

Note 23

If you are asking the court to dispense with the consent of any parent or guardian, the court can only dispense with that person's consent if it is satisfied that:

- he or she cannot be found; **or**
- he or she lacks capacity (within the meaning of the Mental Capacity Act 2005) to give consent; **or**
- the welfare of the child requires it.

You must complete paragraph (k) indicating which of these three grounds applies to your request. The court will also require from you a brief statement setting out a summary of the history of the case and any other facts to satisfy the court that the grounds for your request apply. This statement is known as a 'statement of facts'. If a parent cannot be found, your statement of facts should give details of the steps taken to trace him/her. The statement of facts must be signed by your solicitor, or by you (both of you) if you do not have a solicitor.

You should attach your statement of facts, **and two copies of the statement**, to your application form. You should also attach any documents you are submitting in support of your statement.

Important: The court will send a copy of your statement of facts to each parent or guardian of the child. If you intend to ask the court to keep your identity confidential, you should make certain that the statement of facts does not include any information that could identify you, where you live, or where the child goes to school or nursery.

Part 4 General

Note 24

Please enter the name by which you want the child to be known following the adoption. This is the name that will be entered on the Adopted Children Register. You may wish the child to have a new name following the adoption, but there is no obligation to change the child's name if you do not want to do so.

Note 25

You do not need to send a medical report on your health (or the health of the other applicant, if there is one) or the health of the child with your application if:

- the child was placed with you for adoption by an adoption agency; **or**
- he/she is your child, or the child of the other applicant; **or**
- you are applying alone as the partner (including the husband, wife or civil partner) of the child's mother or father or other parent.

In any other case you must attach separate health reports in respect of each applicant and the child, **and two copies of the reports**. The health reports should cover the matters set out in the Practice Direction 'Reports by a registered medical practitioner (health reports)', and must have been made no more than three months before the date of your application for an adoption order.

Special assistance or facilities for disability if you attend the court

Note 26

If you/either of you need special assistance or special facilities for a disability or impairment, please set out your requirements in full. The court staff will need to know, for example, whether you want documents to be supplied in an alternative format, such as Braille or large print. They will also need to know about any specific requirements you may have on the day of the hearing, such as wheelchair access, a hearing loop, or a sign language interpreter.

The court staff will get in touch with you about your requirements. It is important that you make the court aware of all your needs. If you do not, the result may be that the hearing has to be adjourned.