



April 2019

Mr Colm Murphy  
Meetings Administrator  
Corporate Services  
South Dublin County Council  
County Hall  
Tallaght  
Dublin 24

**Re: Motion on Adoptee Identity Rights (M05/0419)**

Dear Colm

Thank you for your letter concerning the notice of motion on Adoptee Identity Rights. The Adoption (Information and Tracing) Bill 2016 provides adopted people (and other relevant people) for the first time with a statutory right to information and to a tracing service. It will also protect relevant records by bringing them into the custody of the Adoption Authority of Ireland and it will create offences for the concealment, destruction, mutilation or falsification of such records. The Bill operates on the basis of a presumption in favour of disclosing information in so far as is legally and constitutionally possible. However, some of these records also contain the personal information of birth parents and legal advice received by my Department indicates that the Bill must contain measures to protect the constitutional privacy rights of birth parents.

Members of the Oireachtas and stakeholder groups have expressed concerns regarding some aspects of the Bill. In particular, there were difficulties with the requirement for adopted people to sign an undertaking declaring that they would not contact their birth parent. I received a clear message that the undertaking was insulting to adoptees. Having listened to these concerns, I engaged again with the Office of the Attorney General seeking to revisit the privacy provisions and to strengthen the right to identity. I then received government approval to revise the privacy arrangements to remove the requirement for signing an undertaking. My officials are currently redrafting the necessary amendments.

Yours sincerely

A handwritten signature in black ink that reads 'Katherine Z. Zappone'.

Dr. Katherine Zappone, TD.  
Minister for Children and Youth Affairs