

SCHEDULE 1

PART IVA

FREEING FOR ADOPTION AND ADOPTION ORDERS

Freeing for Adoption

The hearing

4A.10.—(1) Subject to any directions given under rule 4A.9(2), on the hearing of the application, any person upon whom notice is required to be served under rule 4A.8 may attend and be heard on the question whether an order freeing the child for adoption should be made.

(2) Any member or employee of a Board, adoption agency or other body which is a party to the proceedings may address the court if he is duly authorised in that behalf.

(3) Where the court has been informed by the applicant that the child has been placed with a person (whether alone or jointly with another) for adoption and that person wishes his identity to remain confidential, the proceedings shall be conducted with a view to securing that any such person is not seen by or made known to any respondent who is not already aware of his identity, except with his consent.

(4) Evidence may be given orally or by affidavit, but where the evidence of any person is on affidavit, the judge may require such person to give oral evidence.

(5) Subject to paragraph (6), the judge shall not make an order freeing the child for adoption except after the personal attendance before him of the child and of a representative of the applicant duly authorised in that behalf.

(6) If there are special circumstances which, having regard to the report of the guardian ad litem, appear to the court to make the attendance of the child unnecessary, the court may direct that the child need not attend.

(7) If there are special circumstances which appear to the court to make the attendance of any other party desirable, the court may direct that that party shall attend.