID is obtained and there is signed authority from the adopted person authorizing release of information to the agent.

Qualification on the legal advice

The legal advice was received in relation to the re release of records to an adopted person who had already attended a S87 interview. For those eligible applicants who have not attended a S87 interview, this of course still remains a mandatory requirement before considering release of records to an agent.

Examples of current requests from agents

- Legal firms requesting records for their clients under the FOI act. A small percentage of these FOI requests will in fact be requests for adoption records.
- Legal firms who are acting on behalf of adopted persons in order to settle an estate.
- Agents such as Link Up who request the adoption records are sent to them.
- A family member of the eligible applicant requests the records.

Procedure

Previous S87 Interview

In these instances the applicant may have not yet received the records or they may not have received all the records. In both cases:

1. Identify if the eligible applicant has had a S87 interview. Check TRIM and AIRS and the applicants file
2. Ensure there is the required signed ID (and if required, proof of relationship to the adopted person) and signed authority of the eligible applicant authorizing release of the records.
3. Order the file and records and proceed to release the records to the agent.
4. Send the records by registered post to the agent.

No previous S87 Interview

It is possible that in some instances, (e.g. requests made for records under FOI) that neither the agent nor the applicant is aware there is an adoption. In such instances, there is the potential to tell a third party sensitive information of which the primary party is not aware. In such instances the recommended procedure is:

1. TRIM notes include reference to the adopted person not knowing of their adoption
2. Ensure there is the required signed ID (and if required, proof of relationship to the adopted person) and signed authority of the eligible applicant authorizing release of the records.
3. Advise the agent there is information which can be released to their applicant under the Adoption Act and these records can only be released after the requirements of the Act have been met.

4. Inform the agent their applicant can call the duty worker to discuss how they can obtain the requested information.

5. After applicant has attended the required S87, send the records by registered post to the agent.

In those instances where the adopted person has specifically asked their agent to obtain their adoption records:

1. The agent is informed their applicant must attend a s87 interview
2. The applicant needs to complete an application form and include their signed authority for the agent to obtain their records
3. s.87 interview is conducted
4. Records can be released to the agent
**Discharge of Adoption**

An eligible person may apply to the Victorian County Court for a discharge of an adoption order made under the Adoption Act 1984, section 19 (1).

Persons eligible to apply for a discharge of an adoption order include;
- An adult adopted person whom the adoption order relates to
- A natural parent of the adopted child
- An adoptive parent of the adopted child
- The Secretary or Principal Officer of the approved agency that arranged the adoption

Please refer to Appendix 12- Discharge of Adoption information sheet

**What happens to the court records if the adoption is discharged?**

If the Court makes an order that the adoption be discharged, the adoption no longer exists and therefore an eligible applicant can no longer apply for a copy of the court records. Thus, if the person applying for a Discharge of Adoption Order has not previously applied for and received a copy of their court records, FIND to discuss with them if this is something they wish to undertake and explain that if the discharge is successful they will no longer be able to access a copy of their court records. An application for a copy of the court records would need to occur prior to the report of investigation is sent to the Court or before they apply to the Court for a Discharge of their Adoption Order.

**Notification an adopted person has died**

Searches undertaken on behalf of a natural parent or natural relative will sometimes result in the discovery the adopted person has died.

(See sections “Eligibility for information about a deceased adopted person” and “Telling the applicant of the death”).

In other instances, notification of death will occur as a result of an adoptive parent or other relative initiating contact with FIND to advise the adopted person is deceased.

Available research from Western Australia is most natural parents wish to be notified of the death of their child who was adopted.

FIND’s position is to tell natural parents of a death unless there are factors to contra indicate otherwise.

Contra- indicative factors include:
- The natural parent has registered with FIND for no contact
- The natural parent has stated in the original adoption records no contact in the event of death
- The natural parent has a cognitive impairment (e.g. dementia)
- In notifying of the death, the adoptive parent categorically states they do not want the natural parent to know until they make an inquiry with FIND

Please discuss with your Team Leader prior to contacting the natural parent.
Part 5 – Former Ward Service (FWS)

Introduction

Victorian Former Wards of the State are people who were removed from their families and placed in government or church operated orphanages, children’s homes or foster care as children. The Victorian Government took legal responsibility for their care until the age of 18 (or on occasion, 21 years). Wardship orders operated with clients entering care from 1865 until 1960 and were still being issued until 1983.

The Victorian Government estimates that more than 100,000 children were placed in out-of-home care in Victoria between 1928 and 2003 and over half of these children were made Wards of the State.

The Australian Government’s Senate Report, Forgotten Australians described many former wards as having experienced abuse or neglect when in care and have continued to be affected by these experiences into their adult life. They were often separated from siblings and many had little or no contact with their family for the duration of their placement/s.

For many reasons, people want to find out more about their own or their family member’s experience as a Victorian State Ward.

Services for Former Wards at FIND

The Adoption Information Service (AIS) began in 1985 with the sole purpose of providing access to information about past adoptions.

From 1997, AIS began providing a range of search and support services to Former Wards of State and their families.

In 2005, the statutory responsibility for the delivery of FOI services to Former Wards was transferred from the DHS FOI unit to AFRS (now FIND). This enabled the provision of information to take place alongside support from a Case Manager.

For more information about the history of FIND, see the Introduction of this manual.

For a brief summary of information about the history of Out of Home Care in Victoria, please see Appendix 18.

Current services

FIND offers the following services to Former Wards of State in Victoria and their family members (where wardship expired up to 1986):

- Access to wardship records and other records held by the Department of Human Services
- Search and intermediary services for family members seeking contact with Former Wards
- Support and referral regarding issues related to wardship

Records relating to past wardship in Victoria are held by the Department of Human Services. Anyone wishing to access this information can make an application to FIND.
These records are then assessed in accordance with the relevant legislation and released to the applicant by a case manager who is available to provide support and explanation of the records.

There are a number of different services that hold records relating to people who experienced out of home ‘care’ in Victoria. Refer to the Find & Connect website (www.findandconnect.gov.au/vic) for further information.

For a list of key stakeholders providing services to Former Wards of State, see Appendix 2.
FWS Workflow Checklist

Assessment (Team Leaders)
- Review applications and correspondence
- Check for previous registrations
- Enter details in NED and allocate worker
- Change status to ‘Registration’
- Forward application to ASU and update location on TRIM

Acknowledgement (Case Managers)
- Scope Application and review NED for notes
- Request records from Archives
- Acknowledge application by phone (if applicable)
- Acknowledgement letter
- Check for links on AIRS
- Update NED to ‘Collate’

Collate
- Monitor Workload Report
- Extension letters for FOI Requests (as required)
- Tick ‘ID received’ box on NED when all documentation received

Records Release
- Review search responses to ensure all searches completed – including Archives search, BDM status check, Defacto & ILP checks.
- Submit request to FRISDUTY if search of Haven or Hartnett House registers is required
- Edit and Prepare Records
- Contact client to arrange record release
- Send records/provide in person
- Follow up any actions re ‘links’
- Update NED to Search, Intermediary or Closed

Search and Intermediary stages
- Submit search requests for additional records from other agencies
- Submit search requests to VEC
- Mediate with person sought after confirming identity
- Provide support and information
- Review with Team Leader where required

Close
- Update NED (including VEC searches)
- Enter closure information in AIRS
- Update TRIM
- Send Client Feedback Survey

For detailed instructions on how to complete each step, see below.
Relevant legislation governing release of records

The legislation governing the release of records depends on the date the records were created and who is applying for the information.

Freedom of Information requests
The Freedom of Information Act 1982 applies to all applications for records about self, regardless of date created.

Administrative Release
The FOI Act does not apply to other records created prior to 5 July 1978. This includes records about people other than the applicant. These records are released 'administratively' in accordance with the other relevant legislation, and the 45 day legislative timeframe does not apply. See table below.

Fees: No fee applies for administrative release of records

Access to Review: The applicant may contact the Victorian Ombudsman

<table>
<thead>
<tr>
<th>Applicant applying for....</th>
<th>Legislation/Guidelines</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Own records</td>
<td>FOI Act</td>
<td></td>
</tr>
<tr>
<td>Records about self contained within siblings files</td>
<td>FOI Act</td>
<td></td>
</tr>
<tr>
<td>Someone else’s records prior to 1978 and person is deceased (includes de facto records)</td>
<td>General privacy considerations and Administrative Release Guidelines. Use principles of FOI Act to guide decision making.</td>
<td>FOI Act, Information Privacy Act and Health Records Act do not apply.</td>
</tr>
<tr>
<td>Someone else’s records prior to 1978 and person is still alive (includes de facto adoption records)</td>
<td>Information Privacy Act Health Records Act</td>
<td>Need (informed) consent of person OR Need to show that - purpose of disclosure is related to primary purpose of collection AND the subject would reasonably expect information to be disclosed</td>
</tr>
<tr>
<td>Someone else’s records after 1978</td>
<td>FOI Act</td>
<td></td>
</tr>
</tbody>
</table>

Files that contain records before and after 5 July 1978
Where someone has applied for records about someone else that contain records both before and after 1978 - the FOI Act only applies to the pages created after 5 July 1978.
**Assessment**

The ‘Assessment’ stage is where incoming documentation is reviewed and allocated for follow up. This is currently undertaken by **Team Leaders**.

**Review correspondence**

Is this:
- Correspondence for an existing application? (check name on NED)
- a new application
- a document or application that FIND cannot assist with
- other documentation
  (See Quick Reference Guide 3 for further detail)

Check AIRS and TRIM for previous registrations.

**Correspondence for an existing application** (e.g. identification documents)

- Forward correspondence to allocated worker
- If no allocated worker, forward to Duty Worker for follow up required
- Update location on TRIM

**New applications**

- Identify type of application (FOI Request, Family Search Request) and Enquirer Type (Former Ward, Former Ward Relative, De facto Adoptee, Other)

- Identify Work Value

<table>
<thead>
<tr>
<th>Application type</th>
<th>Work Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Request requiring records release only (under 100 pages)</td>
<td>1</td>
</tr>
<tr>
<td>Request requiring records release only (over 100 pages)</td>
<td>2</td>
</tr>
<tr>
<td>Search and intermediary required</td>
<td>3</td>
</tr>
</tbody>
</table>

- Identify Priority Status (if applicable) [see Quick Reference Guide 5]

- Identify whether any identification needs to be provided [see Quick Reference Guide 4]

- Allocate Worker and Decision Maker

- Update NED with above details and any relevant Additional Comments [see Quick Reference Guide 31]

- Forward application to ASU to be Registered and update location on TRIM

**Documents that FIND cannot assist with:**

This may include:
- Applications where applicant is ineligible to receive information
- Enquiries about a service not provided by FIND
- Where the applicant has not provided sufficient information to register their application

**Actions**

- Forward document to Duty Worker for appropriate follow up which may include a phone call, letter to client, and placement in the Correspondence folder
- Update document location on TRIM

*Last Updated: November 2013*
Acknowledgement

The Acknowledgement stage is where the Application is acknowledged, any issues for follow up are identified and searches are submitted to request records. This is currently undertaken by the Allocated Worker.

- Check Action Record in client electronic folder and NED for any notes

Scoping

Review application to determine any follow up required. Use steps below.

Is request valid?
- It is clear what documents the applicant is requesting

Clarify type of request
- Check whether the request will be a FOI or administrative release (see page 106a).

Have ID and supporting documents been provided?

Request for own records:
- accompanied by current identification showing their signature
- documentation showing name changes (or a statutory declaration)

If applicant is applying for somebody else’s records:
- Signed permission of former ward and copy of their current signed ID OR evidence of death
- Proof of relationship to former Ward

Does applicant need to be referred to another agency?

FIND can assist with:
- Records for former Wards where wardship expired prior to 1986, including:
  - Ward Records
  - Disability and juvenile justice records dating from the time of wardship
- Records from Government homes including: Allambie, Baltara, Turana, Winlaton, Winbirra (Check Find and Connect if unsure if records held by DHS)

Refer applicants for records from:

Other Out of Home Care Providers:
Check Find & Connect website www.findandconnect.gov.au/vic for referral details

Public Records Office: All records over 99 years old (except defacto and ILP registers which are still held at FIND)
Does request need to be referred to the DHS FOI Unit?

Refer to the DHS FOI Unit if request is for:
- Records for a former Ward where wardship expired on or after Jan 1\textsuperscript{st} 1986
- Records from the Department of Health – (e.g. Psychiatric Records if they do not form part of the ward records)
- Disability, psychiatric, child protection or juvenile justice records for a non-ward

NB If the applicant is unsure of the date of wardship expiry; advise them of possible referral to the FOI Unit and include reference to this in acknowledgement letter.

When records are received, check the date of wardship expiry and refer the request if required.

Referring an FOI Request to the DHS FOI Unit

- Contact client (where needed) to advise that their request will be referred. Case note conversation with client.
- Write letter to client to advise that their request has been referred to the DHS FOI Unit
  - Use template letter on F drive
  - If the FOI request is close to the due date, ensure that client has been sent an extension letter (If needed, use the combined referral and extension letter on F drive)
- Email the DHS FOI Unit at DHSFOI@dhs.vic.gov.au to advise of the referral. If records have not already been located, attach a copy of the scanned application form and transfer letter to this email.

If records have already been provided by Archives you will also need to:
- Create a new folder labelled with the clients name in Z:\CIIRU\FOI\FOI Document transfers\FIND\From FIND
- Copy and paste the records, scanned application form and copy of referral letter into this folder.
- Close case
Acknowledgement call

(Only for individual requests, or requests from an agent that require clarification)

This is the first and a significant contact with the client. Below is a suggested list for discussion:

- Acknowledge their application
- Introduce self as their contact person regarding application
- Confirm the details of their request and clarify any unclear aspects; e.g.:
  - ensure that wardship expired prior to January 1st 1986
  - confirm with the applicant whether the application will be processed under FOI or administrative release
- Outline processes and advise of due date. Advise of delays if relevant.
- Obtain as much information as possible to assist with the search for records:
  - **NB Being thorough at this point will reduce the likelihood of having to send multiple requests to Archives and will reduce delays for the applicant**
    - Check that applicant has provided all possible names and birth dates
    - Ask for names of homes/institutions and dates, if known
    - Clarify exactly which records they are seeking. Explain what records DHS holds.
    - Ask for family members’ names and dates of birth as this can assist with the search (be sure to explain why we are asking for this information)
    - Clarify whether they would like information from their siblings’ files in addition to their own.
- Refer to other agencies for records not held by DHS (see Find and Connect website)
- Discuss expectations regarding records, and the likely records that will be available. Records may or may not have the information they are looking for and contents might be written in a way that is upsetting or offensive.
- Advise of supports available
  - Services offered by FIND (including option of office interview)
  - Refer to Open Place and CLAN
  - Refer to other services/agencies as required
- Provide other information / advice that is pertinent to them.
- Advise that they will be sent a letter confirming the details discussed and that they will be kept updated, including a call immediately prior to releasing the records.

If the client is not contactable by telephone after two days, edit acknowledgement letter and invite the client to telephone in regards to their application. The Case Manager will need to follow them up later with a telephone call.
Acknowledgement letter

Find appropriate acknowledgement letter on the F Drive (either FOI or Administrative Release letter - F:\CYF FRIS FIND\Former Ward Service (FWS)\Letters and Templates)

- Copy letter and paste it into the applicant’s electronic folder
- Edit letter
- Print on letterhead, sign and photocopy
- Place photocopy in client’s paper file and send letter. Check for mailing precautions e.g. plain envelope.

Check for related registrations (‘Links’)

As Former Ward applicants are registered in AIRS, the ‘links’ function will identify where a Former Ward is a relative of another Former Ward or a person who has applied for Adoption Information.

Technically, ‘Link’ is not the correct term to describe a Former Ward identified as a relative of another Former Ward – this term only applies to relatives of an adopted person.

- Check AIRS for any ‘links’ to the applicant (See Quick Reference Guide 19)
- Collect ‘Link’ and ‘Refer To’ files from compactus and/or order files from Information & Records Services (see Quick Reference Guide 10)
- Update file location on TRIM
- See Actions regarding ‘Links’ section later in this chapter and follow up any actions required
Requesting records

Records relating to former Wards of State are held by DHS Information & Records Services.

In addition, ASU holds indexes to the Defacto Adoption Register and Infant Life Protection (ILP) Register.

There are three steps to requesting records:

- Identifying which records to request
- Requesting that ASU conduct a search for De facto adoption and ILP register entries, where relevant
- Requesting that IRS conduct a search for Ward Records

How to identify which records to request

DHS Information & Records Services holds numerous records relating to former Wards, and one client may have records stored in a number of different locations. To ensure that all relevant records are located, it is essential to provide as much specific information as possible to assist Information & Records Services staff with their search.

- Did the client mention any homes or institutions in their application or in telephone conversation?
- Identify the government and non government homes
  - Use the Find & Connect website to determine this www.findandconnect.gov.au
  - See Appendix 21 for a list of Government homes (please note this is not comprehensive)
- Some information relevant to the applicant and their family may be contained in siblings files (not all information or records were included in every child’s file). Consider requesting these if required, particularly if little or no information exists for the applicant. If the applicant does wish to obtain information from their siblings’ files this will either need to be clarified with the client and confirmed in the acknowledgement letter, or they will need to make a new request in writing for this information.
- TRIM can provide details of existing records (see Quick Reference Guide 20).

At a minimum, the following should be requested for each search:

**From IRS:**
- Ward Register Entry
- Ward Cards
- Ward File
- Records from Government institutions

**From ASU:**
- Infant Life Protection Register Entry (1905-1964)
- De facto Adoption Register Entry (1905-1980)
- Hartnett House & Haven records (if applicable)

See Appendix 16 for more details about Wardship related records held by Information & Records Services.

Additional records that may be available from DHS Information & Records Services:
(some of these may need to be accessed through the DHS FOI Unit – check with your Team Leader if unsure):

- Disability client records
- Juvenile Justice records
- Psychiatric records
- Hospital records (Fairfield Hospital and RCH Travancore only)
Requesting a search for De Facto adoption, ILP, Hartnett House & Haven records

These registers are held on CD. To request these records, a request is sent via email to ASU.

ASU then conduct a check of the registers, print these if located and give them to the Case Manager.

*Please note Archives also holds additional records for the Haven and Hartnett House. If a child was placed at either of these homes it is worth submitting an additional request to Archives.

To send a request to ASU:

Complete the template FW Records Search Request email (see below) and send it to the FRIS Duty email.

Before doing this for the first time you will need to load the template email into your Lotus Notes stationery – ask a Team Leader if you are unsure how to do this.

---

**Template FW Records Search Request email**

To: fris.duty/DHS

Cc: 

Bcc: 

Subject: FW Records request to ASU - add file number

Applicant Name: 

Date: 

From: 

Response Due to FIND By: 

2 weeks from today

<table>
<thead>
<tr>
<th>Former ward - name to search</th>
<th>DQB</th>
<th>Types of records requested (case manager to delete as applicable)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>De facto Adoption Register (1905 – 1900)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>ILP Register (c1904 -1984)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>ILP Files (1939-1966)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Search of CD's:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Hartnett House (Melb City Mission) 1900 -1974</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Haven (Salvation Army) Admission/Discharge daybook 1907 – 1975</td>
</tr>
</tbody>
</table>
**Submitting search request to Information & Records Services**

Records are requested by placing an electronic request form in a folder on the F drive which is shared with Information & Records Services. Information & Records Services staff then conduct a search for records, scan any documents located and place them in the shared folder.

Complete the Request form, which should be in the client’s electronic folder.
Completing the Information & Records Services Search Request Form for FOI Requests

It is essential to provide **as much specific information as possible** to assist staff with their search. Include information from **ALL sources**, not just the application form (e.g. additional documents, conversation with applicant).

- Include dates of birth wherever possible
- Include **all possible names** a client may have been known by (e.g. mother's maiden name, mother's name after remarriage, foster parents surname)
- If other family members' files are being requested, list their name and details separately here
- Include parents and siblings names and dates of birth (where known) as this may assist with the search
- Can include notes here, e.g. if records needed for searching purposes rather than release to applicant
- List records being requested (e.g. Ward Register Entry, Ward Cards, Ward File). Include the applicant's Ward number if known.
- Delete the records not needed.
- List all government homes as there may be additional records to the Ward File. Include dates if known
- Write “Yes” if this is not the first search for this applicant, and enter WWD numbers of previous searches
- Enter date 14 days from today
When the search request form has been completed:

- Print a copy of the search request and place it on the paper file.
- Make sure that the yellow folder "Archival Search Request...." which contains the search request document includes the **applicant's name and reference number** (if not, rename it – see Quick Reference Guide 2).
- **Copy** the yellow folder "Archival Search Request...." which contains the search request document (right click on the folder and click on 'Copy').

  ![Folder Copy](image)

  - **Paste** it into the "Request to Archives" folder within the FINDWARD folder on the F drive (right click on the 'FOI Requests' folder and select 'Paste'). This completes the search request.
It is possible to check TRIM to confirm that Information & Records Services has received the search request. See instructions under ‘Collate’ section below.

This completes the steps in the Acknowledgement stage. **Update Status on NED to “Collate”**.
Collate

The ‘Collate’ stage is where a request for records has been submitted and a response has not yet been received.

The progress of cases needs to be monitored at this stage. This is currently done by the Allocated Worker.

Monitoring a workload report

- Review the individual Workload Report on NED at least twice per week (see Quick Reference Guide 27)
- Follow up any cases that need further actions or need to be moved to a different Status
- If cases have been in Collate for more than 2 weeks, follow these up as required and let Team Leader know of any issues so that these can be addressed

‘Deemed refusal’ letters

- Write an Extension letter (see Quick Reference Guide 16) for any applications that have 10 days or less until the due date
- Save a copy of the letter to the client’s electronic folder
- Place a photocopy of the signed letter on the paper file

N.B: this is not required for Administrative Release applications

Receipt of identification or additional documentation

- When ID or additional documentation is received from an applicant
  - Scan a copy to electronic file
  - On TRIM: Contain document to applicant file (see Quick Reference Guide 24)
  - Place document in paper file
- Once all ID and required documentation has been received, tick the “ID received” tick box on NED

  If identification is not received as requested, write a ‘refusal’ letter Section 25(A)(5) prior to the due date. Template letter located at F:\CYF FRIS FIND\Former Ward Service (FWS)\Letters and Templates\FOI Letters\Decision Letters.

Checking whether IRS have received a search request

If the application has 20 days or less until the due date and a response has not been received, check TRIM to confirm that Information & Records Services have received the request.

See Quick Reference Guide 11.
**Record Release**

The Record Release stage is where a search response has been received from Information & Records Services and records are awaiting assessment and/or release to the applicant. *This stage is currently the responsibility of the Allocated Worker.*

**Receipt of Search Response from Information & Records Services**

Case Managers will receive an email from ASU advising that responses have been received.

- ASU will have placed the Response from Information & Records Services along with any records located in the client’s electronic folder. *If there is no search response document, check TRIM to see if one has been created – see Quick Reference Guide 12.*
- ASU will have also updated the status on NED to “Record Release” and entered the number of pages located

Review each response, prioritising those **most overdue** or those with **10 days or less** until due date.

**Reviewing Search Responses**

Open client the ‘Archival Search’ folder in the client’s electronic folder and print out Response Document

- Check that the search that was submitted to Information & Records Services is accurately reflected/ detailed in the Archive search response.

  **Check that:**
  - all possible names and dates of birth have been searched
  - a search has been conducted for defacto adoption, ward register entry and ILP as appropriate
  - a search has been conducted for each Government home the client was in (check against placements listed on Ward Card or Ward Register)
  - records date from 1985 or earlier (if after, transfer request to the DHS FOI Unit)

Where no records have been located for the applicant, check that a search for sibling records has been undertaken (this may need to be a new request – see ‘Nil documents’ section below).
If the Information & Records Services search response is not accurate or a further search is required

- Submit another search
- Update status to 'Collate' in NED
- Move paper file from Record Release drawer to Collate.
- Write a 'Deemed refusal' letter if needed.
- Please advise Team Leaders so that any ongoing issues re accuracy of searches are addressed with Information & Records Services.

If the searches are accurate and complete

Records are ready for editing and release to the applicant.

If records are ready for release but ID or other supporting documents have not been provided

- If applicant has been advised of s. 25 A (5) in the acknowledgement letter, write a refusal letter. Advise the applicant that their application will proceed when the required documents are provided
- Send letter
- Close case [see Quick Reference Guide 35]

Further searches

Where a search request to Information & Records Services has already been sent and the applicant provides the worker with additional information that was not included in their application:

The additional information is to be viewed as a new request and a separate application is to be created ('-2', '-3' etc) with a new due date for the release of those records.

The applicant will need to put the additional information they are seeking in writing (can be by email) and this needs to be given to Reception for processing as per a new request.
Nil Documents – where no records are located

- Check search response from IRS as described above
- If it is accurate and all required searches have been undertaken, write a "nil docs" letter
- Contact client – see suggestions for discussion below
- Send decision letter (templates on F drive) and FOI Commissioner Fact Sheet- Complaints by Registered Post and place copy on paper file.
- Close case (see Quick Reference Guide 35). **If a Ward File was missing or unable to be located, tick the 'File Not Located' box on NED (under Record Release details).**

- Advise applicant and explain why no documents could be located (is there the possibility the person was in 'care' but not made a Ward?)
- Clarify names and date of birth searched. Did we search correct details? Are there any other names that they may have been known as?
- Ask about siblings (if not already done) – we can search for sibling records and release any information relevant to applicant; can provide full sibling records if sibling deceased (this will need to be a new request)
- Advise of appeal rights to the FOI Commissioner
- Provide applicant with ‘FOI Commissioner Fact Sheet- Complaints’
- Refer to other agencies for further records if not already done
- Refer to support services (e.g. Open Place and CLAN) if not already done
- Advise of process for any further searches. Will need to submit a request in writing and this will be considered a new application and receive a new due date.
- **If a Ward File was missing or unable to be located, tick the 'File Not Located' box on NED (under Record Release details).**

**NB Once a decision letter has been sent, any additional records requested need to be registered on NED as a new request (i.e. a "-2").**
Assessment of records under the FOI Act – “Editing”

Records from Victorian Government agencies are released in accordance with the Freedom of Information Act (1982). This includes wardship records held by the Department of Human Services.

Records are therefore ‘assessed’ under the FOI Act prior to release to the applicant to determine whether any information in these records is exempt from release.

Editing records is a challenging aspect of the work. The most common decision in assessing wardship records is deciding whether releasing information would involve the ‘unreasonable disclosure of information relating to the personal affairs’ of third parties mentioned in the records (see section 33(1) of the FOI Act).

Reference tools used to assist with assessment include:

- Editing Guidelines (located at F:\CYF FRIS FIND\Former Ward Service (FWS)\Editing Former Ward Records)
- FOI Practice Notes (located at F:\CYF FRIS FIND\Former Ward Service (FWS)\Editing Former Ward Records\FOI practice notes)

Editing records for Administrative Release

See page 106a for when Administrative Release applies

The editing process is similar to a FOI application, with the following differences:
- No ‘exemption code’ is required as decision letter explains exemptions
- Stamp pages using “Administrative release” top and bottom page stamps
- Use Administrative Release decision letter (templates on F drive)

Steps involved in assessment of records

1. Open electronic folder of applicant

4. Create a new folder “Released Documents”

3. Create a new folder “Working Documents” and place a copy of each record located, in this folder
5. Assess each record
   o Open record in Working Documents folder
   o Read through file
   o Place exemption boxes around required text
     (see Quick Reference Guide 17)
   o Save file frequently

**Decision letter**

- Prepare decision letter using templates located on F drive (F:\CYF FRIS FIND\Former Ward Service (FWS)\Letters and Templates)

  Be sure to include:
  o A description of the documents located
  o The number of pages released in full, in part, and fully exempted
  o An explanation of why information was exempted (if relevant)
  o Contact information for records from non-government agencies
  o Provide a 'FOI Commissioner- Review of Decisions Fact Sheet’ (Fact sheets located at F:\CYF FRIS FIND\Former Ward Service (FWS)\Appeal fact sheets)

- Photocopy signed letter and place copy on file

**Prepare records and decision letter and release records**

- Print finalised documents
- Print a blue cover sheet for each record describing the type of documents (e.g. Ward File, Turana Card, Youth Welfare File)
- Place records, decision letter and FOI Commissioner- Review of Decisions Fact Sheet in a ring binder folder or plastic pocket
- Address a plain (usually B6 ‘Tough Bag’) envelope and attach a Registered Post sticker, ‘Person to Person’ sticker (where relevant), and a Registered Post Delivery Confirmation Advice Receipt (return address on back). Check application for any Mail Precautions. Be sure to include a return address on the envelope (PO Box details only).
- Update NED with Assessment details.
- Release records to applicant and close file. Update location on TRIM.
**Release of records**

Wardship records can be sent to a client via Registered Post or can be collected from the office in person. In some circumstances records may be provided via a home visit by the worker (discuss this with a Team Leader). The option for the records to be provided on a disk can also be considered.

A discussion with the applicant when releasing records (either by telephone or office visit) provides an opportunity to advise them of the records located and answer any specific questions applicants may have. A suggested list of topics for discussion is below.

*NB Where a request is made by an agent on behalf of a Former Ward, it is not necessary to contact the agent or applicant prior to posting records.*

- Advise applicant that records are ready
- If posting – will be registered post
- Explain any exemptions made under FOI Act
- Refer to other agencies for further records if not already done
- Assess support needs on receipt of records
- Refer to support services (e.g. Open Place and CLAN) if not already done
- Advise that they can call if they have any further questions or if they have difficulty reading the records
- Advise of process for any further searches. Will need to submit a request in writing and this will be considered a new application and receive a new due date.

- Consideration can be given to offering the client a follow up call to provide support and/or explanation of the records. If client indicates this is not necessary then close the case.
- Note details of contact with applicant in Action Record
- Post records and/or decision letter
- Close case (see Quick Reference Guide 35)

*NB Once a decision letter has been sent, any additional records requested need to be registered on NED as a new request (i.e. a “-2”).*
Related Registrations ("Links") for Former Wards - Practice Guidelines

While there is a legislative requirement to maintain a Central Register regarding registrations for adoption information, there is no such legislative requirement regarding Former Ward applicants.

However, as Former Ward applicants are registered in AIRS, the ‘links’ function will identify where a Former Ward is a relative of another Former Ward or a person who has applied for Adoption Information.

NB ‘Link’ is technically not the correct term to describe a Former Ward identified as a relative of another Former Ward – this term only applies to relatives of an adopted person.

Where related registrations are identified for a Former Ward applicant, review the files and follow up any required actions.

- If no action is required regarding ‘links’, related files can be kept for reference or returned to the Compactus/Information & Records Services as appropriate.

Summary

If the applicant is aware of the relative and in contact or not seeking contact - no further action required by FIND.

FIND may have a role where:
- The applicant is aware of, and seeking contact with, the relative
- The applicant is not aware of the existence of the relative

Links between former wards:

- If applicant is aware of the relative and in contact or not seeking contact- no further action required by FIND.
- If applicant is not aware of the relative:
  o The case manager can advise the applicant that the relative has previously been in contact with our service and explore wishes for contact.
  o The case manager can try to contact the link to establish their wishes.

Rationale: Legacy of family separation policies mean siblings placed in care may be unaware of each other. Senate enquiry recommendations 16 and 18. Former wards often have difficulty in accessing information from BDM to conduct family searches.

Links between wards and adoptees:

Where the adopted person is the applicant

- We can advise of the link, however our policy would be not to outreach to the FW without further information about the natural parents situation.
- Where FIND is aware that the natural parent is deceased or cannot be found, we can offer to outreach on their behalf.

Rationale: This provides the adoptee with information that there is another sibling, however still gives consideration to the circumstances of the natural parent, who may not have disclosed they had another child who was adopted.

The adoptee can conduct their own searches for the natural family and will generally seek information about their natural parents first. They can return to FIND for assistance to outreach to their FW sibling if required.
Where the former ward is the applicant

Where FW applicant is unaware of the adopted person:

The default position is that we can advise of the link to the adopted person, however, we need to consider the specific circumstances of the individual case and the situation of the natural parent (if known). If there is information to indicate this would have significantly negative impact on individuals involved, we may decide not to advise of the link.

Case management:

- We can advise that we have more information about a family member they may not be aware of, and offer to discuss this further with them. If the application is through an agent (e.g. lawyer) we can include a paragraph in the decision letter to invite the applicant to contact us directly.

- If the applicant would like more information, we can advise that there is a link to a sibling who was adopted and get them to register as a Natural Relative.

Rationale: FWs are eligible under the Adoption Act; their application relates to seeking information about a family; and many will have been separated from natural family through wardship and may not otherwise know about this sibling. The adopted person can find information about natural family and can approach the FW independently.

Guiding principles:

- Our intent - to provide people with information about their time in care, and the opportunity to connect with family members from whom they may have been separated from as a result of wardship or ‘out of home care’ placements.

- If person is dual status (e.g. former ward relative and adoptee, or natural parent and former ward) the adoptive status takes precedence when considering links

- Natural parents’ privacy and situation to be taken into consideration

Outreach considerations:

- Identifying information must not be released without a person’s written consent.

- Information regarding parents contained in records is not always correct and for former wards this information cannot be verified by FIND. This needs to be made clear to both parties.

- Workers need to use their expertise to discuss possible scenarios, outcomes and safety precautions with each person.

- Most former ward applicants would not be aware that their details were being placed on a system that enables links to be made, although this has been corrected on our current application form.
  - When outreaching to a previous registrant it must be kept in mind that they may not be expecting contact from FIND in relation to family members.
  - Unless they have consent to do so, the case manager should not disclose the nature of the other person’s contact with FIND and simply refer to the fact that they had contacted the service previously.
Applying for records from non-government agencies on behalf of a Former Ward

In the case that non-government agencies may hold additional records and the Former Ward does not feel comfortable/ needs assistance to approach that agency directly, FIND can request records on their behalf.

Please note that Open Place offers assistance with applying for records should the client wish to access their services.

Records from non-government agencies that were contracted by the Department to provide out of home ‘care’ to former wards of state can be requested directly by the department. These records are provided by the agency and they are edited by the FIND Case Manager in accordance with the FOI Act.

Please note that the 45 day timeline applies to the request for records from the agency as well as any records held by DHS; so contacting the agency early in the process is important to ensure records are received before the due date.
Family searches

History

FIND has provided search and support services to former Wards of the State and their families since 1997. These family searches are incorporated free of cost into the former ward service.

Following the 2004 Senate Committee Report "Forgotten Australians" and the Federal Government apology in 2009, Open Place was established as a support service for Victorian former wards and those placed in children’s homes. Open Place provides a range of services and is specifically funded to assist Forgotten Australians and their natural family members to search for each other. Open Place contracts Vanish (who have the search expertise) to undertake searches for Forgotten Australians.

When does FIND do a Family Search?

Open Place are the funded agency, and are the first ‘port-of-call’ to direct people to for searches.

FIND has two additional resources that are not available to Open Place/Vanish:

- Ward records
- AIRS register of previous applicants

For this reason there are circumstances in which FIND may consider doing a family search. These include:

- Where Open Place/Vanish has been unsuccessful, and FIND may have information in a Ward File that would assist with the search
- If there is a link on AIRS
- When an adoption is involved
- If there are reasons the applicant does not want to contact Open Place/Vanish
- Where the person does not have sufficient information to conduct a search (e.g. names and dates of birth of siblings - an FOI request can be considered in these cases)

If this is not the case, the person can be directed to Open Place/Vanish in the first instance. Requests can be ‘transferred’ directly to Open Place to make it easier for the client.

Open Place

- Check with FIND and other organisations to see if search already conducted by other agency
- Request Vanish search assistance if required

FIND

Refer enquiries to Open Place with referral letter
If requested by Vanish:
- Check AIRS for link
- Check ward records
- Check for adoption

Vanish Inc

- Conduct search at request of Open Place
- If no success, discuss with Open Place and service user. Send written request to FIND (copy to Open Place)
Procedures for a Family Search

In the circumstance that it is appropriate for FIND to undertake a family search, we can use available searching avenues (see Family Search Checklist below), including reviewing available records for information that might assist.

In these cases, the information from the records is *only to assist us with the search* and is not provided to the applicant. The aim is to locate the person to seek their wishes in relation to contact, not the release of records/information about the person.

- Acknowledge request in an Acknowledgement letter

  Request Ward records and any other records that may be held by Information & Records Services relating to the person being sought (see ‘Requesting Records’ section).

  *NB Psychiatric records are classed as health records and therefore not able to be released by FIND; however they may be able to be requested from Information & Records Services for the purposes of assisting with a search. Note this on the archives request form.*

- When records are received from Information & Records Services, review them for information that may assist with the search. This may include:
  - Addresses/locations where the former Ward lived
  - Names of other family members, friends or foster families
  - Other names the former Ward may have been known by, e.g. did they take the surname of a foster family
  - Reference to placement in disability/psychiatric institutions
  - Reference to a move overseas

The search and outreach for the former ward is then conducted in a similar process to the search for an adopted person, however there are some differences. See the ‘Family Search Checklist’ below to assist with searching steps.
Family Search Checklist

Searching for people who were former wards is different to searching in adoption, as FIND is not able to access information from Births, Deaths and Marriages to assist with the search (requests for certificates addressed to the Registrar of BDM will be considered on a ‘case by case’ basis).

These steps may or may not be relevant to the particular search, depending on the circumstances (e.g. searching steps already undertaken by Open Place/Vanish).

**Basic search**

☐ **Check all available records**, e.g. Ward records, for clues that may assist with the search (addresses/locations, names of other family members, other names the person may have been known by)

**AIRS**

☐ Check link and “refer to” files for any related birth or adoptive relatives
These may provide previous addresses, phone numbers, and other contact persons

☐ **TRIM – check name and date of birth**

**Previous registrants** (where the person has previously registered):

☐ Check the file for previous contact details and try contact through non specific letter and telephone call
☐ Check case notes for information about the person or family members that may assist

☐ **Public Electoral Roll**

*NB Persons over 70 years of age are not required to register on the electoral roll*

☐ **Electronic White Pages**

May be useful:
- To confirm an existing address e.g. an address from a previous request
- If the person sought has an unusual name
- Where you know the person’s name and spouse’s name
More Complex Search

Online Death Indexes

☐ Newspapers - The Age, Herald Sun
☐ Ryerson Index
☐ Australian Cemeteries www.australiancemeteries.com
☐ Other Indexes as provided by Vanish (see sheet attached)

*If record of death located in Vic, death certificate may be requested from BDM if the death occurred more than 10 years ago*

☐ Google Search

☐ Facebook and Linkedin

Name search only (at this point permitted from personal accounts only)

Consider repeating basic search for

☐ Siblings or other family members

*NB always discuss with your applicant prior to outreach through other family members*

Do the records suggest a connection with corrections, disability, psychiatric or child protection?

☐ Prison Search (see contact details below)
☐ Disability – Contact Duty worker (regional protocol)
☐ Psychiatric – Chief Psychiatrist, Dept of Health (see contact details below)

If the person lived in a small country town:

☐ Consider contacting local information centre or genealogy society to see if anyone knows of them

Missing persons information


Information is not accessible to FIND from:

- Australian Tax Office
- Victoria Police
- Vic Roads
- Department of Immigration
- Medicare (except possibly in cases of medical emergency)
Further contact details:

**Prisons**

Victoria 8684 6552 to confirm adoptee in custody
Contact Sue Rennison on 8684 6577 for any further information

New South Wales (02) 8346 1333
Australian Capital Territory (02) 6207 2764
Queensland (07) 3227 6055
Western Australia (08) 9264 6229
Tasmania (03) 6216 8180
Northern Territory Darwin (08) 8935 7466
Alice Springs (08) 8951 8985
South Australia Must send request for confirmation in writing:
Fax number (08) 8115 5554

**Chief Psychiatrist**

Dr Ruth Vine
Chief Psychiatrist
Level 17, 50 Lonsdale Street
Melbourne 3000
Victoria, Australia
Toll free: 1300 767 299 (local call cost from anywhere within Australia)
Telephone: (03) 9096 7571
Facsimile: (03) 9096 7697

**Closure**

FOI and Family Search requests need to be closed on AIRS, TRIM and NED.

See Quick Reference Guide 35 for instructions.
Part 6– Duty Service

What is the Duty Service?

Members of the public and applicants can contact a FIND staff member for advice in relation to any aspect of our services via the Duty Service which operates between 8.45 am and 5.00 pm Monday to Friday.

The Duty Worker is responsible for responding to enquiries.

The aim of the Duty Service is to provide information about the services offered by FIND and procedures for making an application. In general, it is not to provide extensive support to clients (although in the case of a distressed enquirer, this may be appropriate).

How are Duty enquiries received?

Contact can be made via telephone, email, mail or office visit.

All telephone calls and office visits occur via FRIS reception. Reception will forward all communication relating to these to the Duty Worker either directly or via the find duty email inbox.

Client emails are received via the findduty email inbox.

Other client-related matters, including mail that needs to be responded to by the Duty Worker, will come via the Team Leader.

Who participates in the Duty Service?

Duty services are provided primarily by Case Managers.

Where individual and business needs allow, other FIND or ASU staff who have the relevant qualifications (or students on placement studying to obtain the relevant qualifications) can participate in duty. This should be discussed with the staff member’s Team Leader and will be considered by the FIND executive accordingly.
Responding to enquiries on Duty

IMPORTANT: PLEASE READ APPENDIX 1 ON PRIVACY AND CONFIDENTIALITY

- Duty tasks include responding to:
  - Telephone enquiries
  - Email enquiries
  - Office visits
  - Other tasks as specified by Team Leader including responding to some mail

Managing tasks on Duty

- Where a client enquires through the Duty Service, and already has a Case Manager allocated to them, they can be referred directly to that Case Manager for a response (check NED for current case manager). If the Case Manager is not available, send them an email advising of the enquiry and asking them to contact the client.

- Duty worker to complete one task at a time, e.g. if responding to a duty email, do not answer the phone until that duty task has been completed.

- Duty workers can take allocated client calls while on duty if they assess it to be appropriate (e.g. response to outreach).

- Case Managers will not schedule any interviews while on Duty.

- Any outstanding duty tasks/messages that exist at the end of the shift to be followed up by the next duty worker where possible.

Recording and Reporting of Duty

- Record all duty enquiries on NED
Select “Go to Duty Register”

Enter enquiry details in new entry

This button will take you to the most recent entry
Monthly reporting of duty trends to be completed by Team Leaders.

**Telephone enquiries**

- When call received from reception, introduce yourself to the enquirer and respond to their query
- If you need to consult with a colleague or Team Leader, take the enquirer’s telephone number and call them back at a later stage
- If returning a call, and there is no answer, consider leaving a message asking the enquirer to call back. *Refer to privacy issues discussed in Appendix 1 regarding leaving messages.*
- If returning a call, and unable to reach the enquirer or leave a voice message, forward the email advising of the call back to findduty@dhs.vic.gov.au along with a note advising of the returned call. This can then be followed up by the next Duty Worker.

Where applicant wishes to make an application to FIND:

- Discuss enquiry with client to ensure that registration is appropriate/required
- The client can be directed to obtain the appropriate application form from the FIND website, OR
- Obtain applicant’s address and send an email request to FRIS Duty asking for an application pack to be sent to the applicant by post.

From “Stationery” folder, select Admin Duty Request for either AIS or Former Ward.
Address request to FRIS Duty

Enter client name and address

Tick boxes for documentation you wish to be sent to applicant

Body of message
Email enquiries

Using the FIND Duty Inbox

- Monitor the FIND Duty Inbox during the Duty shift and respond to email enquiries.
- Use template emails as a basis for email response where appropriate
  - Click on ‘Tools’ then ‘Stationery’. Open the relevant email and copy and paste the text into the response.
Once enquiries have been responded to:

Forward the email back to findduty@dhs.vic.gov.au with a note advising that query has been responded to.

File this email away in current month, and delete the original email.
Office visits

- The Duty worker will be advised by Reception when there is an office visitor.
- The Duty worker sees the visitor in one of the interview rooms and responds to their enquiry.
  - Where there are safety concerns, an alarm can be obtained from reception to be taken into the interview room. This will sound an alert if activated. Consideration can be given to an additional Case Manager also attending.
- Where appropriate, the visitor can be assisted to complete an application form relevant to their query.
  - Take a photocopy of the applicant’s identification
  - Hand the completed application form to Reception to be registered

Alternatively the visitor can take an application form with them, to be returned upon completion.

The Duty Roster

The Duty Roster runs over a 5 week cycle and assigns a staff member who is responsible for Duty. Each day is divided into four ‘shifts’ and a staff member can be rostered on to cover up to two of these shifts per day.

The Duty Roster is located at: F:\CYF FRIS FIND\Duty Service\DUTY Rosters

Responsibility for coordinating the Duty Roster is attached to one of the Case Manager positions, and is organised at least one month in advance. Assignment of staff is done in consideration of a number of issues including planned leave and part-time positions. Efforts are also made to ensure an equal distribution of morning and afternoon shifts.

Flexibility is required where there are staff absences planned or unplanned.

Changes to the Duty Roster

- The number and time of duty shifts are attached to positions. Subsequently, duty workers can negotiate between themselves to restructure duty shifts with their colleagues to reflect their own duty preferences/working styles.
- If staff make any duty swaps on the duty roster, this is to be marked in red on the electronic roster and the staff member is to send an email to the Admin staff (including reception) and cc Team Leaders advising of the change.

Staff absences

- If a duty worker has a TIL or planned rec leave day, they are responsible for swapping their shift with another duty worker.
- If a Case Manager is sick, they need to notify the Team Leader first thing in the morning and the Team Leader will negotiate an alternative time (swap) with another staff member.
- Where a person misses one duty shift, they are required to cover the person that covered them however, if more than one shift is missed, the absent team member is not required to cover this. Any variations to this are to be negotiated with a Team Leader.
• For a number of days of illness, the Team Leader will undertake to divide the duty among the other duty workers.

• Unplanned leave will be managed by the Team Leader and duty will be divided among the other duty workers.

• If in the case of extreme staff shortages, the duty shifts may be divided into short shifts e.g. 2 hour periods, and Team Leaders will assist with duty if necessary.

In the case of staff absence:

• One duty worker will be nominated for reception where possible. If staff have pre-booked interviews, it may be that the duty shift is shared between duty workers and reception will be advised of the times that the duty workers are on in that shift.

• Where one staff member is nominated to respond to duty phone calls and visits, other available duty staff may assist with monitoring the inbox and responding to messages where necessary and if possible.
Useful references on Duty

- Dealing with an angry or frustrated enquirer:
  - See ‘Tips for Handling Difficult Phone calls’ in Section 8

Fees

No fees are required to access records through FIND.

Following the Victorian State Government Parliamentary apology on 25 October 2012 to those impacted by past adoption practices, the Government announced the waiver of fees accompanying applications for adoption information.

No fees are charged for persons applying for records about former Wards of the State.

“What happens after I send in my application?”

This may vary depending on the request, but what follows is the typical process for AIS and FOI requests:

<table>
<thead>
<tr>
<th>Timeline (KPI)</th>
<th>Steps</th>
</tr>
</thead>
<tbody>
<tr>
<td>Day 1-3</td>
<td>Application is allocated to a Case Manager</td>
</tr>
<tr>
<td>Day 3-5</td>
<td>The Case Manager will contact the applicant to acknowledge and discuss the application</td>
</tr>
<tr>
<td>Day 5-21</td>
<td>Requests for records sent to Information &amp; Records Services and other agencies</td>
</tr>
<tr>
<td>Day 22-45*</td>
<td>Case Manager assesses records for release under Adoption Act or FOI Act</td>
</tr>
<tr>
<td></td>
<td>Case Manager will contact applicant to arrange s.87 interview and/or release of records</td>
</tr>
<tr>
<td>Day 22-200</td>
<td>Search and intermediary actions, if relevant</td>
</tr>
</tbody>
</table>

*This is the KPI; however workload demands may mean it is not always possible to release records within this timeframe. Advise applicants of delays as relevant.*
How to check on progress of a current application

If a caller enquires as to the progress of a current application:

- Does the applicant know the name of their Case Manager? If so, direct the call to that worker, or take a message and advise the Case Manager of the applicant’s call.

- If they don’t know the name of their Case Manager, ask the applicant’s name (and a reference number if known).

Look up the applicant on NED

Click on Go To Application Data
This will show the **Allocated Worker**.

The call can then be directed to the allocated worker, or take a message and advise the worker of the applicant’s call.

**Using TRIM**

If the enquirer’s name cannot be found on NED, try looking them up on TRIM.
If they cannot be found on NED or TRIM:

- Check whether they may have applied under a different name
- Check for an electronic folder
- Check for a registration on AIRS
- Enlist the help of a Team Leader and/or ASU and call the enquirer back
Part 7 – Complaints, breaches and incident reporting

Complaint and appeal avenues

People wishing to make a complaint about a service provided by FIND are encouraged, in the first instance, to discuss their concerns with their worker directly to try to resolve the issue.

If the matter cannot be resolved directly with the worker, complainants are encouraged to contact the worker’s Team Leader. The Team Leader may refer the matter to the FIND Manager, who in turn may consult the FRIS Manager.

It is envisaged that the majority of complaints can be resolved through the informal process above.

If the complaint cannot be resolved within FIND, the complainant can be advised to contact:

DHS Complaints Line
1300 884 706
complaints.reception@dhs.vic.gov.au.

If the complaint cannot be resolved internally, complainants will generally be referred to an external body for review (e.g. the Ombudsman, Health Services Commissioner, Privacy Commissioner, Ministers).

For further information, see the Statewide Complaints Policy (at time of writing this was awaiting final approval by DHS board)

Additional avenues of appeal apply for the following applicants:

Freedom of Information Requests

For clients who have lodged a Freedom of Information (FOI) request and are unhappy with the decision or outcome, there are several avenues of appeal. See information sheets located at F:\CYF FRIS FIND\Former Ward Service (FWS)\Appeal fact sheets

1) Freedom of Information Commissioner. Applicants who are not satisfied with the department’s decision have a right to seek a review of this decision from the Freedom of Information Commissioner.

The Commissioner can review the following decisions:
- Refusal to grant access to documents or parts of documents
- Deferral of access to documents
- The amendment of personal records

Applicants can also lodge a complaint with the FOI Commissioner if they are not satisfied with the way that the department processed or dealt with their FOI request. This can include:
- Lost or non-existent documents
- Fees and charges
- Delays
- Complaints from third parties

Last Updated: November 2013
2) **Victorian Civil and Administrative Tribunal (VCAT)**. An applicant can contact VCAT where:

- FIND took longer to make a decision than the Act requires;
- they have requested a review by the FOI Commissioner and are not satisfied with the decision
- they object to the department releasing personal information about themselves to another applicant

**Adoption information**

All administrative decisions are subject to judicial review through the Supreme Court.

If the complaint relates to information that has been exempted from adoption records on the grounds of privacy relating to another individual, the applicant may be able to contact the Victorian Privacy Commissioner.
Responding to a Complaint about a service provided by FIND

The following model can be used as a basis for managing a complaint:

- Identify the problem by allowing the person to state their case (that is, their position and the rationale behind this position). Gather the basic details to enable the complaint to be followed up.
- Attempt to develop a number of strategies to address the issue.
- Discuss and negotiate with the other party to try to achieve a suitable resolution.
- When a resolution cannot be found, the situation should be ‘managed up’ within the management structure.
- Provide the client with the name and contact details of the Team Leader or Manager OR take the client’s contact details and ask the Team Leader/Manager to contact the client.
- Advise of the complaints process – how their complaint will be dealt with, the timelines and procedures that they can expect once they have lodged a complaint.

The following points must be followed by all department staff when dealing with a complainant:

- Provide information that is helpful, accurate, complete and easy to understand
- Be courteous and considerate in our communication
- Promptly refer requests to the appropriate point of contact
- Respond to requests within a reasonable time
- Provide clear, relevant explanations
- Ensure that commitments made are kept
- Keep clients informed of progress or delays

**Threats of violence made to staff or others should be immediately brought to the attention of management and reported to the police.**

For further information about Complaints Management and principles for handling departmental complaints, contact the South Division Client Outcomes and Service Improvement Team or see the Department’s Complaints Management website:


Last Updated: November 2013
Tips for Handling Difficult Phone Calls


**CLARIFICATION**

*What* is the client's issue/problem/concern?
Sometimes it is difficult to separate the emotional aspects of the complaint from what the actual problem or concern is.

**BOUNDARIES**

Acknowledge the emotion but maintain clear boundaries. Express appropriate empathy but remain problem/issue focussed.

*I can hear that you are upset but I need to clearly understand what the problem/issue is so that I can best assist you*

**RESPECTFUL LISTENING**

- **Paraphrasing** clients issues/concerns
- **Checking back** with the client to see that you have understood their issue can give the client a sense that they have been heard and taken seriously (an affirming experience for the client).

*Let me see if I have clearly understood what you concern/ issue is*

**EXTREMELY ABUSIVE/ANGRY PHONE CALLS**

- **Advise** the client their anger is making it difficult at time of phone call to effectively deal with their issue/concern.
- **Invite** the client to take their time to refocus and discuss their issue in more reasonable manner.
- **Offer** to call back when their anger has subsided.
- **Diffuse** the situation by seeking to focus the client on the issue and not their anger.

**REMAIN CALM**

- Try to remain calm and focused. BREATHE-------------!
- Tone of your voice- clear and concise can assist to calm an anxious or angry client.
- Do not personalise issues. It's not you, it's about the client’s issue /concern

*I'd like to focus on the issue that is causing you concern. Are you willing to take a moment and clarify for me your view of what you would find helpful*.

**ENDING A VERY ABUSIVE/THREATENING CALL- as a last resort**

It can in some circumstances be reasonable to end call e.g. serious threats of violence.

- **Advise the client** of your intention to end the phone call if the client is unwilling to cease the abuse.
- **Follow through** with what you have said you will do if the client persists with or escalates the abuse/ threats.

*Threats of violence made to staff or others should be immediately brought to the attention of management and reported to the police.*
Privacy Concerns/Breaches

Given the sensitive nature of the information that FIND deals with, client privacy is of paramount importance.

Breaches occur where information has been, or may have been, inappropriately disclosed to other people or organisations.

In the context of FIND, examples of privacy breaches may include:
- incorrectly addressed mail
- release of information about another party in adoption records or ward records
- disclosing information about an adoption (or an application for adoption information) to a client’s family member without their permission

More information, including the DHS Privacy Breach Checklist can be obtained from the intranet:


Who to talk to about a privacy breach at FIND
- Discuss with your line manager in the first instance
- The manager may choose to contact the South Division Client Outcomes & Service Improvement Team, and/or or the Manager - Complaints, Integrity & Privacy Unit as required.
Incident Reporting

Reporting of incidents that impact, or have the potential to impact, clients is compulsory, to ensure that the department complies with the requirements and expectations associated with public accountability, its legal obligations, and insurance requirements.

The Client Outcomes and Service Improvement team holds portfolio responsibilities for incident reporting in the South Division and is available for consultation and advice.

For more information on incident reporting, contact the Client Outcomes Team, South Division and refer to the Incident Reporting – Departmental instruction website on the KnowledgeNet website:


Incidents are categorised into three categories:

**Category one** incidents are the most serious. Some examples relevant to FIND would be:

- The death of, or serious injury to a client
- Allegations of, or actual serious sexual or serious physical assault of a client
- An event that has the potential to involve the relevant minister, or subject the department to high levels of public or legal scrutiny – NB this could include a breach of privacy
- Serious injury requiring hospital admission

The program manager must be informed and ensure that an incident report is completed and forwarded to the Executive Director, South Division immediately.

**Category two** incidents occur where the significance of the incident does not extend beyond the workplace, and include those which can be dealt with adequately by the work unit and have no further implications for the department, region or the community.

An incident report must be completed and forwarded to the Program Manager, as soon as possible and within two working days.

**Category three incidents** occur where the significance of the incident does not extend beyond the workplace, and include those which can be dealt with adequately by the work unit and have no further implications for the department, region or the community.

An incident report form must be completed as soon as possible and within two working days.

**Incident reporting within FIND**

In the event of an incident, inform your Team Leader and/or the FIND Manager as soon as possible.

They will ensure that the Program Manager and Executive Director, South Division are notified and incident report forms completed, as required.
Part 8 – Quick Reference Guide

1. Creating a new Folder

1. **Right click** in an empty space
2. Select “New” then “Folder”
3. Enter a name for the folder

![Image of file explorer showing folder creation process]
2. Renaming a document or folder

1. **Right click** on the document or folder name
2. Select “Rename”
Review and Acknowledgement of application

3. Reviewing applications and correspondence

Checking whether correspondence relates to an existing application

If the client makes reference to:

- A previous application
- Wanting a ‘re-release’ or another copy of records
- A previous reference number

then it is likely that the person has made a previous application.

Knowing the details of the previous application can assist in allocating a worker and also providing relevant information to ASU.

Check NED, TRIM and AIRS for details of the previous application:

1. Look up the applicant name in NED

OR Click in ‘File Number’, select Binoculars and type in the reference number

If the applicant is not on NED:

2. Look up the applicant on TRIM

This will indicate whether an application already exists for this person and its location.
If the above is not successful, check AIRS. This can assist in identifying a previous application and identifying whether the applicant is a link to another registrant.

3. Look up the applicant on AIRS
1) Enter the **date of birth** of the applicant in the Client Search screen to check if there has previously been a registration.

2) If nothing comes up with the date of birth search again by **entering the name** of the applicant. If the applicant has changed their name due to marriage etc search under both their maiden and married names (if known).

If there is an entry for the applicant, check to see whether they registered for their own information or whether they are a link to another registration.
4. Identification requirements

For all applications, enough identification needs to be provided to ensure that information is released to the correct person.

This includes:
- Current identification showing signature (e.g. Driver’s licence, passport or health care card).
  - This does not have to be certified
  - A birth certificate is not sufficient identification in itself
- Documentation showing any name changes (e.g. marriage certificate, change of name certificate)

Where the applicant is applying for somebody else’s records, this also includes:
- Signed permission from that person along with a copy of current identification showing their signature
- Documentation showing the relationship between the applicant and person whose records they are applying for (e.g. birth certificate)
- If the person is deceased, evidence of their death e.g. death certificate, death notice from newspaper, coroner’s report

Where the above documentation is not available, a statutory declaration can be provided. There are also specific statutory declarations available for natural parents and natural relatives applying under the Adoption Act (located at F:\CYF FRIS FIND\Admin Support Unit (ASU)\FIND\Application forms and documents\AIS Application Pack). These are sent out in application packs, or alternatively copies are kept in the ASU area.
## 5. Priority Requests

<table>
<thead>
<tr>
<th>Age</th>
<th>Former Wards aged 70 or over Adoptees aged 50 or over</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indigenous</td>
<td>Identifies as Indigenous</td>
</tr>
<tr>
<td>ICAS</td>
<td>Intercountry adoptee</td>
</tr>
<tr>
<td>Medical</td>
<td>Medical reason for priority</td>
</tr>
<tr>
<td>Natural Parent</td>
<td>Identifying information is provided to natural parents within 8 weeks of receipt of their application</td>
</tr>
<tr>
<td>Other</td>
<td>Other reason considered reasonable by Team Leader</td>
</tr>
</tbody>
</table>
6. Clarifying an FOI request

To make a valid request under the FOI Act, the applicant must provide enough information to enable the documents they are seeking to be identified.

If the applicant has not provided enough information to establish which records they are seeking, the Case Manager will need to clarify this with the applicant.

The 45-day period does not commence until this is clarified with the applicant.

When the request is clarified, the Case Manager will need to update NED with the Date Validated. The Due Date will automatically adjust.
7. Changing an application type (AIS to FOI and vice versa)

FOI Application that needs to be changed to an AIS application

When an applicant has applied under the FOI Act, it may become clear that they are seeking Adoption information instead.

This could arise where a person has made an FOI application but:

- is an adopted person and is seeking information from prior to their adoption
- wishes to apply as a natural relative of an adopted person

Steps to take:

- Advise applicant to apply under the Adoption Act
- Ask applicant to complete the AIS section of the application form (this contains a specific agreement to being registered on the Central Register)
- Send the applicant a letter confirming their agreement to withdraw their FOI application or a decision letter that confirms that the information they are seeking cannot be released under the FOI Act
- Close the FOI application on NED and enter the AIS application as a new request (if within the same month that application was received, the request can just be changed over to an AIS application)

AIS application that needs to be changed to an FOI application

When an applicant has applied under for Adoption information, it may become clear that they need to make an FOI application.

This could make where a person has made an AIS application but:

- they are applying for information from prior to 1928 (the introduction of the Adoption Act) e.g. information from the De Facto Adoption register
- is seeking information from time in state care that occurred after their adoption
- is seeking information from the ward file of another person

Steps to take:

- Send the applicant a letter confirming the change to an FOI request and advise of the due date
- Close the AIS application on NED and enter the FOI request as a new application (if within the same month that application was received, the request can be changed over to an FOI application however it is important to enter the Date Validated, i.e. the date we knew there was no adoption)

There is no need to complete another application form – the details from the AIS application form can be used (this is because an FOI request only needs to be made in writing and contain enough information to determine what the person is seeking)
8. Correspondence files

This is a series of Administration Files (starting with ADF...) that contain correspondence from clients that generally have not been registered with FIND. This may include:

- Correspondence from clients that are ineligible for services provided by FIND
- Case notes of discussions with clients that may apply in future
- Copies of FOI applications that have been transferred to the DHS FOI Unit or another agency

These folders are kept in the Team Leaders’ area.

All documents must be **contained to this folder on TRIM** (see Quick Reference Guide 24) before being filed away.
Records and searching

9. De Facto Adoptions

The register for de facto adoptions, kept by the department, holds records for clients born from 1905 to 1980.

From the Victorian AIS Program Practice Manual:

“De Facto adoption” is a term used to describe adoptions arranged prior to the first Victorian adoption Act, namely the Adoption of Children Act 1928. This Act required all adoptions to be sanctioned by a judge at a court whereas adoptions prior to the commencement of this Act, whether arranged by Government, non-government organisations or by individuals were not legalised in this manner. Adoption details were however required to be disclosed to the department who recorded them in the 'De Facto Adoption Register' (from 1908).

The Register was maintained after the commencement of legislation but becomes less reliable as adoption details were recorded by the Government Statist and agencies became less likely to inform the department of each adoption that had been arranged”.

Implications for practice:

- For adoptions prior to 1928, there may be no record of an adoption with Births, Deaths and Marriages but there may be an entry in the De Facto Adoption Register. To check for an entry, a request is submitted to ASU.

- Where there is no record of a legal adoption, records are released under the Freedom of Information Act 1982 or Administrative release (depending on the applicant)

  This does not prevent an applicant receiving a service equivalent to that received by persons whose adoptions were legalised in accordance with adoption legislation.

Things to note:

- Information about adoptions occurring prior to 1928 may also be recorded in other records such as the Infant Life Protection Register, Ward Register or agency records.

- In some cases, judges legalised some pre-1928 de facto adoptions after 1928, thus creating Court Records and a record of the adoption with Births, Deaths and Marriages. In these cases records should be released under the Adoption Act.

Checking for a de facto adoption entry on TRIM

- TRIM can be used to check for a de facto adoption. See Quick Reference Guide 21 for instructions.

Please note however that TRIM does not have a complete listing of all de facto entries, so if no record is found on TRIM it is still necessary to submit a request to ASU.
10. Requesting a file from Information & Records Services

Where the file already exists, use TRIM to request a file.

1. Search file number
2. Right click on the client name, go to ‘Location’ and click on Request

Click on Request
3. Print off report showing your request and place on file
   - Select File, then Print Report

   ![Print Report](image)

5. Add a note on TRIM to the file that has just been requested, stating that it was requested for a possible link and include the name and number of the client file it is requested for.
   - Right click on the file name and choose Details, Notes, Add Notes.

   ![Add Notes](image)
11. Checking that a search request has been received by Information & Records Services

Use TRIM to confirm whether IRS have received a search request.

Type the application number into TRIM and click on the “+” sign. If the request has been received, Information & Records Services will have created a WWD document acknowledging the search request.

12. Checking for a Search Response from Information & Records Services

Type the application number or applicant name into TRIM and click on the “+” sign. If IRS has completed a search response for the request, a document will have been created in TRIM.
This can be printed and scanned into the client’s electronic folder if required:

- Click on the Search Response and select ‘File’ then ‘Print Report’

- Select ‘DHS – Detailed – Records’ and then ‘Print’
13. Arranging Court Records in order

A commonly used order for arranging Court Records is as follows. The ‘cover sheets’ can be placed prior to each page.

- Original Birth Certificate
- Consent(s) to adoption
- Affidavit(s) verifying consent
- Affidavit of the Applicants (Adoptive Parents)
- Affidavit of the officer from agency arranging adoption (this is the Affidavit supporting the application of the adoptive parents)
- Documents arranging the hearing (can be placed in date order):
  - Summons
  - Notice of Day Appointed for Hearing Application
  - Order Appointing Guardian Ad Litem and Appointing Day of Hearing
  - Affidavit of Guardian Ad Litem
- Adoption Order
- Any other documents from the Court Record
15. Contacting applicants in prison

Contact with an applicant in prison proceeds as for any other enquiry as much as possible. However, some prisons have specific requirements. Check with the prison regarding their requirements.

Things to note when responding to an application from a person in prison:

**Identification**

Applicants do not always have current signed identification. However the applicant may be able to provide alternative identification such as:

- A statutory declaration completed with the support of prison staff
- A letter of identity from the prison including a copy of their prisoner identification
- Confirmation from Open Place staff that they have sighted the person’s ID and can confirm their identity

**Communication**

Depending on the prison, it may not be possible to speak directly with the applicant or a booking may need to be made for a phone call. Check with the prison regarding their policies.

**Support**

It is preferable to obtain the name and contact details of a support worker within the prison who can be available to the applicant should they require.

It is also important to explore with the applicant what supports they have available to them.

**Searches**

Where it is not possible for a person in prison to conduct a search (e.g. for birth family), the Case Manager may consider conducting a search on their behalf.
'Extension Letters’ (Deemed Refusal Letters)

16. Writing an Extension letter

Letters need to be written for FOI requests that are 10 days or less until the due date - Don’t write letters for NIL results (these should be given a final decision letter).

1. Use the Workload Report in NED to identify FOI cases that are 10 days or under to the due date and have not received ‘Deemed refusal’ letters.

2. From the Applicant details screen in NED, click on “Extension Letter”. This will bring up an automatically generated letter.

If the letter requires further editing, click on the “Word” icon at the top of the screen. This will open it in Word.

3. Save a copy in the applicant’s electronic folder
4. Print letter on Letterhead
5. Photocopy signed letter and place copy on paper file.
6. Add tick to the Extension letter sent box on the NED applications data.
7. Send letter
17. Using Adobe X Pro to edit records

Redacting tools

To access the redacting tools, click on 'Tools' at the top right menu and then 'Protection'.

Select 'Mark Pages for Redaction' and draw a box around the text you would like to edit.
The first time you use Adobe X Pro there are a few steps you will need to take.

To set up the appearance of the Redax Box:

1. Draw a box

2. Click on Redaction Properties on the right hand menu (or right click on the redax box and choose ‘Properties’)

3. Make sure the Preferences are set as below
   - Select ‘White’ for Redacted Area Fill Colour
   - Ensure ‘Use overlay text’ is ticked
   - Font Colour - Choose Red

   Under Redaction Mark Appearance
   - Outline colour - Red
   - Fill colour - none
   - Fill opacity - 100%
   - Select Make Properties Default
To add the Exemption Codes (you only need to do this once):

Click on ‘Redaction Properties’ on Right Hand Menu and then ‘Edit Codes’

Select ‘Import Set’

Select the FOI or Adoption Act codes on the F drive, located at:

- F:\CYF FRIS FIND\Former Ward Service (FWS)\Editing Former Ward Records\Adobe FOI Act Codes\FOI Act.xml
- F:\CYF FRIS FIND\Adoption Information Service (AIS)\Editing Adoption Records\Adobe Adoption Act Code\Adoption Act.xml

Click OK
To add an exemption to a redax box:

Right click on the box; choose the list (FOI Act or Adoption Act) and the exemption you wish to add.

You can add a default exemption (e.g. 33(1)) so that you don’t have to select the exemption each time.

To remove an exemption ‘untick’ it from the list by clicking just next to the exemption code.

---

REPORT.

INDUSTRIAL SCHOOLS' Office,
King Street, 13th February, 1867.

Sir,

of the report of the thing 1864.

On the 1st of August, 1864, when the ‘Neglected Children’s Act’ came into operation, 803 children were placed under the care of the Institute. The Act was brought to the attention of the Immigrants’ Aid Society by the Government, and on the latter to carry it out the law providing for the maintenance and training of these children. During the year there were 199 children who were removed from the colony, and decreased by 70 deaths, 4 of which were the result of neglect. The number in the schools was increased by 199 children, and decreased by 117 who were not taken, leaving in the school of 1864, 900 children.

The number during the same year was increased by 137 the per cent. of the average number in the schools; 72 discharged training ship, 13 to orphans, 9 licensed to employees, 4 who were not taken, and 10 who were finally discharged, leaving at the end of the year 1,096 children in all the schools. The above numbers must be taken as only approximate (except as far as the details are correct), which I believe to be correct), for I find that the records for 1864 and 1865 are not to be relied on. This state of the records is attributable, no doubt, to the difficulty experienced by the officers of the department in providing every requisite for so large a number of children, before the arrangements for their accommodation had been completed.

The school at Sydney was opened on the 31st January, 1865, and that at Goolong on the 9th August of the same year. To the former 411 boys, and to the latter 160 infants (that is, children under 12 years of age), 865 children were placed under the care of the

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How to apply your exemptions (i.e. create a final copy without boxes)

IMPORTANT: Once you apply the exemptions you cannot get back to your working document.

You MUST SAVE A COPY of your document before applying your exemptions so that you will have a working copy to go back to if needed.

SAVE the final copy in the "Released documents” folder within the client electronic folder.

Applying stamps to your document:

For FOI Requests:

- Select ‘Bottom page stamp’ from FOI Applicants Folder (in Client Electronic Files/FOI)
- Repeat with ‘FOI release stamp’
- Save file

For AIS Requests:

- Select ‘Adoption Bottom page stamp’ from AIS Applicants Folder (in Client Electronic Files/AIS)
- Repeat with ‘Adoption Release Stamp’
- Save file
Redacting using Adobe X Pro - tips and risks

Risks to be aware of:

- With the page navigation tab open (see below), pages can be moved, extracted, and inserted by ‘dragging and dropping’ or by right clicking the mouse to access a number of page display options.

- While a useful tool, there is also a risk that pages can be moved or deleted by mistake. Please take care when editing documents and ensure that the final number of pages matches the original number of pages in the document.
Databases

18. About AIRS, TRIM and NED

AIRS, NED and TRIM are the three databases used within FIND to keep track of client information.

AIRS

The Adoption Act requires the Department to keep an Adoption Information Register with the names, addresses and wishes of each person registering to receive adoption information.

AIRS stands for Adoption Information Registry System, and is the database that contains the Central Adoption Information Register.

AIRS contains the names and details of all applicants who have applied for adoption information in Victoria. This includes applicants applying through FIND and the three other AIS agencies.

An important function of AIRS is its ability to ‘match’ applicants with the same birth or adoptive families through the ‘Links’ function.

As well as containing the Central Register, AIRS is used within FIND to provide:

- Information relating to applicants applying under the Former Ward Service
- Allocation details for each case
- Summary information about the s.87 interview and case outcomes
- Statistical information and reports

TRIM

TRIM is the database used by the Department for records management.

TRIM has many functions and capabilities. Within FIND, TRIM is primarily used to:

- Register documents - that is, create an electronic record of each document or file that is received or created by FIND
- Identify the physical location of documents or files. It can also show the movement history of a file
- Identify existing documents or files relating to an applicant

NED

NED (‘New Database’) is an Access database created for use within FIND. It contains information about applications made to FIND. ¹

NED contains applicant details as well as information about the application and the stage it is at within the program.

¹ NED was introduced to FIND in December 2009. It contains information about FWS applications from July 2009 onwards and AIS and ART applications from Dec 2009 onwards.
NED is used for a number of purposes, including:

- Recording statistics about Duty enquiries
- Providing information about an application: what stage it is at ('status'), the due date, the allocated worker, search requests made for that application, and details of records released.
- Workload management – workload reports can be printed for individual workers or the whole program
- Producing reports and statistics regarding applications made to FIND

NED is a useful tool if someone is enquiring about the progress of their application.
AIRS

19. Checking links on AIRS

1) Click on “Links”

The following box will appear with all the possible links.

2) Highlight one of the entries and Click on the “Details” button
3) Click on “Confirm” “Reject” or “Possible”

**NOTE:** Details that have been entered in the registration will be searched to see if there are any matches. The grey areas mean that the information entered matches with an entry that had been in the system.

The entry on the LEFT (Target adoption) is the applicant.

The entry on the RIGHT (Matching adoption) is the details of the adopted person from another registration. Click on the “Registrant” button to see who registered in relation to this adoption (it may not have been the adopted person; it may have been a relative for example).

*If there is not enough information to be certain of the link, leave it as “Possible” and obtain the file (order from Information & Records Services, or get from the Compactus).* Check the file for information that will assist in confirming or rejecting the link.

"Converted" – For older files the word ‘Converted’ may appear in the Allocation details or Link type. This refers to AIS registrations dating from prior to the introduction of AIRS which were added to AIRS at a later stage. It does not have a specific meaning in relation to links and these files can be treated as per any other file.
TRIM

20. Searching TRIM for existing records

- Type in Title word the client’s adoptive name
- If no records come up do a search under the client’s birth name.
- Try different spelling of names if no result
- A * can be used as a ‘wildcard’ character

21. Searching TRIM to see if a De Facto Adoption Register Entry exists

In ‘Title word’, type the date of birth of the client in the following format: 31/5/86 (i.e. minimalist format, no ‘zeros’, and year only 2 digits)

If no record shows up, try searching for the birth name and adoptive name.

If the birth name is unknown, search for the adoptive name and look for a ‘Court Records’ entry – it will begin with “CAR”. The Court Records entry in TRIM should show the birth and adoptive names.
22. Check TRIM for an Adoption Agency

Search for a de facto adoption entry, as above. Then:

- Click on entry
- Ensure Notes tab is selected
- Agency details appear under “Adopter details”
23. Moving documents or files to staff members on TRIM

1) Bring up the WWD or file number and press enter

2) Right click on the document and click on “Locations” and then “Current Location”

3) Type in the staff member’s surname and click on the “Yellow Box”
4) Click on the appropriate staff member and then click on “OK”

5) Once the location has been set then click on “OK”
24. ‘Containing’ documents in TRIM

All documents received at Reception are entered as a ‘WWD’ document on TRIM and given a temporary ‘container’. If these documents belong to a particular registration, they need to be ‘contained’ to the relevant file.

1) Bring up the WWD number and press enter

2) Right click on the document and click on “Locations” and then “Container”

1) Type in the file number that the FRIS document should be contained to

2) Click on the “Enclose the Record Now” button and then press OK
25. Relating files in TRIM

1) Type in the file number or the FRIS document

2) Right click on the file and click on "Details" and then "Relate"

3) Type in the record number it is to be related to

4) Click on "Add"
   NOTE: All files that need to be related can be added at one time by typing in the record
   number again and then clicking on the add button

5) Click on "OK"
## 26. Using TRIM to identify records

A search can be conducted to identify any records registered on TRIM that relate to the applicant.

<table>
<thead>
<tr>
<th>TRIM prefix</th>
<th>Type of record</th>
<th>How to search</th>
</tr>
</thead>
<tbody>
<tr>
<td>N</td>
<td>Ward File</td>
<td>Type name or full DOB in “Title Word” (e.g. 01/01/1920)</td>
</tr>
<tr>
<td>A</td>
<td>Defunct Adoption Agency</td>
<td>Type name in “Title Word”</td>
</tr>
<tr>
<td>DF or D</td>
<td>De facto Adoption Entry</td>
<td>Type <strong>birth OR adoptive</strong> name or DOB (minimalist format e.g. 1/2/20) in “Title Word”</td>
</tr>
<tr>
<td>CAR</td>
<td>Adoption Court Records</td>
<td>Type name in “Title Word”</td>
</tr>
<tr>
<td>X</td>
<td>UK FIND Adoption file</td>
<td>Type name in “Title Word”</td>
</tr>
<tr>
<td>R</td>
<td>FIND Adoption file</td>
<td>Type name in “Title Word”</td>
</tr>
<tr>
<td>W</td>
<td>FIND Ward File</td>
<td>Type name in “Title Word”</td>
</tr>
</tbody>
</table>
NED

27. NED Workload reports - Allocated Worker

NED allows each worker to print a report of their open cases.

Select your name and then 'Open Cases by Worker'. This will open up a report showing cases allocated to you.
## Current Workload for Cowling, Elise

**Thursday, 24 June 2010**

<table>
<thead>
<tr>
<th># Pages</th>
<th>File Number</th>
<th>Applicant Name</th>
<th>Decision Maker</th>
<th>Priority</th>
<th>Application Received</th>
<th>Due Date</th>
<th>Days Due</th>
<th>ID Received</th>
<th>Ext Sent</th>
<th>FOI Filed</th>
</tr>
</thead>
</table>
### AIS

**Acknowledgement**

- WW/D/10/2500
  - 19/06/2010
  - 25/07/2010
  - Days Due
  - ID Received
  - Ext Sent
  - FOI Filed
- WW/D/10/2309
  - 17/06/2010
  - 18/06/2010
  - Days Due
  - ID Received
  - Ext Sent
  - FOI Filed

**Collate**

- R31208
  - 4/03/2010
  - 15/04/2010
  - Days Due
  - ID Received
  - Ext Sent
  - FOI Filed
- R34034
  - 17/04/2010
  - 16/05/2010
  - Days Due
  - ID Received
  - Ext Sent
  - FOI Filed
- R16617
  - 22/04/2010
  - 06/05/2010
  - Days Due
  - ID Received
  - Ext Sent
  - FOI Filed
- R34015
  - 28/04/2010
  - 12/06/2010
  - Days Due
  - ID Received
  - Ext Sent
  - FOI Filed
- R34058
  - 6/05/2010
  - 20/05/2010
  - Days Due
  - ID Received
  - Ext Sent
  - FOI Filed
- R01996
  - 3/05/2010
  - 12/06/2010
  - Days Due
  - ID Received
  - Ext Sent
  - FOI Filed

**Record Release**

- R34130
  - 24/05/2010
  - 07/06/2010
  - Days Due
  - ID Received
  - Ext Sent
  - FOI Filed

---

This report can be printed (select ‘File’ then ‘Print’).
28. NED Workload Reports – Program

Using NED, reports can be printed to show
- All open cases in FIND
- All open cases of a specific type (AIS, FOI, FWS Family Search, ART)

The example shown here is for FOI requests as it is the report most commonly used, however the other reports can be obtained following similar steps.
29. Other NED Reports

NB These reports are generally used by Team Leaders

As well as the reports described above, NED allows reports to be printed showing:

- The number and type of cases allocated to each worker (and number in each workflow stage)
- The number and type of open cases in FIND (and number in each workflow stage)
- The number of duty enquiries and enquirer type (for the last 12 months, or within a specific date range)
- The number of applications received each month (and type of application)
- The number of cases closed each month (and type of application)
- The number of cases closed each month for each worker
- The number of outreach letters sent as a result of VEC searches

To view or print one of these reports, select it from the main screen in NED:

Other reports are also able to be created – contact a Team Leader or the FIND workers holding the NED portfolio for further information.
30. Monthly Reporting

Currently the responsibility of the Team Leaders

Monthly statistics are located in a spreadsheet in the following folder:

F:\CYF FRIS FIND Exec\Statistics
31. NED Instructions – Team Leaders

Check data from Reception
Enter data into the highlighted fields
Enter data as actions completed

Field remains blank unless application was unclear

Contact statement details, if applicable

Whenever the Status is changed, the Status Date needs to be completed

Includes all supporting documentation e.g. changes of name

- Not to be used for general Case Notes
- To assist ASU with file preparation and/or reminders/flags for Case Managers
- Not to duplicate information in TRIM or AIRS
- Add name and date to any comment entered

Last Updated: November 2013
32. NED Instructions – Case Managers

Enter data into the highlighted fields
- Enter data as actions completed
- Consult Team Leader before changing closed cases

Field remains blank unless application was unclear
Format to include Agent address if required
- Note mail precautions

Whenever the Status is changed, the Status Date needs to be completed

Enter number of VEC searches here

Date of s.87 or date FOI records posted

For AIS, select Group, Individual or Phone Call

For FOI, select:
- Individual Counselling – if supportive conversation with client has taken place
- Documents Sent – if no discussion about client records or experiences OR no contact with client

Includes all supporting documentation e.g. changes of name

- Not to be used for general Case Notes
- To assist ASU with file preparation and/or reminders/flags for Case Managers
- Not to duplicate information in TRIM or AIRS
- Add name and date to any comment entered

Last Updated: November 2013
33. NED Instructions - Reception

**Enter data into the highlighted fields**
- Enter data as actions completed
- Consult Team Leader before changing closed cases

*Only for AIS applications - Note mail precautions*

*Where records are to be sent WWD number*

*Whenever the Status is changed, the Status Date needs to be completed*

*Enter data into the highlighted fields*
34. NED Instructions – Administration Support Unit

Enter data into the highlighted fields
- Enter data as actions completed
- Consult Team Leader before changing closed cases

Whenever the Status is changed, the Status Date needs to be completed

Updated by Admin when files returned from archives

Change from WWD to file number when a file is created
Closures

35. Closing a file

To close a file, the following steps need to be completed.

File Closure Checklist:
- AIRS (includes closure summary)
- TRIM
- NED (including VEC searches)
- Links checked
- Client Feedback Survey sent, and noted on the AIRS closure summary

For detailed descriptions of each step, see below.
1. Use the Client Search button to locate the applicant

2. Click on 'Allocation'

3. Double click on the applicant details

4. Enter Interview date:
   - s.87 date for AIS applicants
   - date records sent for FOI applicants

5. Enter today’s date

6. Select Outcome (see Quick Reference Guide 37.1 for explanation of Outcomes)

7. Enter a brief summary of the case (note which agency provided service if it is an s.103). Note client feedback sent.

8. Click Save

9. Print this page and place a copy on client file and link files
35.1 Closure Outcomes on AIRS

The term ‘Outcome’ refers to the stage that has been reached with a particular allocation. Each allocated file should have an ‘outcome’ at each stage and importantly, at case closure.

Note: The ‘Outcome’ related to what the outcome is for that particular Applicant.

Cases still OPEN: ‘Outcomes’: WAIT SRCH OUT MED

Final ‘Outcome’ at closure: NO RESP INT PRIOR SRCH DISC NOT FOUND REF DEC DEC:SFL NON-ID INFO ID INFO COUNS

See notes below for definitions of codes

<table>
<thead>
<tr>
<th>Code</th>
<th>Outcome</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>NO RESP</td>
<td>NO RESPONSE TO OFFER OF INTERVIEW</td>
<td></td>
</tr>
<tr>
<td>INT</td>
<td>INTERVIEW ONLY</td>
<td>Applies where applicant “receives information at interview, but no search or outreach done by AIS”. In the case of adoptees, search advice and support is included in this category. It is only where the Case Manager, for some special reason actively does the search and outreach, would another category apply. This outcome is also appropriate for the release of records to a Former Ward client, and closure of an s.103.</td>
</tr>
<tr>
<td>PRIOR</td>
<td>CONTACT PRIOR TO INTERVIEW</td>
<td>This category applies where an adoptee has exchanged identifying information with a person named on the Birth Certificate prior to the application. In most cases where the PRIOR CONTACT label is used, records will be provided to an adoptee who has already met members of his or her birth family. Note: There is no obligation for the applicant to attend an interview under the Act, but practice is to have a telephone discussion concerning the records and their contents.</td>
</tr>
<tr>
<td>SRCH DISC</td>
<td>SEARCH DISCONTINUED</td>
<td>Applies where a full search has not been completed, and where the only other possible</td>
</tr>
</tbody>
</table>

Last Updated: November 2013
options require a search fee. If the applicant fails to provide the required fee, or a Statutory Declaration request to waive fees, then the file may be closed as ‘Search Discontinued’.

**OR**

Where an applicant decides not to proceed at that time for other personal reasons.

<table>
<thead>
<tr>
<th>NOT FOUND</th>
<th>SEARCH: NOT FOUND</th>
<th>These are finalised cases where, after a comprehensive search, the person being sought could not be located and no further action will be taken by AIS – may include situations where outreach received, but unanswered.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td><em>(Note: in this situation the applicant must be advised of their rights under Sect 99, and provided with a copy of same, and this should be clearly indicated on the file. Advice about how to apply to the court should also be given).</em></td>
</tr>
</tbody>
</table>

| REF | SEARCH: REFUSED | Applies where the party approached refused ALL forms of information and contact. This includes where minimal information is provided, e.g. “alive and well”. It also applies where a party does not respond when it is know that the letter has been received. |

| DEC | SEARCH: DECEASED | Applies where the person sought is deceased. |

| DEC:SFL | SEARCH: DECEASED, SIGNIFICANT FAMILY LOCATED | Applies where person sought is deceased, but secondary searches for other family members results in a contact. |

| NON-ID INFO | OUTREACH:NON-IDENTIFYING INFORMATION | Applies where the person approached has agreed to provide only NON-IDENTIFYING information. This would include a non-identifying email address. |

| ID INFO | OUTREACH: IDENTIFYING INFORMATION EXCHANGED | Applies where the applicant has received IDENTIFYING information from the person sought. |

| COUNS | COUNSELLING | Applies where the ‘Allocation’ or ‘Reallocation’ is for Counselling and Support. With AIS applicants a ‘COUNS’ outcome may only apply in the case of a ‘Reallocation’ whereas with Former Wards it may be used when the service provided extends beyond the release of records for both ‘Allocations’ and ‘Reallocations’. |
Ensure documentation complete on file

- Ensure that electronic case notes and s.87 notes are printed for paper file where relevant
- Dispose of any documentation that is not required to be kept on file (e.g. agency records relating to siblings or assessment of adoptive parents)
- Ensure that file is tidy (e.g. remove post-it notes, plastic pockets, paper clips etc)

TRIM

- Update file location in TRIM to “Compactus”
1. Change Status to “Closed”
2. Change Status Date to today’s date
3. Enter date of s.87 or date FOI records posted
4. Enter Release Method:
   - For AIS, select Group, Individual or Phone Call
   - For FOI, select: **Individual Counselling** if supportive conversation with client has taken place, or **Documents Sent** – if no discussion about client records or experiences OR no contact with client
5. Check this box if a Ward File should exist but was not located
6. Click on “VEC” box (see next page)
7. Check VEC search request details are complete and correct.

Enter details for Electoral Roll searches undertaken. Include number of outreach letters sent as a result of the electoral roll search.
Links

- Ensure that link files have been reviewed and any required actions completed
- Place a copy of the AIRS Closure Summary (as a case summary) for the applicant on any link files – this is to indicate to the reader of any link files in future what actions have occurred
- Update the location of link files on TRIM to “Compactus” or to ASU
- Place old link files in pigeon hole at reception to be returned to Archives; more recent files can be put away directly in the compactus

Client Survey

When each case is closed, a Client Feedback Survey needs to be sent to the applicant.

Send the following in a plain envelope addressed to the client:

- Client Feedback Survey
- Covering Letter from FIND Manager
- Stamped envelope addressed to FIND

Make a case note on the client file that a Client Feedback Survey has been sent.

The survey and cover letter is located at: F:\CYF FRIS FIND\FIND Program and Policy Documents\Client Feedback\Client Feedback Form and Letter

NB A Client Feedback Survey is only sent to person who made an application to FIND; e.g. if a person was located through outreach a survey is not sent to them. In addition, if a person applied through an agent a survey is not sent.

Auditing of Closed Files

*This is undertaken by Team Leaders.*

- Audit ten percent of closed cases from lists forwarded by Case Managers
- Check that all actions have been completed for the application and sign off.

35.2 Closing an s.103 form on AIRS

Follow the closure process above, except:

- Case Outcome is **INT ONLY**
- No interview date is included

Enter name of agency that provided s.87 in Comments Box
Part 9 – Appendices - reference material

1. Privacy and confidentiality

Given the sensitive nature of the information dealt with by FIND as well as legislative provisions governing who can receive particular information, privacy and confidentiality of client information is of utmost importance.

This is particularly relevant when responding to telephone enquiries as it is generally not possible to confirm the identity of the person making the call.

Confirming an adoption

When an enquiry is made to FIND by telephone or in person, staff members are unable to confirm whether an adoption or wardship has occurred without a completed Registration and provision of the applicant’s identification.

Staff members are however able to confirm that adoption or wardship has not occurred.

Returning calls

In general, messages are not left on answering machines, unless confident that the message will only be heard by the intended recipient (e.g. a message bank on a personal mobile phone is usually considered reasonable).

If it is necessary to leave a message on a general machine OR another person asks to relay a message, only ever give your name, the general number, and state that you are calling from the Department of Human Services (not FIND). Do not refer directly to adoption or wardship – if needed say, it is a personal matter.

Enquiries from someone other than the applicant

FIND cannot advise an enquirer of any details about an application made by someone else (including whether a current application exists), unless FIND has signed permission from the applicant to do so.

Double-check details and mailing precautions before sending mail

This includes checking:

- That the letter and envelope are correctly addressed
- That the mail is sent Registered Post and ‘Person-to-Person’ where required
- That a Departmental envelope is not used where ‘plain envelope’ has been requested (check application form)
- That a return address (PO Box only) has been included on envelope

Exchanging information

During mediation, always obtain permission in writing to pass on identifying or contact information, e.g. surnames, phone numbers, email addresses.

Office visitors

Before releasing information to a person who comes into the office (e.g. during a section 87 interview), always ask to see some identification to confirm their identity.
2. **Key stakeholders (websites)** Please note that this list is not exhaustive.

<table>
<thead>
<tr>
<th>AGENCY</th>
<th>SERVICE</th>
<th>WEBSITE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adoption and Permanent Care Services</td>
<td>AIS</td>
<td>(refer to separate attachment for local contact details)</td>
</tr>
<tr>
<td>Association of Relinquishing Mothers Victoria Inc (ARMS)</td>
<td>AIS</td>
<td><a href="http://www.armsvic.org.au/">http://www.armsvic.org.au/</a></td>
</tr>
<tr>
<td>Care leavers Australia Network (CLAN)</td>
<td>FWS</td>
<td><a href="http://www.clan.org.au/">http://www.clan.org.au/</a></td>
</tr>
<tr>
<td>CatholicCare</td>
<td>AIS</td>
<td><a href="http://www.ccam.org.au">http://www.ccam.org.au</a></td>
</tr>
<tr>
<td>Centre Against Sexual Assault</td>
<td>FWS/AIS</td>
<td><a href="http://www.casa.org.au">www.casa.org.au</a></td>
</tr>
<tr>
<td>Child Migrants Trust</td>
<td>FWS/AIS</td>
<td><a href="http://www.childmigrantstrust.com/">http://www.childmigrantstrust.com/</a></td>
</tr>
<tr>
<td>Connections</td>
<td>AIS</td>
<td><a href="http://www.connections.org.au">http://www.connections.org.au</a></td>
</tr>
<tr>
<td>Create</td>
<td>FWS</td>
<td><a href="http://www.create.org.au">http://www.create.org.au</a></td>
</tr>
<tr>
<td>Find and Connect</td>
<td>FWS</td>
<td><a href="http://www.findandconnect.gov.au">www.findandconnect.gov.au</a></td>
</tr>
<tr>
<td>Inter-Country Adoptee Support Network (ICASN)</td>
<td>AIS/Inter Country</td>
<td><a href="http://www.icasn.org/">www.icasn.org/</a></td>
</tr>
<tr>
<td>Kildonan Uniting Care</td>
<td>FWS/Ind/AIS</td>
<td><a href="http://www.kildonan.unitingcare.org.au/">http://www.kildonan.unitingcare.org.au/</a></td>
</tr>
<tr>
<td>Koori Heritage Trust</td>
<td>FWS/AIS</td>
<td><a href="http://www.koorieheritagetrust.com/">http://www.koorieheritagetrust.com/</a></td>
</tr>
<tr>
<td>Lifeline</td>
<td>FWS/AIS</td>
<td><a href="http://www.lifeline.org.au">www.lifeline.org.au</a></td>
</tr>
<tr>
<td>Link Up</td>
<td>FWS/Ind/AIS</td>
<td><a href="http://www.vacca.org/">http://www.vacca.org/</a></td>
</tr>
<tr>
<td>Open Place</td>
<td>FWS</td>
<td><a href="http://www.openplace.org.au">http://www.openplace.org.au</a></td>
</tr>
<tr>
<td>Plan</td>
<td>Agency/Authority</td>
<td>Website URL</td>
</tr>
<tr>
<td>---------------------------------</td>
<td>------------------</td>
<td>-------------------------------------------------</td>
</tr>
<tr>
<td>Connecting Home</td>
<td>FWS/AIS</td>
<td><a href="http://www.stolengenerationsvictoria.org.au">www.stolengenerationsvictoria.org.au</a></td>
</tr>
<tr>
<td>Vanish</td>
<td>AIS</td>
<td><a href="http://www.vanish.org.au">www.vanish.org.au</a></td>
</tr>
</tbody>
</table>

**Interstate Adoption Agencies:**

- **Western Australia:**
  - Department for Child Protection and Family Support, Past Adoption Services
  - AIS
  - [http://www.dcp.wa.gov.au/FOSTERINGANDADOPTION/Pages/PastAdoptionInfo.aspx](http://www.dcp.wa.gov.au/FOSTERINGANDADOPTION/Pages/PastAdoptionInfo.aspx)

- **New South Wales:**
  - Adoption Information Unit
  - AIS

- **South Australia:**
  - Adoption and Family Information Service
  - AIS

- **Tasmania:**
  - Adoption and Information Service
  - AIS
  - [http://www.dhhs.tas.gov.au/service_information/information/adoption_and_information_service_-_access_and_information_provisions](http://www.dhhs.tas.gov.au/service_information/information/adoption_and_information_service_-_access_and_information_provisions)

- **Australia Capital Territory:**
  - Adoptions and permanent care unit
  - AIS

- **Northern Territory:**
  - Adoption Information Service
  - AIS

- **Queensland:**
  - Adoption Services Queensland
  - AIS
3. Adoption Information Services in Victoria

A list of contact persons at each agency is kept on the F drive at:
\F:\CYF FRIS FIND\Adoption Information Service (AIS)\AIS Agencies\Agency Contact Details

**Anglicare Victoria**
41 Somerville Rd
YARRAVILLE VIC 3013
T: (03) 9396 7400

**CatholicCare Catholic Family Services**
Adoption & Permanent Care Programs
3 Wingfield Street
FOOTSCRAY VIC 3011
T: (03) 9689 3888
F: (03) 9689 4091

**Connections**
Adoption & Permanent Care Unit
274 High Street, Windsor VIC 3181
T: (03) 9521 5666
F: (03) 9521 5220
4. Adoption and Permanent Care Services in Victoria

The following organisations offer services such as relinquishment counselling, applicant assessment, placement of children and post-placement supervision.

<table>
<thead>
<tr>
<th><strong>INTERCOUNTRY ADOPTION SERVICE</strong></th>
<th><strong>CENTRAL RESOURCE EXCHANGE (CRE)</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Address:</strong> 20/570 Bourke Street</td>
<td><strong>Address:</strong> 9/50 Lonsdale Street</td>
</tr>
<tr>
<td>Melbourne 3000</td>
<td>Melbourne 3000</td>
</tr>
<tr>
<td><strong>Phone:</strong> (03) 8608 5700</td>
<td><strong>Phone:</strong> (03) 9096 8003</td>
</tr>
<tr>
<td><strong>Fax:</strong> (03) 8608 5770</td>
<td><strong>Fax:</strong> (03) 9096 9145</td>
</tr>
<tr>
<td><strong>BARWON-SOUTH WESTERN REGION</strong></td>
<td><strong>NORTH &amp; WEST METROPOLITAN</strong></td>
</tr>
<tr>
<td><strong>DEPARTMENT OF HUMAN SERVICES</strong></td>
<td><strong>DEPARTMENT OF HUMAN SERVICES</strong></td>
</tr>
<tr>
<td><strong>Address:</strong> 2nd Floor, Little Malop St</td>
<td><strong>Address:</strong> 679 High Street Preston 3072</td>
</tr>
<tr>
<td><strong>Phone:</strong> (03) 52 264 540</td>
<td><strong>Phone:</strong> (03) 9479 0558</td>
</tr>
<tr>
<td><strong>Fax:</strong> (03) 52 264 550</td>
<td><strong>Fax:</strong> (03) 9479 0537</td>
</tr>
<tr>
<td>Geelong, Warrnambool, Portland, Hamilton</td>
<td>Northern suburbs</td>
</tr>
<tr>
<td><strong>EASTERN METROPOLITAN REGION</strong></td>
<td><strong>SOUTHERN METROPOLITAN REGION</strong></td>
</tr>
<tr>
<td><strong>DEPARTMENT OF HUMAN SERVICES</strong></td>
<td><strong>CONNECTIONS</strong></td>
</tr>
<tr>
<td><strong>Address:</strong> 2nd Floor, 883 Whitehorse Road Box Hill 3128</td>
<td><strong>Address:</strong> 274 High Street Windsor 3181</td>
</tr>
<tr>
<td><strong>Phone:</strong> (03) 9843 6413</td>
<td><strong>Phone:</strong> (03) 9521 5666</td>
</tr>
<tr>
<td><strong>Fax:</strong> (03) 9843 6400</td>
<td><strong>Fax:</strong> (03) 9521 5220</td>
</tr>
<tr>
<td>Email: <a href="mailto:APEastern@dhs.vic.gov.au">APEastern@dhs.vic.gov.au</a></td>
<td>Southern and bayside suburbs: Dandenong, Frankston, Mornington Peninsula and surrounding areas</td>
</tr>
<tr>
<td>Eastern suburbs</td>
<td></td>
</tr>
<tr>
<td><strong>WESTERN REGION</strong></td>
<td><strong>GIPPSLAND REGION</strong></td>
</tr>
<tr>
<td><strong>ANGLICARE WESTERN</strong></td>
<td><strong>ANGLICARE GIPPSLAND</strong></td>
</tr>
<tr>
<td><strong>Address:</strong> 41 Somerville Road Yarraville 3013</td>
<td><strong>Address:</strong> 65 Church Street Morwell 3840</td>
</tr>
<tr>
<td><strong>Phone:</strong> (03) 9396 7400</td>
<td><strong>Phone:</strong> (03) 51 339 998</td>
</tr>
<tr>
<td><strong>Fax:</strong> (03) 9689 6110</td>
<td><strong>Fax:</strong> (03) 51 339 601</td>
</tr>
<tr>
<td>Western suburbs</td>
<td>Central and Eastern Gippsland</td>
</tr>
<tr>
<td><strong>VICTORIAN ABORIGINAL</strong></td>
<td><strong>STATEWIDE</strong></td>
</tr>
<tr>
<td><strong>CHILD CARE AGENCY (VACCA)</strong></td>
<td><strong>CATHOLICcare CATHOLIC FAMILY SERVICES</strong></td>
</tr>
<tr>
<td><strong>Address:</strong> 139 Nicholson Street East</td>
<td><strong>Address:</strong> 3 Wingfield Street Footscray 3011</td>
</tr>
<tr>
<td><strong>Phone:</strong> (03) 8388 1855</td>
<td><strong>Phone:</strong> (03) 9689 3888</td>
</tr>
<tr>
<td><strong>Fax:</strong> (03) 8388 1888</td>
<td><strong>Fax:</strong> (03) 9689 4091</td>
</tr>
<tr>
<td><strong>GRAMPIANS REGION</strong></td>
<td><strong>LODDON MALLEE REGION</strong></td>
</tr>
<tr>
<td><strong>GRAMPIANS PERMANENT CARE TEAM</strong></td>
<td><strong>LODDON MALLEE PERMANENT CARE PROGRAM</strong></td>
</tr>
<tr>
<td><strong>CHILD &amp; FAMILY SERVICES - BALLARAT INC.</strong></td>
<td><strong>ST. LUKES ANGLICARE</strong></td>
</tr>
<tr>
<td><strong>Address:</strong> Ludbrook House, 115 Lydiard Street North, Ballarat 3350</td>
<td><strong>Address:</strong> 175-187 Hargreaves Street Bendigo 3550 (PO Box 315 Bendigo, 3552)</td>
</tr>
<tr>
<td><strong>Phone:</strong> (03) 53 373 333</td>
<td><strong>Phone:</strong> (03) 54 401 100</td>
</tr>
<tr>
<td><strong>Fax:</strong> (03) 53 321 724</td>
<td><strong>Fax:</strong> (03) 54 401 108</td>
</tr>
<tr>
<td>Ballarat, Horsham, Stawell and surrounding areas</td>
<td>Bendigo, Maryborough, Castlemaine, Echuca, Swan Hill, Mildura and surrounding areas</td>
</tr>
<tr>
<td><strong>HUME REGION</strong></td>
<td></td>
</tr>
<tr>
<td><strong>HUME PERMANENT CARE TEAM</strong></td>
<td></td>
</tr>
<tr>
<td><strong>DEPARTMENT OF HUMAN SERVICES</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Address:</strong> 163 Welsford Street Shepparton 3630</td>
<td><strong>Address:</strong> 175-187 Hargreaves Street Bendigo 3550 (PO Box 315 Bendigo, 3552)</td>
</tr>
<tr>
<td><strong>Phone:</strong> (03) 58 321 500</td>
<td><strong>Phone:</strong> (03) 54 401 100</td>
</tr>
<tr>
<td><strong>Fax:</strong> (03) 58 311 851</td>
<td><strong>Fax:</strong> (03) 54 401 108</td>
</tr>
<tr>
<td>Shepparton, Seymour, Benalla, Wangaratta, Wodonga and surrounding areas</td>
<td>Bendigo, Maryborough, Castlemaine, Echuca, Swan Hill, Mildura and surrounding areas</td>
</tr>
</tbody>
</table>
5. Interstate contacts for Adoption

New South Wales
The Adoption Information Unit
NSW Department of Family and Community Services
4-6 Cavill Avenue, Locked Bag 4028
Ashfield NSW 2131
Phone: (02) 9716 3005
Email: adoption.information@facs.nsw.gov.au

Queensland
Adoption and Specialist Support Services
Department of Communities, Child Safety & Disability Services
GPO Box 806
Brisbane QLD 4001
Phone: (07) 3224 7415
Fax: (07) 3210 0350
Email: ads@communities.qld.gov.au

Australian Capital Territory
Adoption Information Service
Department of Disability, Housing and Community Services
Phone: (02) 6207 1335
Fax: (02) 6207 8888
Email: adoptions@act.gov.au

South Australia
Adoption and Family Information Service
Department for Education and Child Development
Level 1, 45 Wakefield St
Adelaide SA 5000
GPO Box 292
Adelaide SA 5001
Phone: (08) 8207 0060
Fax: (08) 8207 0066
Email: adoptions@dfc.sa.gov.au

Tasmania
Department of Health and Human Services: Adoption and Information Services
GPO Box 538
Hobart TAS 7001
Phone: (03) 6233 2273
Fax: (03) 6233 1343
Email: Adoption.Service@dhhs.tas.gov.au

Western Australia
Past Adoption Information & Services
Department for Child Protection & Family Support
PO Box 641
Belmont WA 6984
Phone: 1800 182 178
Email: adoptions@dcp.wa.gov.au

Northern Territory
Office of Children and Families: Family Information Service
PO Box 40596, Casuarina. NT 0811
Phone: (08) 8922 7077
Website: www.childrenandfamilies.nt.gov.au/Adoption/
6. Interstate contacts for Former Wards – Government records

**Queensland**
Department of Communities, Child Safety and Disability Services
Information Access and Amendment Unit
GPO Box 806
BRISBANE QLD 4001
Phone: (07) 3224 2242 or 1800 809 078 (free call)
Fax: (07) 3224 7050
rti@communities.qld.gov.au

**Western Australia**
Freedom of Information
Department for Child Protection & Family Support
189 Royal Street
Perth East WA 6004
G.P.O. Box 6334
PERTH EAST WA 6892
Phone: (08) 6217 6388 or (08) 6217 6381, 1800 622 258 (free call)
Fax: 08 9222 2776
foi@dcp.wa.gov.au

**New South Wales**
Department of Family and Community Services
Right to Information Unit
Locked Bag 4001
ASHFIELD BC NSW 1800
Phone: (02) 9716 2222
Right-to-information@facs.nsw.gov.au

**South Australia**
Government of South Australia
Freedom of Information Unit
GPO Box 2343
ADELAIDE SA 5001
Phone: (08) 8204 8791
FOI Hotline: (08) 8204 8786
Fax: (08) 8204 8777
foi@sa.gov.au ; www.archives.sa.gov.au

**Tasmania**
Department of Health and Human Services
Records Children & Youth Services
Upperwood House Building
St Johns Park
NEWTOWN, TAS 7008
GPO Box 125, Hobart, TAS 7001
Phone: (03) 6230 7667

**Northern Territory**
Department of Children and Families
Information and Privacy Unit
PO Box 40596,
Casuarina NT 0811
Phone: (08) 8999 2880
InfoPH.THS@nt.gov.au

Last Updated: November 2013
7. Contents of Information Kits for s.87 Interviews

Kits are made up by ASU staff and kept in the Resource Filing Cabinet in the ASU area.

Kits for Adoptees and Children of Adoptees

- BDM fee schedule
- Certificate of Interview - print on letterhead
- Adoption - a brief guide to searching for your birth family - colour
- Myths in Adoption - lime green
- Myth and Reality booklet double sided
- Sample contact letters
- Summary of Access to Adoption Information
- Support Groups list - purple paper
- Blue form to apply to BDM for original birth certificate - blue paper
- Vanish Brochure

Kit for Natural parents

- ‘Certificate of Interview’ - print on letterhead
- Contact Statement verification form
- Natural Parent Search checklist.doc
- Myths in Adoption lime green
- Summary of Access to Adoption Information
- Support groups List Purple
- Sample contact letters
- Myth and Reality double sided
- Vanish brochure

Natural relative Kit:

- Support Groups list Purple
- Myths in adoption - lime green
8. Information regarding 2013 Amendments to the Adoption Act

The following information sheets are available from the FIND Website www.dhs.vic.gov.au/find

- Frequently asked questions for natural parents and adult adopted persons
- Information sheet for natural parents and for adult adopted persons

The prescribed **Contact Statement form** is also available from the website or the F drive

F:\CYF FRIS FIND\Admin Support Unit (ASU)\FIND\Contact Statement Pack
AIS Reference Information

9. Procedures for Section 99 Applications

- The Case Manager MUST discuss a Section 99 application with their supervisor when a client wishes to pursue this avenue.

- The Case Manager then discusses with the client their rights under Section 99 and provides them with a copy of this section of the Adoption Act 1984.

- The Case Manager will outline to the applicant the processes involved in making an application to the County Court.

- The applicant will need to initiate the contact with the County Court. FIND can assist them with a letter of application. While there are templates available for Case Managers to use, keep in mind that these are guides only and that each letter needs to be individually tailored. When cutting and pasting from letters, always check for the accuracy of the information.

- The applicant needs to be told that the court will require a report from FIND. If a Case Manager is not able to recommend/support the S99 application they need to have discussed the reasons for this with the client.

- The County Court will contact FIND for a report/Affidavit. When providing the court with information about a person, always use their birth name rather than their adoptive name. The identifying details will be released to the applicant by FIND if the court approves the application.

- If a Case Manager is unable to recommend/support the S99 application, the reasons need to be clearly stated in the affidavit.

- The Case Manager must show any letters and Affidavits to their supervisor before sending them.

- There is no appeal to the Court’s decision regarding an S99 application.

- Applications can come back to FIND for a further search.

- If the Judge grants the S99 application, the court will advise the applicant then FIND of this decision.

- The court then sends a copy of the Order to FIND.

- FIND acknowledges the Court’s decision with the applicant and then releases the appropriate information. This is often done by phone and followed up with a letter.

- No fee is involved for the applicant for an S99 application.
10. Practice Instructions: Responding to Enquiries Relating To Children Adopted From Overseas

The Adoption Act 1984 (The Act) and the Adoption Regulations 2008 are the legislative basis upon which all Adoption Services are provided in Victoria. The Act provides for eligible parties to an adoption (adopted people, natural parents, natural relatives and adoptive parents) to access adoption information. This includes children adopted from countries overseas (where the adoption has been facilitated by the Victorian Intercountry Adoption Service (ICAS)) now residing in Victoria.

FIND has authority under the Adoption Act 1984 to deliver Adoption Information Services, provide counselling and offer assistance in the following areas:

- locating and releasing records
- advice and support in relation to issues faced by adoptees including search and reunion experiences
- raising awareness of possible outcomes of searching, including preparation for reunion if this is a possibility or likelihood

Should a request be received by either FIND or ICAS, it is the responsibility of FIND to progress the application. FIND will retain case management of the applicant through the process whilst ICAS will maintain a joint role by providing specialised knowledge and using their existing networks and established relationships to communicate with the country of origin.

ICAS can assist FIND in the process by:

- explaining records within an ICAS file
- specialist knowledge and expertise regarding adoption within a cross cultural and intercountry adoption context
- advice and support relating to the challenges which may arise when seeking information from overseas and the issues faced specifically by intercountry adoptees
- referral to intercountry specific support groups

**PROCEDURES AND RESPONSIBILITIES**

Parties to intercountry adoption may phone the FIND duty service; once an application is received, the application is assessed by the Team Leader and then allocated to a FIND Case Worker; and normal FIND procedures apply. *(Please refer to: "Guidelines in relation to enquiries relating to children adopted from overseas through the Intercountry Adoption Service (ICAS)").*

**AUTHORISING OFFICERS**

This Practice Instruction is authorised by:

**Sam Cavarra**
Manager
Family Records and Intercountry Services

May 2012

_Last Updated: November 2013_
11. Guidelines in relation to enquiries relating to children adopted from overseas through the Intercountry Adoption Service (ICAS)

**STATEMENT OF PURPOSE**

This guideline outlines the working arrangements by which staff from both the Intercountry Adoption Service (ICAS) and Family Information, Network and Discovery (FIND) will operate in relation to search requests lodged by persons or their families, who have been adopted from overseas.

**PARTIES TO THE GUIDELINES**

The Family Information, Network and Discovery program and the Intercountry Adoption Service.

**BACKGROUND TO GUIDELINES**

The Adoption Act 1984 (The Act) and The Adoption Regulations 2008 are the legislative basis to all Adoption Services provided within Victoria. The Act provides for eligible parties to an adoption (adopted people, natural parents, natural relatives and adoptive parents) to access adoption information.

FIND staff has authority under the Adoption Act 1984 to deliver Adoption Information Services, provide counselling and offer assistance in the following areas:

- locating and releasing records
- advice and support in relation to issues faced by adoptees including search and reunion experiences
- raising awareness of possible outcomes of searching, including preparation for reunion if this is a possibility or likelihood

The ICAS is responsible for the day-to-day operations of the inter Country adoption program from the initial inquiry to the placement of a child. This includes providing information, education, assessment and approval of applicants for overseas adoption, and for the supervision and support of children from overseas placed with Victorian families. ICAS operates under the Adoption Act 1984 and Adoption Regulations 2008, in addition to ensuring that all other national and international requirements are met.

Access to adoption information to children and their families adopted through the Victorian Intercountry Adoption Service (ICAS) has historically been on an informal basis; however the ICAS is not a recognised or legislated agent for this purpose. In addition the number of enquiries from intercountry adopted persons and their families has continued to grow and can be reasonably expected to increase. It is therefore timely to establish a working agreement between the two programs that ensures that all legislative requirements are met but also provides an opportunity for the specialist expertise and networks of ICAS to be incorporated in the process of releasing records and providing advice to persons adopted from overseas. The following is an example of the type of services that ICAS can offer to the process:

- explanation of records within an ICAS file
- specialist knowledge and expertise regarding adoption within a cross cultural and inter Country adoption context
- advice and support relating to the challenges which may arise when seeking information from overseas and the issues faced specifically by inter Country adoptees
- referral to Intercountry specific support groups
TYPES OF ENQUIRIES

There are a number of different types of Adoption Information Service enquiries received from clients effected by inter Country adoption. Most enquiries are made through FIND, although on occasion enquiries may be received directly by ICAS but are required to be redirected to FIND to ensure that the application and legislative requirements are completed.

During an initial enquiry, discussion with a client occurs to establish what the specific enquiry/needs of the client may be; such as assistance to locate birth family, access to records/documents, and/or access to information about visiting the birth country. Initial enquiries however, cannot always be categorised until formal counselling has been offered, as it may be the counselling itself which assists the client to identify what type of assistance is being sought.

PROCEDURES AND RESPONSIBILITIES

Parties to inter Country adoption may phone the FIND duty service. The duty worker will ascertain the request of the applicant and if the request is clear, the applicant is asked to lodge an application outlining their request for records and/or search and intermediary with the natural parent or adopted person.

Once an application is received, the application is assessed by the Team Leader and then allocated to a FIND Case Worker. When applying for Adoption Information under the Adoption Act 1984, a statutory fee is applied. The fees are set out by the Department of Treasury and Finance and are indexed on an annual basis.

The FIND Case worker requests the applicant’s file relating to the inter Country adoption and will assess the file in accordance with the Adoption Act 1984 and prepare a release of information of the file for the applicant. Dependent on the eligibility, applicants will receive identifying or non identifying information.

An adopted person over the age of 18 is entitled to identifying information if it is contained within the file. An adopted person under the age of 18 is not entitled to identifying information, however with parents consent, can receive non identifying information.

An adoptive parent or a natural parent is only entitled to non identifying information relating to the adoption. However, some adoptive parents may have received some indentifying information about the birth family when receiving the placement proposal documents during the matching process or when they travelled overseas to collect their child.

Any person who makes an application to seek adoption information is required to attend a mandatory interview with an approved FIND counsellor. The purpose of the interview is to release the information in a supported environment and clarify with the applicant their wishes to search for the birth family/adopted person. ICAS will attend these meetings in a supportive role and be able to provide information as required.

FIND will retain case management of the applicant through the process whilst ICAS will maintain a joint role by providing specialised knowledge and using their networks and established relationships to communicate with the country of origin. Many applications received for release of records often results in FIND playing an intermediary role in forwarding letters and information between parties. It is likely that this will also be
required for inter Country applicants. In these instances FIND, via their case management role, will communicate with the applicant and ICAS will communicate with the overseas country.

**Process for Storage of Client Files/Records:**

ICAS and FIND staff will both have access to the electronic case note file to ensure that all case notes are recorded.

**OTHER MATTERS:**

**Process for managing enquiries from persons adopted from countries which do not currently have a working relationship with ICAS:**

Whilst ICAS has working relationships with countries where there is an active overseas adoption program, on occasion enquiries are received from applicants adopted from countries where ICAS has ceased to work with that country. In these instances, whilst the process for releasing records is the same, the searching process may differ, depending on the links that still exist between Victoria and the overseas jurisdiction. If there are no existing contacts that can be utilised, clients will be referred to Red Cross or International Social Services who have a specialised expertise in the field of overseas tracing.

**Process for Managing enquiries from persons adopted from overseas countries, outside of the Intercountry Adoption Service in Victoria:**

Despite the adoption records not being held by the ICAS, FIND would provide assistance and refer these clients to appropriate services; in addition this client group would be referred back to the original Adoption Agency which facilitated their adoption, for information in relation to the process for obtaining records.

**Process for Managing Enquiries from Natural parents overseas:**

Increasingly natural parents whose children have been adopted into overseas countries are making enquiries regarding their children and seeking to establish contact. There have been recent examples where both the FIND and ICAS programs have received enquiries from natural mothers and/or birth families residing overseas seeking information relating to their child/family member.

The application process requires that all applicants register via a signed applicant form and pay a statutory fee before a service can be provided. Given the language barrier as well as the differing emphasis on identification between countries, this process will be managed with the assistance of the post adoption service in the relevant overseas country *(where available)*. In some instances, natural parents will have had to go through a similar process of registration and payment of fees in their country of residence and in these cases, decisions will be made on a case by case basis on the appropriateness of placing further requirements on them. As a rule of thumb, if a Natural parent has had to undergo a registration process with a competent government authority or agency overseas, FIND will waive the registration fee.

**Release of information due to documents having been mislaid or destroyed:**

Families have previously made approach to both ICAS and FIND to provide copies of file documentation due to it being lost or destroyed. If it can be determined that this documentation had been provided previously and a copy has been maintained on file, then a further copy can be provided to the applicant upon written request. On most occasions, the
documentation would have been provided to the adoptive parents as part of their application to adopt and not the adopted child, therefore a copy of the documents can be provided to the adoptive parents. If the adoptive child is seeking documentation, they will need to follow the registration and application process via FIND.

**REVIEW MECHANISM FOR PROTOCOL**

These guidelines will be reviewed by the Program Managers from both ICAS and FIND after a period of twelve months on 1 April 2013.

**AUTHORISING OFFICERS**

These guidelines are authorised by:

Sam Cavarra  
Manager  
Family Records and Intercountry Services  
May 2012
12. Discharge of Adoption

What is a Discharge of an Adoption Order?

An eligible person may apply to the Victorian County Court for a discharge of an adoption order made under the Adoption Act 1984, section 19 (1). The grounds to discharge an adoption order are:

- that the adoption order or a consent for the purposes of the adoption order was obtained by fraud, duress or other improper means: or
- that special circumstances exist why the adoption order should be discharged (this includes a reference to an irretrievable breakdown of the relationship between the adoptive parent and the adopted person).

Who is eligible to discharge an adoption order?

Persons eligible to apply for a discharge of an adoption order include;

- An Adult Adopted person whom the adoption order relates to
- A natural parent of the adopted child
- An adoptive parent of the adopted child
- the Secretary or Principal Officer of the approved agency that arranged the adoption

A reference to special circumstances includes a reference to an irretrievable breakdown of the relationship between the adoptive parents and the adopted person.

How do you apply to Discharge an Adoption Order?

An application to the Victorian County Court providing an affidavit to Discharge an Adoption and any other supporting documents that the court may require. The applicant must also provide a Form 11 Application to Discharge (which is provided by the County Court Registrar). Currently, the cost of filing this application with the County Court is $389.10.

The County Court Registrar will request the adoption records from Birth Deaths & Marriages (BDM). The adoption record and Application to discharge is provided to the Judge seeking direction as to whether they would like an investigation into the adoption.

If satisfied there are grounds on which an order can be made, the Judge will direct the relevant authority (Family Information Networks and Discovery (FIND) to investigate under section 19 (3) of the Adoption Act as to the circumstances under which this application is made. A report is than provided by FIND to the Adoptions Registrar of the Victorian County Court. There is no set timeline ordered by the Court for this report.

Is there a timeline to apply for a Discharge of an Adoption?

There is no timeline.

Does the relevant authority contact the applicant relevant to the Discharge of an Adoption?

Following receipt of correspondence from the County Court, FIND will contact the relevant parties (adult adoptee, adoptive parents) and discuss with them the basis of the discharge of adoption. A confidential written court report is prepared and provided to the County Court outlining the outcome of the investigation. Please note, this report is not provided to the applicant.
What happens when the report has been provided by the relevant authority to the County Court?

The County Court will send the applicant a hearing notice advising them of the date and time. The applicant is also required to serve every person (including FIND) who has ‘any right, privilege, duty or liability under the Adoption order’ with a copy of the Form 11 Summons and any supporting affidavits prior to the hearing. It is a matter for these interested parties as to whether they attend the hearing and object or support the application before the Judge.

At this hearing date the Judge will determine the application. This hearing is a closed court hearing; members of the public are not permitted in the court room whilst the hearing takes place – only parties to the Discharge application and the Court officers.

What happens when the adoption is discharged?

The Court shall not make an order for the discharge of an adoption unless the court is satisfied that the interests and welfare of that adopted person would be promoted by the discharge.

Should the adoption be discharged any consent given under the Adoption Act for the purposes of the adoption ceases to have effect.

The decision may also relate to;

- the name of the child (adult adoptee)
- the ownership of property
- the custody or guardianship of the child

If the application is granted it dissolves the Adoption Order and requires the Registry of Birth Deaths and Marriages to reinstate the original birth certificate, often changing the name of the child (adult adoptee) and reinstating the names of the natural parents.

A copy of the Adoption Discharge is provided to all parties to the proceedings (including FIND).
13. Records Held by Adoption Information Agencies

Check for latest version at F:\CYF FRIS FIND\Adoption Information Service (AIS)\AIS Agencies\Records Held By Adoption Information Agencies

DEPARTMENT OF HUMAN SERVICES
(Formerly Health and Community Services, Social Welfare Department)

All adoptions arranged by The Department of Community Welfare Services and Community Services Victoria
Hartnett House (aka Melbourne City Mission)
Church of England – Gippsland
Echuca Hospital
Aboriginal Welfare Board
The Haven – Salvation Army (mainly Birth Register, some Adoption Files)
Children’s Protection Society
Wangaratta Hospital
Queen Victoria Hospital
Church Of Christ
Box Hill Hospital
Royal Women’s Hospital
Mercy Hospital
Seventh Day Adventist
Social Welfare Department – Morwell
Melbourne Family Services
Lutheran Social Services/ Melbourne Stake Relief Society
Mission to Streets and Lanes
MORE RECENT TRANSFERS TO ARCHIVES – 2007/8
Bethany babies Home
Mission to the Streets and Lanes - Brighton Children’s Home, Darling Children’s Home
Footscray /Western Hospital
Berry Street adoption records

BERRY STREET INCORPORATED**

The Victorian Infant Asylum
The Victorian Infant Asylum and Foundling Hospital
The Foundling Hospital and Infants’ Home
Berry Street Babies’ Home and Hospital
Berry Street – Child and Family Care.
** Adoption records are at Archives, Non adoption records are still held at Berry St
CATHOLICCARE
(Formerly Centacare, Catholic Family Welfare Bureau & St Josephs Adoption Information Service)

Catholic Family Welfare Bureau (CFWB)
Sisters of St Joseph’s
St Joseph’s Home – 101 Grattan Street Carlton
St Anthony’s Children’s Home – Kew
St Joseph’s Babies Home – Broadmeadows

CONNECTIONS
(Formerly Copelen Child and Family Services and Uniting Care Connections)

Methodist Babies’ Home
Methodist Department of Child Care
Girl’s Memorial Home – Fairfield (aka Georgina House /Fairfield Girl’s Home)
Cheltenham Children’s Home
Orana Methodist Peace Memorial Home for Children
Presbyterian Babies’ Home
Presbyterian-Scots Church Children’s Aid Society
Kildonan Home for Children
Presbyterian Sisterhood
Presbyterian Department of Social Services
The Child Care Service of the Methodist and Presbyterian Churches
Child Care Service of the Uniting Church
Copelen Street Adoption and Permanent Care Programme

ANGLICARE
(Formerly the Mission of St James & St John – Anglican)

Kedesh Maternity Home – Stevenson St, Kew
St Gabriel’s Babies’ Home
St Luke’s Babies’ Home
St Paul’s Boys Home
Andrew Kerr Memorial Homes
Ellen Connell Memorial Homes
St Nicholas’ Boys Home
Blackburn South Cottages
Altona Cottage – Blackshaws Road, Altona North
Buckland House – Newport
Arms of Jesus Memorial Homes
Buller House
School Of Home Crafts.
14. Adoption records held at DHS Information & Records Services

Please note, this information is taken from an old information sheet written for AIS staff when many adoption records were kept within the AIS office. These records are now held at DHS Information & Records Services. The following information may be of some use however in establishing which records to request.

14.1 Defunct Agency Records

Agency records are known variously as "other records", "A files", "ward files", "non ward files" as well as by other names. Agency records are the records created by the agency or individuals responsible for arranging an adoption. They are the records created in the process of the legalisation of an adoption and are distinctly different from court records.

Since the first Victorian Adoption Act in 1928 as many as thirty different adoption agencies have been in operation at different times. Some of these agencies were very large and between them were responsible for the majority of adoptions that occurred in Victoria. Other agencies were not so large but, nevertheless, did create records.

A FILES

The term "A Files" refers generally to adoption files from defunct agencies that were gathered and indexed by Adoption Information Service staff at the beginning of the service (around 1985). The term "A File" comes from the simple indexing system given to those files. The first file created in the system is known as A1 and the files continue to A 5081. The defunct adoption agency files are indexed under the following numbers

<table>
<thead>
<tr>
<th>FROM</th>
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<td>The Haven: Salvation Army Maternity Home.</td>
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<td>Hartnett House/Melbourne City Mission (cont)</td>
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<td>Seventh Day Adventists</td>
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<td>4944</td>
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<td>Social Welfare Dept: Morwell</td>
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<td>4959</td>
<td></td>
<td>Melbourne Family Care</td>
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<td>4960</td>
<td>5081</td>
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<td>Lutheran Social Services</td>
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Melbourne City Mission/Hartnett House Records

Some records obtained from the Melbourne City Mission adoption agency consisted of just one page, being either adoption consents or admission forms. The compilers of the defunct register decided, in this case, to place all of these records into a few files. Files A463, A987, and A997 contain records from about seventy or even eighty adoptions. The Melbourne City Mission/Hartnett House only started creating files after 1960. Prior to 1960 a large register was kept which has been microfilmed. These register entries, though small; often provide vital information such as the name of the natural father. Unfortunately, there appears to be a gap between the year the register ceases use and the year that the agency started creating individual files. If an adoptee was born in c1959 and adopted through the Melbourne City Mission it is unlikely that there will be agency records available.

Practically all of the natural mothers who had their children adopted through the Melbourne City Mission had the birth at the Royal Women’s Hospital. A box of records from the Royal Women’s Hospital known as “miscellaneous RWH relinquishing mother’s records” is kept. Some of these records pertain to natural mothers where the adoption was ultimately arranged through the Melbourne City Mission.

Queen Victoria Hospital Records

Occasionally, an adoption clearly arranged by the Queen Victoria Hospital will have no file reference in the defunct register. Some Queen Vic records, unfortunately, never found their way into the defunct register. Should a Queen Vic adoption provide no file reference in the defunct register the next step in the search for records is to check the Queen Vic Miscellaneous Files for information.

As well as adoption records the Queen Vic Adoption Agency provided our service with a number of volumes of birth registers. These records rarely have any additional information to that already provided on the birth certificate but in cases where there are few records available a copy of the register entry is sometimes desired.

 Salvation Army/Haven Records

The Salvation Army adoption agency arranged many adoptions through their home for unmarried mothers known as “The Haven” in Alfred Crescent North Fitzroy. There are only 69 Salvation Army/Haven records within the defunct register. This number is many, many short of the total number of adoptions arranged by the Haven. If a Haven adoption has no reference in the defunct register then the only "agency" records are the entries from the two-microfilmed Haven registers kept within the office. Those registers are known as The Haven's “Labour Ward Case Book” and the “Admission and Discharge Day Books”. The “Labour Ward Case Book” comprises about six volumes, however, the volume covering the period May 1922 to June 1928 was never received. Most of the Haven adoptions that have records listed in the defunct register are from approximately 1965 until the agency closed in the early 1970's. A defunct register search should, however, always be undertaken in the case of Haven adoptions as some of the records do pertain to their earlier adoptions. Children were not born at the Haven after 1967 and, the agency closed a few years later in the early 1970's. Children adopted through the Salvation Army after 1967 were nearly always born at the RWH.

Church of Christ Records

According to the index to defunct files over 600 separate adoption records were received from the Church of Christ Adoption Agency. This is something of a mystery as, for an agency apparently quite busy there have been very few enquiries about adoptions through the Church of Christ.
Agency. In about 1992 AIS did receive in the post an old adoption register and 11 individual adoption files from the Church of Christ. These records should be searched along with the defunct register.

**Lutheran Social Services**

These records are unique within the defunct register in that they are the only records where two files were created for each individual adoption; i.e. for each Lutheran adoption an "A File" exists containing the natural mother's records and another one exists pertaining to the adoptive parents’ application. The files do not, however, run sequentially. There is usually a space of about 10 files between the related files. Both file references are clearly marked in the defunct register.

**Children's Protection Society**

The Children’s Protection Society still provides welfare services though it has not arranged adoptions since the 1950’s. Defunct files A2614-A2647 are from the Children’s Protection Society. The society may have been known previously as The Victorian Society for the Prevention of Cruelty to Children. Not all adoption records from the society were obtained by AIS. Those records can only be obtained by contacting the society at their address in Heidelberg West.

**Berry Street**

The above listed index to agencies in the "defunct register” records files A2100-A2613 from the Berry Street Adoption Agency.

**Melbourne Stake Relief Society**

The Melbourne Stake Relief Society is another name for the Latter Day Saints Adoption Agency.

**Defunct Agency Records Not Located In the Defunct Register**

The Adoption Information Service of the Department of Health and Community Services did acquire adoption records from a number of defunct adoption agencies, however, some of these agencies records were not indexed and stored in the defunct system. Adoption/birth records from the following defunct adoption agencies are held: Royal Women’s Hospital, Mercy Maternity Hospital, Mission to Street and Lanes, Footscray / Western Hospital, Bethany Babies Home.

**Royal Women's Hospital**

The "Royal Women's” records are by far the most number of records of any of the defunct agencies. In the early years of Adoption Information Services the RWH had their own AIS providing service to registrants where the RWH adoption agency was involved. The records regarding adoptive and natural parents have been amalgamated and it is, therefore, necessary to obtain only one file upon a request for RWH records.

There is a box of records known as the “Royal Women’s Miscellaneous Relinquishing Mothers Records”. These records are kept in alphabetical order and consist of about 50 records about individual natural mothers from the Royal Women’s Hospital. The records pertain to women who either had their babies at the RWH or brought them to the RWH with the intention of having the babies adopted. In all cases, however, the babies of these women were not adopted through the hospital’s own adoption agency. These babies were adopted either through another agency, usually the Melbourne City Mission, or privately through a solicitor.
Occasionally, natural mother records from the RWH list the mother’s residential address as 101 Grattan Street Carlton. Natural mothers having their children adopted through the Catholic Family Welfare Bureau usually stayed at this same address. In such cases contact CatholicCare to request any additional information that they hold on the natural mother.

**Mercy Maternity Hospital**

The records from the Mercy Maternity Hospital Agency comprise of records about adoptive parents and also natural mothers.

**Mission to Streets and Lanes**

The earliest adoption files received from the Mission to Streets and Lanes are from c.1960. These records are almost exclusively about the adoptive parents and their adoption application.

Nearly all the children adopted through the Mission to Streets and Lanes were born at the Queen Victoria Hospital. Should records be difficult to locate the entry from the Queen Vic birth register can always be copied. In Mission cases prior to 1960 the Queen Vic register entry may be the only “other” record available.

Along with adoption files, the Mission provided DHS with 8 volumes of children’s registers from the “Brighton Children’s Home” in Wilson Street Brighton and the “Darling Children’s Home”. The registers cover the period c.1890 to c.1960. Both homes appear to have been run by the Church of England’s Diocesan Mission later known as the Mission to Streets and Lanes. The entries in the registers relate to children of all ages from babies to teenagers. Some were placed with a view to adoption and others on a temporary basis. Some of the children were state wards. The earlier volumes are the most interesting and probably the most useful to AIS. The first entries are from the early 1890's and some of them clearly speak of adoption. Few of these early adoptions were later legalized through the courts; however, it is not certain that they appear in the defacto adoption register.

**Footscray/Western Hospital**

Adoptions arranged through the Footscray Hospital (later known as the Western General Hospital) occurred usually during the period c.1955-1970. In cases where the infant was born at Footscray but adopted through an agency other than Footscray a check of these records should still be made.

**Bethany Babies Home**

Bethany was unique as an adoption agency in that it was the only regional (non hospital) adoption agency in Victoria, serving Geelong and the western districts over many years. Despite the size of Bethany as an agency, the adoption records provided to AIS are minimal. The only records provided by Bethany are the “Infant or Babies Health Cards”. The records relate to infants’ health and progress during their stay at Bethany. Not all of the cards relate to babies placed for adoption. Some of the children were state wards and others were in Bethany on a temporary basis. Bethany provided no information to AIS about adoptive parents and their applications or natural mothers and the relinquishment.

**Private Adoptions & Agencies That Did Not Provide Records**

_Last Updated: November 2013_
Prior to 1964 adoptions could be arranged privately by solicitors, medical doctors or ministers of religion. Adoptions such as these rarely generated any records, other than the court records. These adoptions were, however, sometimes listed in the “de facto adoptions register”. In such cases it pays to check the de facto register as the natural father is sometimes named within the entry. If a child adopted privately was born at either the Royal Women’s or Queen Victoria Hospitals a check should be made of those agencies miscellaneous records. Some hospitals were actively arranging adoptions up until and sometimes beyond 1964 but did not provide any records to AIS upon the advent of adoption information legislation. The main hospitals that fit into this category are St Vincent’s Airlie (at Ivanhoe), Winston Private (at East Malvern), Vaucluse (at Brunswick) and PANCH (at Preston). Natural mothers who went through St Vincent’s sometimes stayed at the CFWB and in such cases there is some information available through CatholicCare. The original birth certificate of the adoptee will usually indicate if the mother was staying at a home for mother's run by one of the church agencies.

Some county hospitals were also responsible for arranging adoptions at different periods. There are a hand full of files within the A defunct register from both the Wangaratta and Echuca Hospitals. Other country hospitals, such as Warrnambool, Ballarat Base, Baxter House, and St John of God also arranged adoptions but no records were ever provided to AIS.

A group known as the Melbourne Family Care Organisation arranged a few adoptions in the 1960’s. The organisation has changed its name over the years and currently they are known as Oz Child. Contact this organization if records indicate that the Melbourne Family Care Organization arranged the adoption.

### 14.2 Departmental Adoption Records

Over the years the department, under different names, has created different kinds of adoption records. The following is a brief attempt at listing those records.

#### De Facto Adoption Register

The register for de facto adoptions, kept by the department, first started in 1908 and was kept until 1976. A De facto adoption was a term used to describe adoption prior to the first Adoption Act in 1928 when, it became law for adoptions to be sanctioned by a judge at a court. For most de facto adoptions prior to 1928 the original birth entry for the child will not have been stamped Adopted and a new birth/adoption certificate will not have been made up. A judge legalized some pre 1928 de facto adoptions after 1928, thus creating court records. Private adoption agencies and individuals arranging adoptions were required to inform the department of the adoptions they had arranged and hence, the details were entered in the de facto adoptions register. The information provided is indexed under both birth and adoptive names. After 1928 the de facto register was maintained despite the fact that adoptions were now undergoing a new legal process and being recorded by the Government Statist in the Adopted Children’s Register. The register is useful as it can quickly reveal the agency responsible for an adoption. Over the years, however, the register becomes less reliable as agencies gradually cease informing the department of the adoptions they’ve arranged.

#### Ward Adoptions

From early times the department, along with private agencies and solicitors etc, was responsible for the placement of children with adoptive parents. Many pre 1928 departmental placements were not legally adopted though the children did assume the surname of their adoptive/foster parents. Departmental placements were not, as a rule, recorded in the de facto register. Children placed by the department were nearly always wards of the state and therefore can be traced...
using the index to state wards. The ward registers will indicate if a ward was placed with a family in long-term foster care or with a view to adoption.

After 1928 adoptions arranged through the department, like all adoptions, had to be legalized through a court. Children placed in the department's care with a view to adoption were still made wards of the state and their ward file number was still recorded in the wardship indices. A new register, known as the Ward/Adoption register, was created at this time and it is still useful as a quick reference to verifying departmental adoptions and for locating ward numbers. The register was kept in date of adoption order.

In some departmental adoption cases a ward file is not available despite the clear evidence that the adoptee was a state ward. State ward numbers began last century at number 1 and it was not until relatively recently that the numbering system altered when the number was in the mid 90000's. There are few ward files available before 50000. In cases such as these the only departmental record obtainable is the individual entry from the ward register. This entry, though small, often contains vital information, such as the natural father's name. Many ward files within the number range 50000-c62000 are also unavailable.

**Non-Ward Adoptions**

After the 1964 Adoption Act the department embarked on a new administrative system with regard to adoption. Healthy infants placed in departmental care with a view to adoption were no longer automatically made wards of state. The department's Adoption Section placed them as soon as possible under the "non-ward adoption" system. The non-ward system began officially in 1966 and since that time the majority of adoptions arranged through the department have been non-ward adoptions. Non-ward file numbers can be obtained two ways. A register known as the "Non-Ward Adoptions Register" is kept. The first register covers the period 1966-1975 and records non ward adoptions in date of legalization order. The second register covers the period 1975-1989 and is indexed by both natural and adoptive name. Both registers reveal the file number for a particular non-ward adoption. A card index system for non-wards was also kept up until 1974/75. Separate card were made under the natural and adoptive name and both cards list the file number.

Non-ward file numbers look like the following: 68/237. The first two digits before the slash refer to the year of the adoption, in this case 1968. The digits after the slash refer to number of the adoption, i.e. adoption number 237. In peak years, circa 1968-1972, the department arranged over 300 non-ward adoptions yearly. In more recent years the number has sometimes dropped to below 50. With each New Year the adoption number reverts back to number 1.

Since some wards of the state were also adopted after 1966, departmental adoptions from that time on can relate to either a ward or non-ward adoption. A quick way of deciding between ward or non-ward is to note the date of adoption. If the adoption was legalized a considerable time after birth, i.e. 3-15 years, it is fairly certain that the adoptee was a ward prior to the adoption. Practically all non-ward adoptions were legalized within 18 months of the birth.

**Solicitors Adoptions and Departmental Legalizations**

As well as ward and non-ward adoptions departmental officers were also frequently called in to provide the legal requirements before an adoption could be granted. This is particularly so after the 1964 Adoption Act. In cases of spouse or relative adoption where the adopter may have been the natural mother's new husband or a natural parent's relative, a departmental officer was called in to provide a report to the court on the adopting parents. In cases were a child was placed with a family privately the court often appointed a departmental officer guardian ad litem of the child and then he or she would need to provide the court with the necessary reports.
It is important to remember in such cases that the child, or in some cases teenager, to whom the adoption relates is **not** under the legal care and guardianship of the department, as is the case with ward and non-ward adoptions.

From experience, it must be noted that these files generally only duplicate what is in the court records, i.e. affidavit of department worker and applicants. Some files in the past have provided important information. Also note that successful adoption applicants’ files were generally amalgamated with non-ward file thus accounting for some missing files. Some applicants also made multiple applications to adopt.
15. Defunct adoption agency indexes

FIND holds indexes of defunct adoption agency records.

Please note that these are not exhaustive and should be used as a reference only - for a thorough search, submit a search request to Information & Records Services.

Adoption indexes are located at:

F:\CYF FRIS FIND\FIND Program and Policy Documents\Defunct Agency Registers and Indexes

<table>
<thead>
<tr>
<th>Agency/Series</th>
<th>Estimated Number</th>
<th>Date Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bethany Babies Home</td>
<td>c.1700</td>
<td>1929-73</td>
</tr>
<tr>
<td>Defunct agency adoption file list</td>
<td>c.4500</td>
<td>1920-83</td>
</tr>
<tr>
<td>Footscray Hospital</td>
<td>c.500</td>
<td>1957-77</td>
</tr>
<tr>
<td>ILP Files</td>
<td>c.1400</td>
<td>1905-64</td>
</tr>
<tr>
<td>RWH Index Cards</td>
<td>c.30</td>
<td></td>
</tr>
<tr>
<td>Jewish Welfare Files</td>
<td>c.100</td>
<td>1964-85</td>
</tr>
<tr>
<td>Mercy Hospital – adoptive parents</td>
<td>c.300</td>
<td></td>
</tr>
<tr>
<td>Mercy Hospital – natural mother</td>
<td>c.400</td>
<td></td>
</tr>
<tr>
<td>Misc Haven &amp; City Mission Records</td>
<td>c.200</td>
<td>1942-69</td>
</tr>
<tr>
<td>Mission House Register</td>
<td>c.500</td>
<td>1924-58</td>
</tr>
<tr>
<td>Non ward adoptions</td>
<td>c.3500</td>
<td>1958-78</td>
</tr>
<tr>
<td>Petty Sessions – Supreme Court</td>
<td>c.40</td>
<td></td>
</tr>
<tr>
<td>PRO series CWD Ward Files</td>
<td>c.2000</td>
<td>c. before 1937</td>
</tr>
</tbody>
</table>
Records - FWS

16. Wardship and ILP records held at Information & Records Services

In addition to Ward Files, the following records relating to former Wards of State are held at Information & Records Services. These records can assist in determining whether or not a person was a State Ward or placed under Infant Life Protection.

Please note that this is not a complete listing of records held by Information & Records Services relating to former Wards of State.

- **Term Expiry Index. 1891-1985. (Microfiche)**
  - commonly known as the 'Birthday Book”. Lists State Wards month by month by Date of Birth. Index lists males and females separately. Term Expiry refers to the ward’s 18th birthday whereby Departmental guardianship typically ended.

- **Parents of Children Index. 1910-1986. (Microfiche)**
  - Index of Parent of children made State Wards. Not commonly used to confirm Wardship but may be of assistance.

- **Children’s Index. 1864-1966. (Microfiche)**
  - List of State Wards by Surname. Quality of the copy on microfiche is often poor. Listings are alphabetical according to the first vowel after the first letter i.e. Smart, Smith, Sutherland.

- **Children’s Registers Old Series 1864-1899 (Microfiche)**
  - Provides an actual copy of the Ward Register and corresponding history of care. Must know a Ward number to locate information on these registers.

- **Ward Index Cards. C.1950- c1988 (Microfilm)**
  - Is a copy of the Departments card index system up until database superseded this method of record keeping. A comprehensive index recording State Wards, Youth Welfare Clients as well as other categories where orders were made for Departmental intervention. Note that from the 1960’s the Adoption Section had a separate card index system

- **Infant Life Protection Registers 1905-1964 (Microfilm)**
  - Provides Index and ILP history of children placed under the Infant Life Protection system. ILP was different from Wardship; however, many children placed under ILP went on to become State Wards. Some files to ILP are held at Archival Services. Ratio of client files to Children under ILP is very small.
### 17. Acronyms and terms used in Ward Records

For a more comprehensive glossary see F:\CYF FRIS FIND\FIND Program and Policy Documents\Resources\Acronym Glossary.doc

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>BU</td>
<td>Bring up (administrative instruction)</td>
</tr>
<tr>
<td>DCWS</td>
<td>Department of Community Welfare Services</td>
</tr>
<tr>
<td>IURC</td>
<td>Inner Urban Regional Centre</td>
</tr>
<tr>
<td>NASWB</td>
<td>Admitted Social Welfare Branch (?)</td>
</tr>
<tr>
<td>NESRC</td>
<td>North Eastern Suburbs Regional Centre</td>
</tr>
<tr>
<td>NFPA</td>
<td>No fixed place of abode</td>
</tr>
<tr>
<td>NOW</td>
<td>Northwest One Stop Welfare Centre</td>
</tr>
<tr>
<td>NPSN</td>
<td>Not provided with sufficient nursing</td>
</tr>
<tr>
<td>NVMS</td>
<td>No visible means of support</td>
</tr>
<tr>
<td>PA</td>
<td>Put Away (administrative instruction)</td>
</tr>
<tr>
<td>PMED</td>
<td>Physical Mental and Emotional Development in jeopardy</td>
</tr>
<tr>
<td>Probation</td>
<td>If a Ward was placed outside institutional care, he/she was so placed on ‘Probation’. This did not mean that he/she had committed an offence. It reflects the historical practice that when a child was made a Ward through Court they were actually charged (with being neglected, etc) and so when placed in the community at a later stage they were placed “on probation”.</td>
</tr>
<tr>
<td>RDO</td>
<td>Returned per Directors Orders</td>
</tr>
<tr>
<td>SCIS</td>
<td>Statutory Client Information System</td>
</tr>
<tr>
<td>Section 35(1) Application</td>
<td>“In need of care and protection” SW Act 1970</td>
</tr>
<tr>
<td>TE</td>
<td>Term Expiry (usually refers to date of the Ward’s 18th birthday, though wardship may have actually been discharged prior to or following this date)</td>
</tr>
<tr>
<td>WYWS</td>
<td>Western Youth Welfare Service</td>
</tr>
</tbody>
</table>
Historical Information

18. Historical Timeline – Events relevant to Former Wards in Victoria

The following is taken from the Submission by the Government of Victoria to the Senate Inquiry into Children in Institutional Care, 2003.

For more detailed historical information, including a brief history of child welfare in Victoria, see the full Submission (a copy is located at F:\CYF FRIS FIND\FIND Program and Policy Documents\Resources\Former Wards).


Chronology of Some Events of Relevance to the Submission by the Victorian Government to the Senate Inquiry into Institutional Care.

1864     Neglected and Criminal Children’s Act 1864
1866     Industrial Schools Department established
1874     The Neglected and Criminal Children’s (Amendment) Act 1874
1887     The Neglected Children’s Act 1887
          The Juvenile Offenders Act 1887
          Department for Reformatory Schools and Neglected Children's Department established
1890     Infant Life Protection Act 1890
          The Neglected Children’s Act 1890
1907     Infant Life Protection Act 1907
1919     Maintenance of Children Act 1919
1924     The Neglected Children's Dept became the Children's Welfare Dept
1928     Children’s Welfare Act 1928
          Children’s Court Act 1928
          Adoption of Children Act 1928 (first legal adoptions in Victoria)
1933     Children’s Welfare Act 1933
1935     Children’s Welfare Regulations 1935
1954     Children’s Welfare Act 1954
          Abolition of the Department of Reformatory Schools, retention of Children’s Welfare Department
1955     Children’s Welfare Regulations 1955

Last Updated: November 2013
Children’s Welfare Advisory Council established to advise Minister of changes to practice and procedure.

1956

*Children’s Court Act 1956*
*Children’s Court Regulations 1956*
*Children’s Welfare (Amendment) Act 1956*

Report of Juvenile Delinquency Advisory Committee (Barry Report).

‘Winlaton’ Youth Training Centre opens, the first of a wide range of residential facilities for children and young people to be directly managed by the Department in addition to the Royal Park Depot (renamed Turana).

1957

Superintendent of Training appointed by the Department to commence training for residential care staff.

1958

‘Child Care Staffs in Institutions’ Report (Merritt for Children’s Welfare Advisory Council).
*Children’s Court Act 1958*
*Children’s Welfare Act 1958*

1959

*Children’s Court Regulations 1959*

1960

*Social Welfare Act 1960*

Establishment of the Social Welfare Department. Youth Advisory Council established.

1961

Training courses for residential child and youth workers commence.

1962

*Social Welfare Regulations 1962*
*Children’s Welfare (Reception Centres) Act 1962*
*Children’s Welfare Assistance Act 1962*

1963

Establishment of a Departmental Family Counselling Service aimed at preventing family breakdown and reducing the necessity for residential child care.

1964

*Children’s Court Amendment Act 1964*

Publication of ‘Children Who Need Help’ by Mr L Tierney (Melbourne University Press) the first study of the sociological and personal characteristics of children in care in Victoria and their relationship with their natural families.

1965

Survey of Child Care in Victoria (1962-1964) (Merritt for Chief Secretary’s Department).

1970

*Social Welfare Act 1970* (also known as *Community Welfare Services Act 1970, Community Services Act 1970*)

‘Standards for Children Homes’ published (prepared by Appointed Committee for Chief Secretary).

First non-residential Youth Welfare Services established as an alternative to residential sentences.
1971 Transfer of political responsibility for welfare from Chief Secretary to first Minister for Social Welfare.

1972 Director of Regional Services appointed and the first of eighteen Regional Centres (Geelong and Preston) opened.

Welfare Services Fund established to support community services agencies (including children’s homes) with special projects.

Responsibility for capital (building) grants for children’s homes transferred from Hospital and Charities Commission to the Department.

1973 Social Welfare (Amendment Act) 1973

Social Welfare Act 1973

Children’s Court Act 1973

Department begins to develop regional Family Support Services (financial counselling, family supportive grants, family support units) to support families in their homes and local communities and reduce admissions to care.

Commonwealth pension for single mothers introduced.

‘Survival Campaign’ mounted by Children’s Welfare Association for reform of funding of children’s homes and foster care agencies.

1974 Children’s Court Regulations 1974

Policy and Planning Unit established within the Department.

1975 Social Welfare Amendment Act 1975 (No. 8701)

Social Welfare Amendment Act 1975 (No. 8821)

1976 Report of the Committee of Enquiry into Child Care Services (Norgard Report) recommends that prevention be the focus of a state-wide family welfare program.

1976 ‘Establishment Grants’ for foster care agencies increased from $5,000 to $20,000 to encourage development of regional foster care programs.

Aboriginal Support Unit established in Youth Welfare Division.

1977 Family and Community Services (FACS) program introduced to encourage community involvement in the planning and provision of services.

Regional Councils for Social Development (RCSD) established to plan and disburse funds.

1978 Community Welfare Service Act 1978

Revised funding strategies introduced to support non-government children’s homes for ongoing operations and conversion to family group homes.


Departmental name to change to Department of Community Welfare Services.

Introduction of corporate planning practices within the Department.
Supervision of all wards, children’s homes and family group homes transferred to Regional Centres. Residential Child Care section continues with planning and consultancy functions.


Human Services Programs Report published.


1985 Departmental name change to Department of Community Services, then to Community Services Victoria to reduce confusion with the Federal Department of Community Services.

Adult corrections function transferred to new Office of Corrections.

State-wide Services Redevelopment (SRD) process commenced.

1988 Separate Child Protection Service Branch established.

Establishment of the ‘Children at Risk Register’ of reported cases of child abuse and neglect.


Protective Services for Children in Victoria: An Interim Report (Review by Mr Justice Fogarty).

1991 ‘Families First’ Program aimed at reducing need to remove children from parental care. Other intensive family based services commenced.

1992 Funding and Service Agreements between the Department and funded agencies introduced.

1993 Department of Health and Community Services created.

Client and Service Information System (CASIS – the child protection database) commences.
New standards and guidelines for the voluntary placement of children in residential, family and community service placements introduced.

Commencement of a major redevelopment of Accommodation and Support Services for children and young persons.

Introduction of mandatory reporting of sexual and physical abuse. Protective Services for Children in Victoria (Review by Mr Justice Fogarty)

1995 Child, Adolescent and Family Welfare Consultative Committee established to replace the Victorian Family and Children’s Services Council

1996 Department of Human Services created

1999-2002 Audits of out of home care services conducted. Increased funding and development of new service standards.

2002 Integrated Strategy for Child Protection and Placement Services published. Supporting Vulnerable Families and Best Start projects commence

More recent significant events:

2001 Senate Inquiry - Lost Innocents: Righting the Record (Child Migrants)

2004 Senate Inquiry - Forgotten Australians: A report on Australians who experienced institutional and out-of-home care as children

2006 Victorian Government Apology to Forgotten Australians (9 August 2006)

2009 Senate Inquiry into the Implementation of the Recommendations of the Lost Innocents and Forgotten Australians Reports, 2009

2009 Federal Government Apology to Forgotten Australians and former child migrants (16 November 2009)

2010 Establishment of Open Place (Victorian support service)

Memorial to Victorian Forgotten Australians unveiled at Southbank Promenade (25 October 2010)

2009-2012 Establishment of Find & Connect services Australia-wide

2013 Royal Commission into Institutional Responses to Child Sexual Abuse established

Last Updated: November 2013
## 19. Historical Timeline – Events relevant to Adoption in Victoria

<table>
<thead>
<tr>
<th>YEARS</th>
<th>LEGISLATION</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pre 1928</td>
<td>No specific legislation</td>
<td>De facto adoption register begins 1908</td>
</tr>
</tbody>
</table>
| 1928 | **Adoption Act 1928** | Required child’s parents to give consent to the adoption  
Adoptive parents had legal status of parents |
| 1960s | | Adoption of ‘illegitimate’ children  
Culture of secrecy – to protect from stigma of illegitimacy and inability to conceive |
| 1964 | **Adoption of Children Act 1964** | End of private adoption arrangements in all states  
Adoptions arranged by numerous approved adoption agencies (including some hospitals)  
Welfare and interests of child becoming paramount |
| 1973 | Supporting Mother’s Benefit introduced | |
| 1973 | Council of Single Mothers and their Children (CSMC) established | |
| 1982 | Association of Relinquishing Mothers (ARMS) established | |
| 1984 | **Adoption Act 1984** | - Beginning of ‘open’ adoptions  
- Access/contact between birth and adoptive families now possible  
- Adopted persons able to receive identifying information about birth family  
- Adoption Information Register established  
- Natural fathers required to give consent  
- Number of approved adoption agencies greatly reduced |
| 2013 | **Amendments to Adoption Act 1984** | - Natural parents entitled to receive identifying information about their adult adopted child;  
- Adopted persons able to lodge a Contact Statement |
## 20. Departmental Name Changes 1945-Current

<table>
<thead>
<tr>
<th>Period</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1945 –1960</td>
<td>Children’s Welfare Department – under the Chief Secretary’s Department</td>
</tr>
<tr>
<td>1960-1978</td>
<td>Social Welfare Department</td>
</tr>
<tr>
<td>1978- 1984</td>
<td>Department of Community Welfare Services</td>
</tr>
<tr>
<td>1984-1992</td>
<td>Community Services, Victoria</td>
</tr>
<tr>
<td>1992-1995</td>
<td>Health and Community Services</td>
</tr>
<tr>
<td>1995-current</td>
<td>Department of Human Services</td>
</tr>
</tbody>
</table>
21. List of Government run homes and institutions

For latest list, please refer to Find & Connect Website   www.findandconnect.gov.au

Aboriginal Youth Support Service (c. 1973 - )
Acheron Youth Training Centre (c. 1966 - )
Allambie Reception Centre (1961 - 1990)
Ashendene Boys' Home (1966 - 1988)
Ballarat Industrial School (1869 - c. 1879)
Ballarat Reception Centre (1961 - 1978?)
Baltara Reception Centre (1968 - c. 1992)
Bendigo Benevolent Asylum Industrial School (1868 - 1885)
Bendigo Reception Centre (1965 - 1966)
The Deborah (1864 - 1873?)
Department of Mental Hygiene (1934 - 1944)
Family Group Home Program (1956 - 1990?), Children's Welfare Department
The Gables (1962 - c. 1985)
Geelong Industrial School (c. 1865 - )
Government Reformatory for Protestant Girls (1864? - 1893)
Hawthorn Youth Welfare Service (1970 - )
Hillside Boys' Home (1959 - c. 1985)
Illoura Children's Home (1964 - 1984)
Inspector of Public Charities (c. 1880 - 1923)
Janefield Colony (1937 - 1996)
Kew Children's Cottages (1887 - 2008)
Lady Dugan Children's Home (1970 - 1976)
Langi Kal Kal Youth Training Centre (1965 - 1993)
Melbourne Youth Justice Centre (1993 - )
Melbourne Youth Residential Centre (1999 - )
Mental Health Authority (1962 - 1978), State of Victoria
Mental Hygiene Branch (1944 - 1959)
Miralee Reception Centre (1963 - )
Moorakyne Hostel (1942? - c. 1988)
The Nelson (1868 - c. 1878)
Northcote Farm School (c. 1936 - 1979)
Nunawading Youth Residential Service (1991 - 1993?)
Pleasant Creek Colony (1937 - c. 2000)
Reformatory for Boys (1864 - 1893)
Royal Park Depot (c. 1880 - 1955)
Royal Park Industrial School (1875 - c. 1887)
Sanatory Station (c. 1867 - c. 1868)
Sandhurst Boys' Home (1956? - )
The Sir Harry Smith (1865 - 1873)
The Success (1868 - 1873?)
Sunbury Industrial School (1865 - 1880?)
Sunshine Boys' Hostel (1959 - )
Sutton Grange (1957 - 1977)
Travancore (1933 - )
Turana (1955 - 1993)
Western Youth Welfare Service (1975 - ?), State of Victoria
Windsor Youth Welfare Service (1973 - )
Winlaton (1951 - c. 1991)
22. Youth training centres and sections

Please note this list is not exhaustive.
For further information about Youth Training centres, refer to www.findandconnect.gov.au

<table>
<thead>
<tr>
<th>TURANA</th>
<th>BALTARA</th>
<th>MALMSBURY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Blue Gables</td>
<td>Warrawong</td>
<td>Apollo</td>
</tr>
<tr>
<td>Green Gables</td>
<td>Mawarra</td>
<td>Eureka</td>
</tr>
<tr>
<td>Quamby</td>
<td>Parkside</td>
<td>Crimmins</td>
</tr>
<tr>
<td>Coolibah</td>
<td>Akora</td>
<td>Shepherd</td>
</tr>
<tr>
<td>Sunnyside</td>
<td>Kinta</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ALLAMBIE</th>
<th>WINLATON</th>
<th>ABORIGINAL HOSTELS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kurrajong</td>
<td>Karingal</td>
<td>Gunnai Lodge (Dandenong)</td>
</tr>
<tr>
<td>Warratah</td>
<td>Gunyah</td>
<td>Bert Williams Hostel</td>
</tr>
<tr>
<td>Mimosa</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tecoma</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Heath</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cassia</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Memorandums of Understanding

23. Memorandum of Understanding: AFRS (FIND) – Information & Records Services

Please note this is currently being updated

MEMORANDUM OF UNDERSTANDING

Department of Human Services, Adoption and Family Records Service & Archives

July 2002

Background

The Adoption and Family Records Service (AFRS) operates as an independent program within the Family Records and Intercountry Services Unit (FIRSU).

Since August 2003, the Adoption and Family Records Services (AFRS) has had statutory responsibility for processing all requests for access to documents held in the Department of Human Services (DHS) that are made by former wards of state and their families. These requests are usually made in accordance with the Protection of Information Act 1987 (the Act), which requires that a decision whether to release the requested documents be given to the applicant within 45 days of receipt of the agency.

DHS Archival Services are responsible for the storage and retrieval of departmental documents, including those relating to the above-mentioned requests. DLG documents are stored either at the Public Records Office of Victoria (North Melbourne) or the Central Records Unit of Human Services (Sturt Street Melbourne).

This Memorandum of Understanding (MOU) sets out how AFRS and Archival Services will work together in the processing of FOI requests.

Search definitions

There are five categories of search undertaken by Archival Services: Ward, Psychiatric, Disability, Medical and Child Protection.

As AFRS do not process FOI requests pertaining to Child Protection records, this category is not referred to here.

1. Ward records are understood to include:
   - Ward Register entry/Ward Index card
   - Ward file
   - If no file, sibling's ward register entry, ward index card and Ward file
   - ILP register entry
   - De facto adoption register entry
   - Any personal or institutional file that concerns the above named person.
   - If nil result search Children's Protection Society Records (formerly Victorian Society for Prevention of Cruelty to Children) from 1972 onwards

2. Psychiatric records are understood to include:
   - Records from any psychiatric or mental health agency or institution held by the Departmental archival services

3. Disability records are understood to include:
   - Any Department of Human Services Disability file up to 1985

4. Hospital records are understood to include:
   - Records from Royal Children's Hospital (Tasmanian psychiatric records only from 1940-1950)
   - Heidelberg Hospital records (psychiatry card index only from 1949-1992)

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Archival Services' Responsibilities

For each FOI request submitted:

a) Search records to identify the requested documents and confirm that the subject documents are in the possession of the Central Records Unit or the FROV and
b) Retain and forward a scanned copy of the requested documents to ARPS
c) The documents should be forwarded in ARPS by close of business of the date indicated on the request form.
d) When the timeline cannot be met, advise the FRIS Registry/Administration Team Leader in writing of the cause of the delay and expected completion date as soon as possible.
e) Where no documents can be located please advise whether:
   - Documents do not exist and it is likely that the applicant's subject is not a former client of the department or
   - Documents do exist but cannot be located and
   - The steps taken in searching for these documents including details of the identification of the officers who took part in the search and the amount of time taken.

Details from (e) are communicated to applicants as part of the decision given to their request and are also recorded should the applicant pursue the matter to the Ombudsman and/or the Victorian Civil and Administrative Tribunal.

ARPS Responsibilities

a) Submit all requests for records to Archival Services in writing.
b) Provide Archival Services with 14 calendar days in which to complete search.
c) Must provide sufficient and specific detail to ARPS as to requirements of the applicant ARD

d) Relevant details in addition to the request form must be added to the Archives Request form

Communication and Review

The current MOU will be held in the Fi/ARPS/ARREAS folder (shared by ARPS and Archival).

ARPS nominates the FRIS Registry/Administration Team Leader as their key contact for management of this MOU.

Archival Services nominates the Team Leader, FOI Requests Team as their key contact for management of this MOU.

Review

The nominated personnel or their delegates will formally review this MOU on an annual basis.

Any issues associated with the implementation of this MOU must be reported immediately to the nominated personnel who in turn will consider whether amendments to the MOU are required outside of the regular review cycle.

Any amendments to the MOU must be formally endorsed by both units and preceding versions of the MOU must be not be used.
Maggie Lockhart, Acting Manager for Registry/Administration Team Leader Adoption & Family Records Service

Date: 26/11/2011

Catherine Green
Team Leader, POI Request Team
Archival Services

Date:
Protocol between the Freedom of Information Unit and the Adoption and Family Records Service

Statement of Purpose

The purpose of establishing a Freedom of Information (FOI) function at the Adoption and Family Records Service (AFRS) is to provide supportive and enhanced record release in relation to requests for access to records by former Wards of State.

This protocol outlines the working arrangements by which the FOI Unit and AFRS will operate in relation to Freedom of Information requests lodged by former Wards of State and FOI requests involving adoption records.

Parties to the Protocol

The Freedom of Information Unit and the Adoption and Family Records Service.

Background

Under the Freedom of Information Act 1992, the department's FOI Unit currently receives approximately 350 FOI requests for access to Ward of State records each year.

Between January 2004 and March 2005 the FOI Unit and AFRS conducted a joint project to pilot a single-track service for former Wards of State seeking access to their departmental records. The service combined access to records together with support services such as counselling and family searches. The special relationship between the department and former Wards of State regarding record access and support in this process was first recognised in 1993 when the position of Former Ward Worker was established in AFRS. In 1997 the then Minister agreed to waive all fees for former Ward FOI requests. The recent Senate Inquiry into care leavers (which includes former Wards) highlighted the enduring and significant nature of issues experienced by these individuals.

This protocol extends the arrangements commenced in 1993 by removing the ambiguity of the dual FOI entry arrangements existing prior to the protocol and ensures that all former Wards are responded to in a consistent and supportive manner.

Protocol

This protocol establishes procedures for the ongoing management of FOI requests lodged by former Wards of State and those involving adoptions. The responsibilities of the parties are as follows:
AFRS will be responsible for responding to all FOI requests identified below as the original decision maker:

- Requests from individuals who were formerly an "Guardianship to the Director General" court orders ("Wardship, and where these orders expired prior to 1985) and
- Request access to records relating to themselves or
- Such a request is lodged on behalf of a former Ward (by their agent)
- Requests from individuals seeking access to documents relating to a period prior to their adoption.

The FOI Unit will be responsible for responding to:

- all other FOI requests (other than those ordinarily processed by Regional FOI staff).

The FOI Unit will retain responsibility for conducting all Internal Reviews and proceedings before the Victorian Civil and Administrative Tribunal (VCAT), as per the current arrangements for the department.

Administrative arrangements for implementation of the protocol:

In situations where AFRS receives requests that are the responsibility of the FOI Unit to respond to, AFRS commits to the prompt written notification (to both applicant and the FOI Unit) and transfer of these requests to the FOI Unit.

Similarly, in situations where the FOI Unit receives requests that are the responsibility of AFRS to respond to, the FOI Unit commits to the prompt written notification (to both applicant and AFRS) and transfer of these requests to AFRS.

In instances where AFRS undertakes a search on behalf of an applicant who believes that they are a former Ward of State and these searches identify that the applicant had no relationship (and therefore no records) with the department, AFRS will respond directly to such applicants and not transfer these requests to the FOI Unit.

Other routine matters:

In relation to the ongoing relationship between the two Units, for all intents and purposes, AFRS will be treated as and receive levels of support that are currently provided by the FOI Unit to Regional FOI Co-ordinators. Such support includes:

- Provision of advice in relation to particular requests
- Inclusion in practice development initiatives (such as the Practice Issues Forum)
- Regular meetings to discuss matters of mutual interest or importance

The FOI Unit co-ordinates the department's responsibilities in reporting on FOI activity and AFRS will provide statistical reports to the FOI Unit for this purpose, as required.

Nominated officers responsible for implementing the protocol

The FOI Unit nominates the FOI Social Worker (Ms Milly Evans) as the contact within FOI Unit for management of this protocol.

AFRS nominates Senior Counselor (Mr Fletcher Tame) as the contact within the Unit for the management of this protocol.
Review Mechanism for Protocol

The protocol will be reviewed by the nominated managers after a period of six months and in particular, shall examine whether the AFRS applicant target group should be widened to include relatives of former Wards of State and FO1 de facto adoption applications.

Authorising Officers

This protocol is authorised by:

Vicki Pridmore
Director Portfolio Services
21/9/05

Laurie Harkin
Regional Director
Southern Metropolitan Region
Date: 19.09.05
25. Processes between DHS and Metropolitan Remand Centre


Attention: DHS Location

DHS Processes between Department of Human Services and the Metropolitan Remand Centre

Please find attached two handouts outlining the processes between the Department of Human Services (DHS) and the Metropolitan Remand Centre (MRC).

The first handout outlines the process in arranging a telephone or video link up between DHS and MRC and the second handout outlines the process for requesting permission to enter MRC.

Any queries regarding this information please contact Stefanie Le Presti on 9217 6060.

Yours sincerely,

Stefanie Le Presti
Offender Services Coordinator
If the Department of Human Services (DHS) wishes to have a Conference Call or Video Link Up with a prisoner, DHS will need to fax an official letter to the Metropolitan Remand Centre, Offender Services department on 9217 7673. This letter needs to be faxed 48 hours prior to the call.

The letter, on a DHS letterhead needs to state the following:

- Prisoner details
- Date, time and duration of the call, video link (Remember that the requested time is not always guaranteed, if the requested time cannot be granted, the Records department will suggest an alternative time.)
- Purpose of the call/video link
- DHS contact details (including contact person and contact number)

The Offender Services unit will conduct background information checks to ensure the prisoner receives any support he or she needs during or after the call/video link. Once the check has been completed the Offender Services Officer will notify the Records department.

Once the Records staff have received the request, a booking will be made according to the above schedule. The Records department will then contact DHS either via fax or by phone to notify of the time and phone number they will be required to call for the call/video link.

Once the phone number has been confirmed DHS will be required to phone the number directly where the prisoner will be present for the call/video link. No officers need to be present as the calls are screened.

If there are any questions regarding the above information please contact Stathene Lo Presti on 9217 7666.
If the Department of Human Services (DHS) wishes to facilitate child access visits for a prisoner or wishes to arrange an assessment/interview with a prisoner, DHS will need to fax an official letter to the Metropolitan Remand Centre, Offender Services Department on 9217 7579. The letter needs to be faxed 4 days prior to the visit or interview/assessment requested date.

The letter, on a DHS letterhead needs to state the following:

- Prisoner details
- Children's details
- Dates, times and duration of visit (if you wish to enter VRIC on more than one occasion, you must list each day that you wish to attend. All visits should not exceed 1 hr)
- Purpose of visit or assessment/interview
- Name, DOB and Driver's Licence number of DHS person requesting permission to enter
- DHS contact details (including contact person and contact number)

The Offender Services Unit will be responsible for ensuring that this letter is sent to the Corrections department for approval. The Corrections will conduct the necessary security checks and will either approve or decline the application before sending it to an Operations Manager. The Operations Manager will have the final say in whether an application is approved or declined. Once a decision has been made, the paperwork will be signed and sent to the Gate House where all Professional Visitors are registered and processed.

To check if a Request to Enter has been approved you can call the Metropolitan Remand Centre switchboard on 9217 7777.

If there are any questions regarding the above information please contact Stefanie Lo Presti on 9217 7666.
26. Guidelines for responding to Trustee Requests

Wardship or fostering (no adoption)

Requests from the State Trustee, interstate trustees and their agents relating to wardship or fostering should in most cases be referred to DHS FOI UNIT. DHS has a Deed of Agreement with the State Trustees (a copy of this is located in F:\CYF FRIS FIND Exec\Stakeholders\Stakeholders Protocols). DHS (the DHS FOI Unit) will assist the State Trustees and provide information about former clients of the Department where they are beneficiaries of a deceased estate.

The other option is a referral to BDM who have their own agreements with the State Trustees re the release of information where there is a deceased estate.

Adoption

Information regarding an adoption is released only to eligible parties under the Adoption Act. This does not include Trustees.

If the trustees are in contact with an eligible party, suggest that the eligible party make an application to FIND and provide the application form.

Where a bequest has been made in a will to an adopted person, but details of this person are unknown, Section 55 of the Adoption Act allows for the provision of identifying information about an adopted person to the Victorian State Trustee (NB this provision is for the Victorian State Trustee only, not other trustees).

As in the case of former wards, it is an option for a Trustee to apply to Births, Deaths and Marriages who will assess applications on a case by case basis - e.g. in the event there are no eligible applicants (Section 48 of the Births, Deaths and Marriages Registration Act 1996 provides for the Registrar to consider individual applications for information).
DEED OF AGREEMENT

THIS AGREEMENT IS MADE THE __________ DAY OF __________, 2008

BETWEEN

STATE TRUSTEES LIMITED
168 Exhibition Street
Melbourne, Victoria
ACN 064 593 148
(State Trustees)

AND

SECRETARY, DEPARTMENT OF HUMAN SERVICES
50 Lonsdale Street
Melbourne, Victoria
(DHS)

RECITALS:

A. In carrying out its lawful duties and responsibilities, including as set out in the State Trustees (State Owned Company) Act 1984, Trustee Act 1958, other Acts, court orders and its legal and equitable obligations, State Trustees requires access to the information and makes applications to the DHS for such access from time to time.

B. In providing access to information to State Trustees, DHS wishes to ensure that it complies with its legal obligations, including those set out in the Freedom of Information Act 1982 and the Information Privacy Act 2000.

C. The parties have set out in this agreement the terms upon which State Trustees may obtain and DHS may provide access to information.

D. DHS will provide information to State Trustees under this agreement pursuant to section 18 (2) of the Freedom of Information Act 1982, which permits DHS to "administratively release" documents if it is proper for DHS to do so.

E. This agreement reflects the parties' desire to balance privacy protection and public interest in distributing trusts and estates and administering the affairs of Represented Persons. DHS and State Trustees recognize the importance of simplifying and strengthening their relationship.
THE PARTIES AGREE:

1. Definitions

1.1 In this agreement:

**Information** means information held by DHS concerning the names, addresses or personal details of persons who are identified by STL as being potential beneficiaries of deceased estates administered by STL, and biographical information relating to deceased persons whose estates are administered by STL.

**The Purposes** means lawful purposes of State Trustees in carrying out its duties and responsibilities in relation to the search for beneficiaries and/or next of kin (and their representatives) of deceased estates and trusts, its role of financial and legal administrator for Represented Persons and work undertaken as agents on behalf of property authorised administrators.

**Represented Persons** means a represented person within the meaning of the Guardianship and Administration Act 1986 in respect of whose estate State Trustees is administering.

2. Obligations of State Trustees

2.1 State Trustees acknowledges and agrees that:

(a) the Information includes confidential information, and any Information provided to State Trustees by DHS will be treated by State Trustees as confidential, in accordance with its usual protocols;

(b) all applications for access submitted by or on behalf of State Trustees will be made by State Trustees for The Purposes;

(c) any Information provided to State Trustees by the DHS under this agreement will be stored securely by State Trustees;

(d) any Information provided to State Trustees by DHS will only be used for the Purposes, and not for any additional purposes;

(e) it will respond to and report to DHS without delay, any unauthorised access to, or disclosure, modification or misuse of Information;

(f) it will supply a letter on State Trustees letterhead, or an agreed application form with each application for the Information. That letter or application form must state the following:

(i) State Trustees' role and the evidence attached supporting the application. Acceptable evidence is any one of the following (as applicable in the given case):
(A) a letter declaring State Trustees will be applying for letters of administration / probate;

(B) a letter declaring State Trustees has the authority to administer the estate (small estates only);

(C) a certified copy of grant of probate / letters of administration;

(D) a certified copy of the will;

(E) a certified copy of the guardianship or administration order;

(F) a certificate issued under section 19 of the State Trustees (State Owned Company) Act 1994; or

(C) written authority from Agent / Client;

(ii) the name of the Client / Trust / Estates;

(ii) State Trustees' reference number; and

(iv) a State Trustees contact name and telephone number; and

(g) if the information supplied is of no use for the Purposes, it will not be retained and will be securely destroyed.

(h) State Trustees agrees not to disclose the information or give any third party access to the Information, except for the Purposes or otherwise as required by law.

(i) where any use of the Information other than a use for the Purposes is required by law, State Trustees will notify DHS and given DHS an opportunity to respond to State Trustees or the relevant authority, in relation to the proposed use.

(j) any original documents shown by DHS to State Trustees remain the property of DHS, and no original documents will be provided by DHS to State Trustees.

(k) State Trustees will comply with the Information Privacy Act 2000 in relation to its use of the information.

(l) in order for DHS to fulfill its obligations under section 33 (3) of the Freedom of Information Act 1982 and the Information Privacy Act 2000, DHS will, prior to granting State Trustees access to the information, first contact the person(s) (or in the case of a deceased person, that person’s next of kin) who is the subject of the Information and use reasonable
endeavours to obtain the consent of the person's (or in the case of a deceased person, that person's next of kin) to the disclosure of the information to State Trustees.

(m) in the event that a person or persons (or in the case of a deceased person, that person's next of kin) refuse to give consent to DHS providing their information to State Trustees, DHS will not provide any information to State Trustees in response to State Trustees' request; and

(n) in the event that DHS is unable to obtain consent but consent has not been refused, DHS must consider whether the disclosure to State Trustees would be an unreasonable disclosure within the meaning of section 33 of the Freedom of Information Act 1992 and, if not, disclose the information to State Trustees under section 33 (3) of that Act.

3. Obligations of DHS

3.1 In consideration of State Trustees complying with its obligations under this agreement:

(a) DHS agrees, subject to obtaining the consent of the individual’s concerned or forming the view that disclosure is reasonable, to provide to State Trustees the information upon request by State Trustees in the form set out above, in the form of copy documents provided to State Trustees; and

(b) DHS acknowledges that the information is required by State Trustees for the Purposes.

4. Indemnity

4.1 State Trustees agrees to indemnify DHS in respect of any claim arising from:

(a) any breach of a third party’s privacy rights by State Trustees, its officers, employees, agents or subcontractors; and/or

(b) any breach of the Agreement by State Trustees, its officers, agents or subcontractors.

4.2 For the purposes of this clause 4:

(c) “Claim” means all demands, rights, actions, suits or proceedings of any kind, for damages, costs, expenses or otherwise; and

(b) “DHS” includes the Secretary to the Department of Human Services, the State of Victoria and its officers and employees.
5. General

5.1 This agreement will commence upon execution by the parties and continue in force until terminated by either party. Either party may terminate the agreement upon giving 30 days written notice to the other party, to be sent to the following address:

To State Trustees:
160 Exhibition Street
Melbourne 3000
Attention: Mr Rod Skilbeck

To DHS:
Archival Services
50 Lonsdale Street
Melbourne 3000
Attention: Manager, Information and Records Services

EXECUTED AS A DEED

THE CORPORATE SEAL of SECRETARY TO THE
DEPARTMENT OF HUMAN SERVICES was affixed
in the presence of:

[Signature]

Date: [Date]

THE COMMON SEAL of State Trustees Limited
(ACN 064 593 148) was affixed in accordance
with its constitution in the presence of:

[Signature]

Date: [Date]

[Signature]

Name of Company Secretary (Your Letter)

Date: [Date]
28. Buddy Guidelines- Roles and Responsibilities

Planning/Review
The success of any supportive relationship is heavily influenced by planning. Whilst this is a guide regarding roles, a planning meeting should occur between the buddy, new starter and team leader in which roles and more specific tasks can be discussed and agreed.

Whilst the team and buddy contribute to the support of a new starter ultimate responsibility for the new starter lies with the team leader. It is therefore essential that there are feedback mechanisms in place to ensure the team leader can monitor the progress of any new starter. Roles and responsibilities should be jointly reviewed throughout the new starter’s induction. How this achieved can be agreed at the initial planning meeting; however it may be the buddy joins the new starter’s supervision for a proportion of the time to discuss progress and review the support being provided.

Team Leader (T/L)
- The team leader will provide the initial training and induction to processes, on issues such as editing, legislation and history of FIND and clients.
- Provide Information about Employee Conditions and HR processes
- Introductions with staff and management on Level 20 and give tour of workplace
- Develop orientation timetable for new starter
- Provide information and documents regarding Policies, Health and Wellbeing, training and development.
- Provide supervision to new starter and buddy (where applicable). Identify learning styles of each with a view to facilitating the relationship and new starters learning.
- Ensure you have covered 'New Starter Checklist.'
- The relevant TL to provide the initial discussion and overview of the AIS/FWS programs, and explanation of the respective acts.
- Provide 2nd layer checks in conjunction with buddy. It is proposed that during the 1st month the TL will provide the second layer checks to enable them to understand the new staff members editing. In the 2nd month this will be split between TL and the buddy and in the 3rd month it would be the TL, buddy and the team. This however is a guide and this may be changed depending on the new starters needs and should be reviewed after 2 months. It may also be that after 3 months the new starter doesn’t require ongoing 2nd layer checks apart from those required by all staff; however it may also be that a further period of second layer checks a required.

Buddy
- After the team leader the buddy provides the main additional support and advice to the new starter.
- Provide support and assistance on a daily basis to the new starter. This includes:
  - Being available to assist with case and process related queries.
  - 2nd layer checks (see above.)
  - Supporting new starter on first duty shift.
  - Be available for the first S87 interview.
  - Showing processes with going through own applications- ‘shadowing.’

New Starter
- Follow timetable- but this is flexible, to make changes accordingly.
- Schedule catch ups with colleagues, Managers and stakeholders as set out in the timetable.
- In addition to scheduled and informal supervision with T/L, use buddy in the first instance and team more generally to ask questions about day to day operations.
- Also use the FIND program manual as a reference and resource for FIND procedures.

Team
- Provide daily reassurance, advice and feedback to supplement that support of the team leader and buddy.
- Invite new starter to S87 Interviews as the arise, share interesting cases with and assist in explaining processes (such as TRIM, AIRS and NED)
- Be available for Duty queries.
- Assist with 2nd layer checks (see above).

*Any areas of unresolved conflict/disagreement between the buddy and the new starter are addressed by the TL in the first instance or if it cannot be resolved in that way then by the FIND manager.*
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