

APPENDIX 2

Matters prescribed in the *Adoption of Children Regulation 1999* which must be considered in assessing Relative Children's Adoption applicants include:

- the quality of the applicant's marriage;
- the applicant's capacity to be an adoptive parent, including their emotional capacity and other personal qualities, financial stability and other financial capacity, their capacity to ensure a child's safety and wellbeing and any other matter relevant to their capacity to provide for a child's emotional, physical, educational, recreational and social needs;
- the applicant's attitudes to, and understanding of children and their physical and emotional development, the responsibilities and duties of parenthood, the issues relevant to adoptive parenting, including issues about informing a child of his or her adoption and the significance of an adopted child's birth parents and their families;
- if the applicants have applied to adopt a child of a particular Indigenous, ethnic or cultural background – their ability and willingness to understand the child's background and to develop or maintain the child's Indigenous, ethnic or cultural identity;
- the extent of the applicant's participation in educational programs relevant to adoption, including any programs conducted by the Department;
- the nature of the applicant's relationship with the child;
- the circumstances in which the applicant obtained custody of the child;
- the likely effect on the child of separating the child from a parent, sibling or other person with whom the child is, or has been, living;
- the views of the non-custodial parent on the making of an adoption order in favour of the applicant, so far as it is reasonably possible to obtain those views.

In addition:

- the person must have custody of the child in relation to whom the person has applied to become an adoptive parent.