

The Jewish Genealogical Society of Great Britain



Adoption and Jewish Genealogy



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by

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Introduction

Searching for birth mothers and biological fathers is a process that is emotionally consuming, but can be rewarding for everyone involved. By doing some detective work to locate documents and asking for help from adoption resources, adoptees can find information about their origins and birth family history. Attending support groups, finding birth records and contacting agencies are also very important steps for adoptees looking for information about their biological parents. However, adoptions can create brick walls in your genealogy. Whether you yourself are adopted, or someone else in your tree was, you may have your work cut out for you to continue building your family tree past that point.

As each adoption situation is different, there is not one easy way to search for members of the birth family. There are however some steps that adoptees can follow to help them with a search. Norcap, the National Association for Adoptees has useful information for those who are looking for their birth families.

The History of adoption in the UK

Adoption and fostering have taken place informally for many years but was only legally recognised in the 1920s. Initially, adoptions were seen as a way of providing security for war orphans and children born to unmarried mothers. Before legislation was brought in, it was not uncommon to see small box advertisements in the Jewish Chronicle seeking homes for babies and children whose parents were unable to raise them.

Child adoption had no legal status in Britain until 1926, when the first Act was passed which regulated this in England and Wales, much later than in the United States or many Commonwealth countries. Until then, child adoption was an informal process, and it is impossible to tell how many children were adopted within the family unit, or by friends and neighbours. Informal child adoption continued well into the 1930s. Some adoptions were only formalised many years after they actually took place, for example if the adoptee needed to get a passport, so it is always worth searching for records in the years later than the birth year.

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Legal Situation

Legal and recorded adoption in England began on 1 January 1927 and in 1930 in Scotland. In Scotland, adoptees have always been able to obtain a copy of their original birth certificate, whereas in England, adoptees have only had this right since 1975, when the Children's Act (1975) granted them access to their original birth records, and parents who gave up their children for adoption in England and Wales were unable to look for them until 2000.

Current adoption law is set out in the 1976 Adoption Act and 1989 Children's Act. However, most of the detailed procedures are laid down in guidance rather than in law. The law states that any adoptee born prior to 1975 must receive specialist adoption counselling before gaining access to their records and original birth certificate.

Before 1927 because of the then informal nature of adoption, many adoptees kept their original birth names which can make searching for your ancestor a bit easier. Adopted people have only had full rights of inheritance from 1949 so searching earlier probate records won't be of much assistance if your ancestor was adopted before then.

Until 1975 there was no legislation to stipulate for how long and how adoption records should be kept. Therefore some agencies may not have retained information that will help adopted people gather background and other relevant information. Since the Children Act 1975 adoption agencies were expected to keep adoption records for 75 years. However has been increased to 100 years since the implementation of the Adoption and Children Act 2002.

Jewish or Non-Jewish Adoptees

It is important for genealogical purposes to ascertain whether someone was adopted in or out of the family. For example - someone could be Jewish by birth but be adopted into a non Jewish family or someone non-Jewish could be adopted into a Jewish family when they were not Jewish by ethnicity.

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Jewish Adoptions – Norwood

Norwood Adoption Society is the UK's only Jewish Adoption Agency.

They run an adoption intermediary service, providing advice and counselling for adoptees and birth relatives who are seeking a reunion and are previously known to the agency. They approach enquiries from descendants of deceased adopted people on a case by case basis.

Norwood holds some adoption records predating their registration in 1990. Norwood charges for in-house searches of their adoption records according to the published schedule of services and charges, which is available from them on request.



London Beth Din

Court of the Chief Rabbi

London Beth Din

The London Beth Din oversees the process whereby a non-Jewish child adopted by a Jewish couple may achieve Jewish status. Without certification of Jewish status by a Beth Din, the child may not be admitted to an Orthodox Jewish school and will not be allowed to marry in an Orthodox synagogue.

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Are you a Descendant of a Deceased Adopted Person?

Having a deceased adopted parent or grandparent is something that could prove to be a brick wall in your genealogical research. Only the adopted person has the legal right to their original birth certificate and thus their birth name. However, a campaign group was established recently called 'The Descendants of Deceased Adopted Persons,' (DAP). They are seeking to bring about a change in the law which would allow the descendants of adopted people to access the original birth name of their ancestor.

DAP's latest court case failed. Currently the court ruling is that the descendants of a deceased adopted person cannot obtain original birth records if the adopted person did not apply for them during their own lifetime. Unless, under Section 79 of the 2002 Children's Act, descendants can satisfy the Court that there are *exceptional circumstances* justifying disclosure – it has happened but it is rare.

You may therefore wish to suggest to adopted people to apply for their birth records, since even if they don't want to know personally, a future descendant might want to draw up their family tree.

DNA Testing

Taking a DNA test could be useful as autosomal DNA matches can reveal Jewish ancestry, as can belonging to certain mitochondrial DNA haplogroup subclades. For this you will need to take a mtDNA test or the new Family Finder test. The Family Finder test examines linked blocks of DNA across the 22 autosomal chromosomes and yields evidence of the degree of matching between two people who could be a connection to descendants of any of your sixteen great-great-grandparents. This can provide you with the clues you need to learn more about your birth parents' families.

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Genealogical DNA testing can trace your patrilineal ancestors (father's father's father's ... father) by testing the Y chromosome and your matrilineal ancestors (mother's mother's mother's ... mother) by testing mitochondrial DNA (mtDNA). The Y chromosome is passed from father to son, so only men can be tested for it. mtDNA is passed from a mother to all her children, so both men and women can be tested for it. However, men do not pass their mtDNA down to their children, so the only continuous path for mtDNA is through the direct maternal line.



Family Tree DNA

Many people researching their Jewish Ancestry use the services of Family Tree DNA. FTDNA are JewishGen's genealogy by genetics partner. As well as undertaking mtDNA tests, FTDNA also operates a Family Finder test to help people find relatives across all their ancestral lines.

Using the Adoption Contact Register

The Adoption Contact Register is UK government run and administered register for England and Wales. It costs £30 for birth relatives to register using the part two of the registration form. Many small commercial contact registers exist online and potential users should check carefully before using them, not least because their databases tend to be small. Many adoption registers also allow extended birth family such as siblings and grandparents to register in hopes of connecting with an adoptee.

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Adoption Search Reunion - British Agencies for Adoption and Fostering

British Agencies for Adoption and Fostering run a useful resources website called Adoption Search Reunion for people thinking about searching for or making contact with birth and adopted relatives or researching an adoption that took place in the UK. It is here that you will find out what to do if you have any surviving documentation or information that relates to your adopted ancestor.

There is also a database link on the page for locating adoption records. Adoption records are likely to have survived post 1948 in England. However many records have been 'lost'. It is also possible they might have been destroyed as different agencies and social services had differing criteria for archived records management. It will all depend on where the adoption took place (local authority) and/or what agency dealt with the adoption.

If you have the birth name of your ancestor then so much the better as then it may be possible to access their adoption record in some instances. In the worst case scenario where you don't have the birth name of your adopted out ancestor then DAP and DNA testing are your best bets.

UK Government Resources

The Direct Gov Website contains several links to further information about adoption that are of use to the genealogist.

Of particular use are those for tracing and contacting birth relatives and adopted adults, which outlines the processes for if a birth relative of yours was adopted before 30 December 2005, whereby you can ask an intermediary agency to trace and arrange contact with them. Alternatively, adopted adults who were adopted before 30 December 2005 can do the same to find their own birth relatives.

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There is also a page about ordering adoption certificates. An adoption certificate is a replacement birth certificate in the adopted person's new name which can be used for all legal purposes in place of the original birth certificate. The adoption certificate contains legal information relating to the adoption.

A full adoption certificate shows date of birth, place and country of birth, adoptive forename and surname, gender, name and surname, address and occupation of adoptive parent(s), date of adoption order, date on which the adoption granted, and name of the court. A short adoption certificate only shows date, place and country of birth, adoptive forename and surname, and gender. It carries no reference to adoption.

Useful Links

Adoption Contact Register

www.direct.gov.uk/en/Governmentcitizensandrights/Registeringlifeevents/Birthandadoptionrecords/Adoptionrecords/DG_175603

Adoption Search Reunion

www.adoptionsearchreunion.org.uk

Cyndi's List

www.cyndislist.com/adoption.htm

DAP Facebook page

www.facebook.com/group.php?gid=185109045454

Family Tree DNA

www.familytreedna.com

Jewish Chronicle

www.thejc.com

JewishGen

www.jewishgen.org

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London Beth Din

www.theus.org.uk/the_united_synagogue/the_london_beth_din/adoption

NORCAP

www.norcap.org.uk

Norwood

www.norwood.org.uk

Ordering Adoption Certificates

www.direct.gov.uk/en/Governmentcitizensandrights/Registeringlifeevents/Familyhistoryandresearch/Birthmarriageanddeathcertificates/DG_175654

Tracing and contacting birth relatives and adopted adults

www.direct.gov.uk/en/Parents/Adoptionfosteringandchildrenincare/AdoptionAndFostering/DG_170308

Thank You

Norwood for providing us with information to help write this document

JGSGB Member Judi Smith for undertaking the research to make this document possible. For further information you may wish to read Judi's article in Shemot "An Amazing Mentoring Success Story" Shemot Volume 18 No. 2 pp 23-25.

Can you help?

If you have a suggestion for further information about Adoption and Jewish Genealogy, please send your suggestion to education@jgsqb.org.uk. Thank you.

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