

Appendix 3: Excerpts from IoM Adoption Societies Regulations 1985

Establishment of adoption panel and appointment of members

3. (1) An approved adoption society shall forthwith establish at least one adoption panel and shall appoint the persons referred to in paragraphs (2) and (3) to be members of such a panel, so however that not more than ten members shall be appointed to a panel and the persons appointed to a panel shall include at least one man and one woman.
- (2) The society shall appoint as chairman of an adoption panel a person who has such experience in adoption or social work as the society considers appropriate.
- (3) In addition to the chairman the persons to be appointed shall include –
 - (a) two social workers each of whom must be employed by an approved adoption society;
 - (b) at least one member of the society's management committee;
 - (c) the person nominated as the medical advisor to the society under regulation 4(4) (or one of them if more than one are appointed); and
 - (d) At least two other persons not being members or employees of the society.
- (4) A person appointed to an adoption panel shall hold office subject to such conditions as to the period of membership and otherwise as may be determined by the society.
- (5) An adoption panel shall make the recommendations specified in regulation 8 only when at least five of its members meet as a panel and one of them is a social worker in the employment of an approved adoption society.
- (6) An adoption panel shall keep a written record of any of the recommendations specified in regulation 8 which it makes.

Adoption panel functions

8. (1) Subject to paragraphs (2) and (3), an adoption panel shall consider the case of every child, prospective adopter and proposed placement referred to it by the society and shall make one or more of the recommendations to the society, as the case may be, as to –
 - (a) whether adoption is in the best interests of a child;
 - (b) whether a prospective adopter is suitable to be an adoptive parent; and
 - (c) Whether a prospective adopter would be a suitable adoptive parent for a particular child.
- (2) An adoption panel may make the recommendations specified in paragraph (1) at the same time or at different times, so however that it shall make the recommendation specified in paragraph (1)(c) in respect of a particular child and prospective adopter only if –
 - (a) that recommendation is to be made at the same meeting of the panel at which a recommendation has been made that adoption is in the best interests of the child; or
 - (b) a society decision has been made in accordance with regulation 9(1) that adoption is in the best interests of the child; and
 - (c) in either case
 - (i) the recommendation specified in paragraph (1)(c) is to be made at the same meeting of the panel at which a recommendation has been made that the prospective adopter is suitable to be an adoptive parent, or
 - (ii) A society decision has been made in accordance with regulation 9(1) that the prospective adopter is suitable to be an adoptive parent.
- (3) In considering what recommendations to make the panel shall have regard to the duties imposed on an approved adoption society by sections 12 and 13 of the Act (duty to promote welfare of child and religious upbringing of adopted child) and shall as the case may be –
 - (a) consider and take into account all the information and reports passed to it by virtue of regulations 5(2)(e), 6(2)(g) and 7(1),
 - (b) request the society to obtain any other relevant information which the panel considers necessary,
 - (c) Obtain legal advice in relation to each case together with advice on an application for an adoption order.

Adoption society decisions and notifications

9. (1) An approved adoption society shall make a decision on a matter referred to in regulation 8(1)(a), (b) or (c) only after taking into account the recommendation of the adoption panel made by virtue of that regulation on such matter.
- (2) As soon as possible after making such a decision the society shall, as the case may be, notify in writing –
 - (a) the parents of the child, including the father of a non-marital child where the society considers this to be in the child's interests, or the guardian of the child, if their whereabouts are known to the society, of its decision as to whether it considers adoption to be in the best interests of the child,
 - (b) the prospective adopter of its decision as to whether it considers him to be suitable to be an adoptive parent, and
 - (c) The prospective adopter of its decision that he would be suitable as such for a particular child.