

REGISTRY OF BIRTHS, DEATHS AND MARRIAGES — ADOPTION ACT

50. Hon NICK GOIRAN to the parliamentary secretary representing the Attorney General:

I refer to the Registry of Births, Deaths and Marriages.

- (1) Is the Attorney General aware that the registry has received an application from an adoptee seeking to have their birth name and birthdate recorded with other biological children on the death certificate of their biological parent?
- (2) Is the Attorney General aware that the registry has rejected the application on the purported basis of section 75(1) of the Adoption Act 1994, which states —
 - (1) Where an adoption order is made, for the purposes of the law of this State —
...
 - (b) the relationship between the adoptee and —
 - (i) the adoptee's birth parents; ...
...
is to be treated as not being that of child and parent;
- (3) Is the Attorney General considering any law reform to address the systemic distress to adoptees who are seeking truth in the state's records of births, deaths and marriages?

Hon KYLE MCGINN replied:

I thank the member for some notice of the question. I answer on behalf of the parliamentary secretary. The following answer has been provided to me by the Attorney General.

- (1)–(3) I am advised that because the adoption is a legal arrangement that gives full parental rights and responsibilities to the adoptive family, the Registrar of Births, Deaths and Marriages is obliged to refuse the application of the type referred to by the honourable member. This is in accordance with section 75 of the WA Adoption Act 1994. The registrar is an independent statutory officer. It would not be appropriate for the Attorney General to comment or intervene with respect to such decisions. The State Administrative Tribunal, however, has jurisdiction to review this matter. The honourable member may wish to direct this query concerning any amendments to the act to the Minister for Child Protection, who has responsibility for the act.