



Know Your Rights

Adoption

About The Traveller Movement

The Traveller Movement (TM) is a UK charity challenging discrimination and promoting inclusion of ethnic Romani (Gypsy), Roma and Irish Traveller communities. TM facilitates legal education, strategic litigation and direct advocacy to support their access to justice and fair treatment.

The adoption webinar was prepared in partnership with Alison Leivesley, formerly a family law & adoption solicitor at [Bindmans](#), London.

Watch the Webinar

You can watch this topic in short video segments [here](#).

Information

Adoption is a permanent legal arrangement which severs the birth parents' legal ties with their child. Adoption involves complex legal processes dealing with a child's welfare and lifelong interests. Both birth parents should agree to the adoption unless they are not contactable or capable of giving consent; if they object, the court may override their objections if it is in the child's best interests. Contact between birth parents and adopted children is encouraged and can be arranged.

Adoption orders are made by the Family Court. It will appoint an independent children's guardian to represent the child's interests in the decision; depending on their age and understanding, the child's wishes may be considered. Adoption orders prioritise the child's lifelong welfare; the court may deny adoption if it is not in the child's best interests.

To be eligible to adopt, you must be 21 years or over and have a permanent home in the UK where you have lived for at least a year. You can be single, married, or in a civil partnership. Eligibility rules vary for private and public adoptions.

Social services involvement is mandatory in adoption applications for children already living with adopters; adoption agencies provide social workers to support prospective adopters. Social workers make assessments and prepare court reports on prospective adopters' suitability.

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Alternatives to adoption exist:

- o Family members can care for children without involving social services or court orders, provided the parents agree (this is called kinship care).
- o A special guardianship order secures a child's long-term home with someone who is not their parent until their 18th birthday. Special guardians share parental responsibility with birth parents. They can, with some important exceptions, make day-to-day decisions about the child without consulting with birth parents.
- o Testamentary guardians are appointed under a will following the carer's death. Single parents with young children are advised to prepare a will which states who will take care of their children after their death.

Fostering is usually a temporary placement with foster parents in the hope that the child will return home; it can lead to adoption. Local authorities share parental responsibility for fostered children with their birth parents.

Adopters are not paid. They can access settling-in grants and means-tested adoption allowances to help with necessary expenses. Court fees and medical checks may incur costs, with some fees waivable for low-income applicants.

Contact the Solicitor

Telephone Bindmans on 020 7833 4433; as Alison has retired from Bindmans, ask for Rosie Roddy.

Contact The Traveller Movement on 020 7607 2002 for more help.