

Part 3 About the child's parent(s) or guardian

Note 19

If the child has previously been adopted, give the names of his/her adoptive parents, not those of his/her natural parents.

Note 20

If the child has no guardian, enter 'not applicable'. Otherwise please enter the name of any person who may be regarded as the child's guardian in the country where the child is habitually resident. If the child has more than one guardian, please give the name and address of any other guardian(s) on a separate sheet, putting the child's full name, the number of the Part and the paragraph reference at the head of the sheet.

Note 21

Copies of the consents of the persons, institutions and authorities whose consents are necessary for adoption in the place where the child is habitually resident and being brought from should where possible be attached.

You do not need to ask the court to dispense with the consent of the child's parent(s) or guardian(s) to your application if the child's parent(s)/guardian(s) has/have consented to the making of an adoption order.

Please complete paragraph (i) showing that this condition applies in your case.

Note 22

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 is incapable of giving consent; or
- the welfare of the child requires it.

You must complete paragraph (i) 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.