

The Registration of Adoptions

The Registrar General for Scotland registers adoptions under the Adoption and Children (Scotland) Act 2007. The registration of adopted children, and the number of adoptions registered has been recorded for each year since the introduction of the Adoption of Children (Scotland) Act 1930.

Adoption in a Scottish Court

For each adoption which is granted by a Scottish court, the Registrar General should receive an Adoption Order from the court. This contains details such as the original and new names of the child, the name(s) and address(es) of the petitioner(s), and the date on which the Order was granted by the court.

The Order is checked by National Records of Scotland (NRS) staff, who contact the court if they spot any errors, or if any of the required details are missing.

Once NRS has all the necessary information, a new entry is created in the Adopted Children Register. For a child who was born in Scotland, NRS also annotates their original birth record to show that they have been adopted. As a result, any future extract of the child's birth will show the child's new name and the name(s) of the adopting parent(s) - rather than the original name and the names of the birth parents.

Adoptions are counted in NRS's statistics on the basis of the date on which NRS registers the adoption, not on the basis of the date of the Adoption Order.

Foreign Adoptions

An entry for a registrable foreign adoption will be made in the Adopted Children Register if the Registrar General is satisfied, on application, that enough particulars relating to the child adopted are available. A registrable foreign adoption means an adoption which satisfies prescribed requirements and which is (a) a Hague Convention adoption or (b) an overseas adoption.

Parental Orders

The Parental Order Register is a separate register to the Adopted Children Register. Parental Orders are treated in the same way as Adoption Orders for administrative purposes, and have traditionally been included in the statistics of adoptions. Parental Orders are granted under section 54 of the Human Fertilisation and Embryology Act 2008 and are granted following a birth by a surrogate mother. For children born in Scotland, the original birth entry is annotated 'Parental Order'. The Human Fertilisation and Embryology (Parental Orders) Regulations 2010 set out the way in which the Adoption and Children (Scotland) Act 2007 applies to Parental Orders. (Prior to that, the Human Fertilisation and Embryology Act 1990 made provision for courts to make an order to transfer parental responsibility for a child in certain circumstances in a similar way to an Adoption Order. The Parental Orders (Human Fertilisation and Embryology) (Scotland) Regulations 1994 set out the way in which the adoptions legislation applied to Parental Orders.)