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Official Committee Hansard

SENATE

COMMUNITY AFFAIRS REFERENCES COMMITTEE

Reference: Commonwealth contribution to former forced adoption policies and practices

WEDNESDAY, 20 APRIL 2011

MELBOURNE

BY AUTHORITY OF THE SENATE

SENATE COMMUNITY AFFAIRS

REFERENCES COMMITTEE

Wednesday, 20 April 2011

Members: Senator Siewert (Chair), Senator Moore (Deputy Chair) and Senators Adams, Boyce, Carol Brown and Coonan

Substitute members: Senator Boyce, Moore and Siewert

Participating members: Senators Abetz, Back, Barnett, Bernardi, Bilyk, Birmingham, Mark Bishop, Boswell, Brandis, Bob Brown, Bushby, Cameron, Cash, Colbeck, Cormann, Crossin, Eggleston, Faulkner, Ferguson, Fielding, Fierravanti-Wells, Fifield, Fisher, Forshaw, Furner, Hanson-Young, Heffernan, Humphries, Hurley, Hutchins, Johnston, Joyce, Kroger, Ludlam, Ian Macdonald, McEwen, McGauran, Marshall, Mason, Milne, Minchin, Nash, O'Brien, Parry, Payne, Polley, Pratt, Ronaldson, Ryan, Scullion, Stephens, Sterle, Troeth, Trood, Williams, Wortley and Xenophon

Senators in attendance: (Insert, in alphabetical order, the names of senators provided by committee secretary)

Terms of reference for the inquiry:

To inquire into and report on:

- (a) the role, if any, of the Commonwealth Government, its policies and practices in contributing to forced adoptions; and
- (b) the potential role of the Commonwealth in developing a national framework to assist states and territories to address the consequences for the mothers, their families and children who were subject to forced adoption policies.

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Committee met at 9.03 am

CHAIR (Senator Siewert)—I declare open this public hearing and welcome everyone who is present today. The Senate Community Affairs References Committee is inquiring into the Commonwealth contribution to former forced adoption policies and practices. Today is the committee's second public hearing for this inquiry. Submissions to the inquiry have contained and do contain the personal stories of people who have been affected by former forced adoption policies. The committee is extremely grateful for submitters sharing their personal stories. We acknowledge how hard it is for people to put in writing their stories and also to come to this inquiry to talk to us.

I remind everyone here today that their comments are on the public record. However, evidence may also be taken in camera, which is our technical term for in confidence. If your evidence is considered by you to be of a confidential nature all you have to do is tell us that you want to go in camera and we will then clear the room. We will still take the records, so it is still on the parliamentary record, but it is not released publicly. However, we may want to use it in our committee report so we will get back to you to seek your permission or talk to you about how we could do that.

This room, unfortunately, is the only room that we could get to have this hearing in so we apologise for its small nature, but as you are probably aware by now, there is a flow-over room across the corridor and the proceedings from here can be heard in there as well. We are trying to make it as accessible as possible under the circumstances.

You are probably also aware that later today we will be holding a community forum. For those of you that want to participate in the community forum we will need you to sign a Hansard witness form. If you have not already done so, the forms are available from the committee secretariat. All that form is for is so that we have your name on record with the correct spelling and so on.

With respect to establishing the structure for this session, I request that each participant limit their comments to about three to five minutes, which will depend on the numbers. That is another reason why we would like you to let us know if you want to participate in the community forum this afternoon, so that we can structure it appropriately and make sure that everybody who wants to be heard is heard. We have done this in the past in other hearings and, although it sounds like a short time, we find it is very effective to enable people to be able to share their stories. You will notice during the day that we have a dialogue with witnesses, with us asking questions. Unfortunately, depending on how many people want to participate in the forum, we will likely not be able to have this kind of dialogue in the forum. But the forum will enable people to share their stories, and that will be very much appreciated by the committee.

I would also like to draw the participants' attention to support being offered by Family Information Networks and Discovery. We, in fact, have counsellors in attendance should anybody wish to speak to them. We have three this morning and three this afternoon. We have Lisa, Alison and Paula this morning and Mariaelisa, Elise and Belinda this afternoon. If you would like to speak to somebody, just let them know. I would also like to express our gratitude to the Department of Human Services for supporting the fact that we can provide this service and support today.

[9.06 am]

COLES, Mr Ian Gary, Manager, VANISH Inc.

HUBBARD, Mr Leigh, Chair, VANISH Inc.

CHAIR—I will now move on to our first witnesses. I welcome witnesses from VANISH Inc. to today's hearing. I understand that information on parliamentary privilege and the protection of witnesses and evidence has been provided to you. That is standard procedure. We found someone the other day who had not received that information so that is why we always ask, because it is very important that people are aware of the procedures. I must say that that was the first time that we found somebody who had not received that information. We have the VANISH submission, submission No. 160, and the submission from Mr Coles, submission No. 143. I would like to invite both of you to make opening statements and then we will ask you some questions.

Mr Coles—I will make the opening statement, which will address submission No. 160. I will not be making an opening statement for submission No. 143. Firstly, thank you all for providing the opportunity for Mr Hubbard and me to appear before this hearing. We plan to highlight several matters which address the role of the Commonwealth and which support VANISH's submission No. 160.

I have prepared this statement in several dot points. The first of those is that the Commonwealth has condoned the Australia-wide practice of issuing two birth certificates to adopted persons. Not only does this perpetuate the lie that adopted persons are as if born to their adopted parents but also the two names create identity confusion for adopted persons. Many ask, 'Who exactly am I and what was wrong with me that meant I had to be adopted?'

The second point I wish to make is to do with harmonised legislation. We believe that would benefit the adoption community. This applies on two fronts: the adoption legislation and access to the critical records for those searching for family members. An Australia-wide adoption information act would ensure that persons across the Commonwealth have the same access rights to information. Victoria, for example—and you will probably hear this many times today—still does not allow birth parents access to their child's adoptive name, even when that child is an adult.

Also, the Commonwealth could assist agencies who are accredited, such as VANISH, to provide search assistance by providing on-site access to electoral rolls with the date of birth included. Further, an Australian register of births, deaths and marriages would overcome the current situation in which those searching are confronted by access provisions that vary from state to state. The searcher may be discriminated against at the first hurdle as a result of these practices simply because of the Australian state in which they were born. This frustration can have manifestations in the current era where we have all sorts of technological assistance, in that the searcher may resort to Facebook, which can have all sorts of unfortunate ramifications if not managed properly.

The third point is that the public would benefit if they were provided with an accurate representation of the consequences of adoption. Whilst television programs such as *Find My*

Family have increased the profile of adoption, which we welcome, the underlying issues are rarely aired. Rapid, easy searches and happy-ever-after reunions are not the norm, and the community should be apprised of the truth. National Adoption Awareness Week provides an opportunity to educate the community about all aspects of adoption, not just the perspective of parents keen to promote intercountry adoption. Results of this Senate inquiry, plus the findings from the current Monash University History of Adoption Study, and the impact of past adoption practices research being conducted by the Commonwealth funded Australian Institute of Family Studies, should be widely disseminated throughout the community to provide that base education.

The last point that I wish to make is that professionals working in the post-adoption services field acknowledge that adoption raises issues of loss, grief, identity, guilt, shame, anger, secrecy, fear of rejection and others for the direct participants. Given the lifelong impact of adoption we at VANISH maintain that to promote personal healing all persons affected by adoption should have access to publicly funded post-adoption counselling and support services. Further, those in the helping professions would benefit from subsidised training so that they are quick to recognise and case manage adoption related loss and grief. That is the conclusion of the opening statement.

Mr Hubbard—I would like to make a brief statement supplementing what Mr Coles has just said. I should add that I am the chair of VANISH and also an adopted person. I would like to confirm what Mr Coles has acknowledged: that the committee and its inquiry are fantastic, as are the many powerful submissions that have been made to it, particularly from natural mothers, whose grief and loss is very evident from the submissions. We do not need to go over that because you will hear much more about that today.

Without telling a personal story, I think my story is typical of the mobility issue and why the Commonwealth has a role. My mother was from New South Wales and I was conceived in Queensland. She went to Tasmania when I was adopted. My family then moved to Victoria and my search for my family commenced in Victoria. I think that is not untypical of many adopted people, where not only is there a layer of secrecy but there is this having to move to maintain the fiction that nothing ever happened. That is an issue in which the Commonwealth has a real role because it is not as if people always remained in one state; they moved very widely.

The other thing to point out from our perspective is that it is not a minor issue with a minor amount of people. There is something like a quarter-of-a-million national adoptions on record, without the informal adoptions, and when you multiply that out by the number of natural parents, by the adoptive parents and the grandparents, you are probably getting close to 1½ to two million Australians who have been affected very directly by the experience of adoption. It could be one in 10 of the population that has been affected. On top of that, no one journey is the same and one size does not fit all, whether you are a natural mother with that very raw grief of having given birth to a child or the adopted person who has lived in this half world torn between often very loving adoptive parents and what is out there. There are different kinds of experiences and many different journeys along the way, which makes it much more complex.

Mr Coles talked about resources. In terms of confirming our submission's discussion on the Commonwealth's direct impact, obviously—if you look at Indigenous Australia or the territories or whatever—the Commonwealth has had a direct role in adoption processes. But probably in

terms of the states it is a relatively minor role. In terms of what it can do, I think it can play a powerful role. It is our view, very much, that in the area of resources—where it can assist the states with education, the cost of counselling, regional disadvantage and those sorts of things—the Commonwealth can play a major role. In terms of the legislative framework, we clearly support harmonisation, as many of the submissions do. I think it is more than little bits and pieces, such as about whether Victoria allows birth parents access to identify information. The first round of legislative reform was in the 1980s and it is actually time now for a very fundamental rethink about the whole adoption legislation framework and information rights. It should not be a tinkering; an absolute recasting of the legislation is needed. We have done that in corporate law. We have now done it in occupational health and safety. I do not think that there is any reason why that cannot be done, whether it is through referral of powers by the state or through simply an agreement to harmonise legislation.

The other thing that is in our submission which we would like to stress is the National Minimum Principles in Adoption, which are in draft form. I understand that the state and Commonwealth ministers are to deliberate on that. We think that is very important, not just for local adoptees but also for intercountry adoptees and the way Australia deals with intercountry adoptions. We see the same mistakes being made with intercountry adoptions that were made back in the sixties and seventies with local adoptions. That is an issue for us, and the Commonwealth has a real role to play there because it obviously has the primary responsibility for conventions and dealing with other countries in relation to adoptions, even if the adoptions are under a state's legislation. There are things like Australian aid and the way that is used to help countries deal with issues around separation from family and reconnection with family—or indeed helping intercountry adoptees reconnect with their families in the future, which is a role that the Commonwealth can look at.

We did not mention the apology. I think everyone thinks that the Commonwealth parliament should make an apology to the adoption community, but primarily to natural mothers in particular, which would have a flow-on effect. I think the cultural issue of adoption and clearly getting a new generation to understand what women, before 1975 in particular, went through culturally is something that needs to happen. It would help that understanding of how difficult it was and the circumstances and the pressure that people were put under. Just as the Western Australian apology had a powerful effect, a national apology, even though the Commonwealth's role was perhaps more limited in implementing the legislation of the various states, would have a very powerful effect.

Last but not least, there has been plenty of research about the impact—the loss and the grief. I would not like to think that we are just going to keep on researching these things. We need to actually act. We need to give resources, put in place strategies and give support to those affected by adoption. I think that is all I need to say in terms of opening comments.

CHAIR—I have a question before I hand over. I want to ask about the mobility issues that you raised and the role that you thought that the Commonwealth could play. I totally understand the concept of people moving around and finding it difficult to access records. How would you see the Commonwealth helping to facilitate accessing those records?

Mr Hubbard—I suppose if there was ultimately a common platform for access to information it could go as far as a common approach by all of the births, deaths and marriages

registers around the country, for example—and indeed a common platform for a hub for search and support so that you did not have eight different sets to access. While letting a thousand flowers bloom is good in many ways, and having VANISH and other support groups around is great, from a bureaucratic perspective there probably needs to be a common platform so that people can easily navigate different states and different births, deaths and marriages registers. Maybe it is pie in the sky to think that we could have a common births, deaths and marriages platform or a common search and support kind of hub or information hub; that may be too much. But I think there needs to be more than just words on paper. I think there needs to be a common approach by the states and a real commitment to have their agencies either merged or acting at least from the same page.

CHAIR—From being involved in many inquiries, I know one of the key things that comes up is common information—access, data sets, useability and so on. It is an issue in many areas, so I was wondering whether you had any bright ideas about how we could make that happen.

Mr Hubbard—I think it goes right down to the training of the people who work in births, deaths and marriages agencies. At the moment, it depends on who you get on the day—who looks at your request—as to whether you get some hint from somebody who wants to be helpful or not.

Mr Coles—That is just within Victoria, say. If you apply that across different states they have different protocols. That just adds to the complexity for the searcher.

CHAIR—The evidence that we took in Perth at our first hearing involved exactly the same issues in trying to get information from different states. Different states have different protocols and rules around what information they will and will not release.

Mr Coles—I would add that there is a time criticality here. The peak of adoptions was in the 1960s leading up to the early-1970s. Those children are now in their forties and sometimes in their fifties. They are initiating their search and there are experiences where in a lot of cases where people have just discovered that they are adopted, so they are looking for birth parents who are in their sixties and seventies and sometimes older than that. There is an imperative before mortality plays its role to conduct that search with the minimum of impediment. This is where uniform legislation at an adoption information act level and also at the level of registrars of births, deaths and marriages would be of enormous aid.

CHAIR—I am sure that you are aware of how long it takes to get the states to agree to harmonised legislation.

Mr Coles—Yes.

CHAIR—I find it frustrating as well, but I am not having a go at anybody. I am just saying that I know it takes a while. I was wondering whether there were things that we could suggest that could be done as steps. If we have to wait for some of the legislation to be changed, just knowing the time it takes, it will be a while before anything happens. Bearing in mind what you have just said, are there things that we could suggest that they could put in place in terms of a code of practice or procedures that could facilitate things prior to any legislation coming in?

Mr Coles—I will answer that in a different way. There are a couple of initiatives that are taking place. One is the creation of the National Minimum Principles in Adoption and the other one is the studies, the Australian Institute of Family Studies and also the History of Adoption project. We at VANISH have been pushing the state government to review its legislation. We have said that it is outmoded; it is dated 1984; it is 27 years old. It needs to be reviewed, as Mr Hubbard said in his introductory statement. What we are being told is that will not be reviewed in the short term. We are waiting for the outcomes on reaching agreement on the national minimum principles and the outcomes of these two studies, in particular the AIFS study, which is Commonwealth sanctioned, so there seems to be—I will not say a commitment—an interest in reviewing things. But they are waiting for the results of the studies and also on the agreement on the minimum principles before they will act.

Senator MOORE—I would like to take it up from there. As I understand it, it has only been very recently—in the last couple of years—that there has been movement on the AIFS study and also the Monash study. That has been stimulated by a number of things. I am interested to know whether, in the process, organisations like VANISH have been included in discussions.

Mr Coles—We have.

Senator MOORE—How has that worked, particularly in terms of the national minimum principles? It seems to me that a lot of the things that you mentioned in your original statement have been picked up, even in the draft that you have seen, so I would like to know what the process has been because we have not been told yet on that has involved the people who care, who have the knowledge and do the intimate work, as you say in your submission, on a daily basis. I am interested to know how you have been included, what the commitment has been by the people who are drafting this process to continue including you, and what knowledge you have about a completion date.

Mr Coles—We were invited to make a contribution. This was in late 2009, so it has been going on for a while now. We put in a submission and, quite frankly, I would have to say that we have had no feedback as to what the final document is going to look like. The last inquiry I made was that it has to be ratified by the Commonwealth group of relevant ministers. That was due to take place in the first quarter of 2011, as I understand it, and we would not hear what the final document looked like until that ratification had taken place.

Senator MOORE—In your opinion, which is the lead agency?

Mr Coles—The person in Victoria who is leading that—and I think she has overall responsibility at a national level—is Catherine Burnett of the Department of Human Services.

Senator MOORE—So it is the Human Services Department at the state level?

Mr Coles—Yes.

Senator MOORE—Do you know or have you been provided with the information as which agency is the lead agency at the federal level?

Mr Coles—No, I have not, but I have not asked the question, either.

Senator MOORE—My understanding from reading the different submissions is that this is a COAG process.

Mr Coles—Yes.

Senator MOORE—So we are waiting for COAG to move.

Mr Coles—Yes.

Senator MOORE—I know what VANISH does. We have worked closely with VANISH previously. But in terms of the particular area of this inquiry I am interested in getting some idea of the number of people who have been contacting you and particularly women who have felt that children were taken from them without due process.

Mr Coles—The number of people who have approached us?

Senator MOORE—Yes, the volume over the years. We have talked with VANISH in the past about kids who have been placed in institutions. We have had a lot of evidence from and interaction with you, but the focus of that was post-adoption, with the people contacting you wanting to know what their backgrounds were and dealing with their grief and their loss, as you have identified. It is important for us to understand and put on record the volume of concerns that have been raised, because as you know, particularly women, but men as well—Mr Coles, your other submission actually points that out very well—who have been caught up in this process have also been damaged. I want to get on record your understanding, as a reputable institution in Victoria over many years, of the volume of the concerns in this state and the damage that has been caused.

Mr Coles—Because we are funded by the Department of Human Services and we have an obligation to adhere to the Victorian legislation, our primary service users are adopted persons looking for their natural parents. We get inquiries from natural mothers in particular and we pass them on to FIND on the basis that they will pursue the route of non-identifying information. We run support groups and many natural mothers come along to those, as well as adopted persons.

Senator MOORE—And your funding allows for that?

Mr Coles—Yes, it does. We provide support to natural parents, but we are not able to conduct searches on their behalf. Does that answer your question?

Senator MOORE—It is getting there. I am still trying to find out, in the midst of all the work that you do, the contact that you have with the mums and the dads, as opposed to the kids who are seeking their link.

Mr Coles—We have an affiliation with the Association of Relinquishing Mothers. We work in conjunction with them on particular programs. In the last couple of years we have been working together on a rural outreach program and they are getting more people away from Melbourne involved.

Senator MOORE—Your submission identifies that you have a view that the issues could be even clearer in regional areas than they are in the cities.

Mr Coles—Yes.

Senator MOORE—That was an interesting point.

Mr Coles—We have collected statistics and something like 60 per cent of our service users are from outside Melbourne, so there is a real opportunity to do more, which is why we have been working with ARMS on that.

Senator MOORE—In terms of the need in the future, certainly one of the ongoing issues that comes across from a lot of the submissions is the need for effective counselling. Could you give us some indication of what you consider would be effective counselling in this area? What are the needs and what kind of process should be involved? It runs off the tongue so easily, ‘counselling’. It is talked about all the time. From your perspective, having worked in the area for a long time, what does that mean? What is needed and how should we put that in place?

Mr Hubbard—I do not have an expert view on this, but I think that it is a whole range of things. It is about the people who are doing the counselling being skilled in and having an understanding of the issues. There is obviously a need for education and induction around that. I have read in other submissions that in a lot of courses these issues are not even touched on, but I am sure general grief counselling and counselling on other issues encapsulate the sorts of things that you would deal with in adoption. In Victoria, we have a list of counsellors that we often refer people to, but finding people who can do the work and do it in a way such that you are not teaching them but they are actually helping you is often difficult. There is the thing about sustaining people along a journey. When I say ‘journey’, it sounds like something that is fun, but it is the pathway. It is not like going to your local doctor to get your mental health plan and getting six shots at the psychologist or the counsellor. It has to be somehow sustained over a period of time, so that is another issue. We could be talking about some years and not all at once. It is who is doing it and what resources are there over a sustained period of time that are key.

There are also the regional issues with access to people and the kinds of technologies that you might use, whether it is Skype or telephone counselling, for people in regional and remote areas. The whole range of issues would need to be addressed, but this is an issue that seems to have fallen through the cracks.

Mr Coles—We are asked frequently if we provide counselling services, so that indicates that the demand is there.

Senator MOORE—And you do not?

Mr Coles—We do not at present. That is one of the things that we are advocating for in the submission that we have put to the state government.

Senator BOYCE—What do you tell people?

Mr Coles—We can give them a list of names of people whom we have found, through experience, work for some people. It is a very individual relationship between the client and the counsellor, but it certainly helps if the counsellor has an appreciation of adoption issues. We sometimes get feedback from the clients that we have referred to a counsellor. They will come back and say, ‘That person was good as a counsellor, but she really did not have a good understanding of adoption issues and therefore I don’t think we made much progress.’

Senator MOORE—Do you feed that back to the counsellors so that they can pick their game up?

Mr Coles—Yes.

Senator MOORE—Do you find a willingness from those people?

Mr Coles—Yes, absolutely.

Senator MOORE—They respect that need?

Mr Coles—Yes.

Senator MOORE—That is positive.

Mr Coles—If we get an opportunity to provide counselling, one of the things that we would do would be to run information sessions for counsellors. It would be training, if you like, to help them understand adoption issues.

CHAIR—One of the issues that came up in Perth is the need for specialised counselling.

Mr Coles—Yes, absolutely.

Mr Hubbard—We are a bit unusual in that we are not funded to do any counselling. Ours is only search and some support, whereas other post-adoption services are funded in other states to do some counselling.

Senator MOORE—Is anyone funded in Victoria?

Mr Coles—No.

Senator MOORE—Clearly in Western Australia they are, but in Victoria there is no funding.

Mr Coles—As independent agencies, no.

Senator MOORE—Are you aware of any interstate networks? One of the things I asked in Western Australia was whether the agencies that were funded and exist in WA have any national network through which they work with each other to share knowledge and information. Are you aware of any such network?

Mr Coles—Yes, absolutely, and we do. We have a lot of interaction on the search side of things, in particular, with our counterparts in Western Australia. There is Adoption Jigsaw, with Isabel Andrews.

Senator MOORE—Yes, they gave evidence.

Mr Coles—There is PASS in South Australia; PARC in New South Wales and PASQ in Queensland, which is a new agency.

Senator BOYCE—Are you a federation of any sort or do you have a national conference?

Mr Coles—We have had national meetings in the last two years. The first time was in Adelaide in 2009 and there was one last year in Brisbane. There is one mooted for Sydney this year. They are meetings of government funded post-adoption services organisations. That has been a real breakthrough because we have had an opportunity to get together to talk about common issues. The harmonised legislation imperative, for example, came out of that last year.

Mr Hubbard—It could be a pretty simple role for the Commonwealth to help facilitate and fund that kind of networking at a national level, which would assist everybody and drive the ground-up impetus for change.

Senator MOORE—Who funds the national meetings?

Mr Hubbard—It is out of our own resources.

Mr Coles—Yes, it is.

Senator MOORE—It is out of your own state based resources, so it is not a special allocation from the state.

Mr Coles—No, not at all.

Senator MOORE—You have to harbour that in some way.

Mr Hubbard—There is a national adoption conference that happens every couple of years.

Mr Coles—It is every four years, and Victoria's turn is in 2012.

Senator MOORE—What does the national adoption conference do?

Mr Coles—It is an opportunity for people to get together from across Australia and internationally to essentially present papers.

Senator MOORE—Is there state based funding to run that?

Mr Coles—Yes. In fact, the Department of Human Services has received funding to organise next year's conference.

Senator BOYCE—But that is not about looking at practical steps?

Mr Coles—Yes.

Senator BOYCE—Is it?

Mr Coles—Absolutely.

Senator BOYCE—The conference is?

Mr Coles—There are also research based papers. There are personal experience papers. There are ones to do with service provision and practices. It covers a wide spectrum.

Senator MOORE—My understanding is that in the past those conferences—and I was not aware that they were every four years, but I knew that they were regular—have been an opportunity for the issues that are the focus of this particular inquiry to get some hearing.

Mr Coles—Yes.

Senator MOORE—Certainly Origins and groups of that type have presented papers at those conferences. That is where we need to have that information base. So they are four-yearly.

Mr Coles—They used to be three years. Since 2000 they have been every four years.

Senator MOORE—The Jigsaw network varies. The stupidity of the different names in every state continues to confound me. That type of network has its own link, but what you are calling for, certainly in part, is to have this more coordinated.

Mr Coles—Yes.

Senator MOORE—So that there will formally be an interchange of knowledge, information and engagement?

Mr Coles—Yes.

Mr Hubbard—The fact that the adoption community has many voices but not a national kind of voice is a bit of a loss at the moment. That would add weight to the kind of calls for change and recognition.

Senator MOORE—That also leads back to the whole issue around the national adoption principles.

Mr Coles—Yes, and the national studies as well.

Senator MOORE—Yes. I know that the intercountry adoptions area is not the focus of this inquiry, but it has popped up in a few submissions, including yours. There is a whole range of issues around that. Your submission states that the advisory group, the National Intercountry

Adoption Advisory Group, which is focused explicitly on the international aspect of intercountry adoption, should be extended to look at the whole adoption issue, because there is no national advisory adoption group. That is how I read your submission. I wanted to get that clarified on record.

Mr Coles—Not quite. We want the experience of past adoptions within Australia utilised so that our knowledge about the impact of adoption within this country can be fed into the National Intercountry Adoption Advisory Group so that it becomes part of their deliberations. They seem to be operating in a vacuum, considering only what is going on in the intercountry adoption sphere at the moment without taking into account the vast range of experience we have accumulated in this country about the impact of adoption. There is something missing there.

Senator MOORE—There is a link missing. There is no national adoption advisory group operating at the moment?

Mr Coles—Correct.

Mr Hubbard—It would be a good thing if it was there.

Mr Coles—Yes.

Senator MOORE—Thank you very much.

Senator BOYCE—I have a terminology issue first. In some of the submissions there has been discussion around the use of the term ‘birth mother and father’ as opposed to ‘natural mother and father’. Does VANISH have a preference? Does the community have a preference that you are aware of?

Mr Coles—It depends on whom you talk to; it is a very emotive issue. I personally do not have an objection to being called a birth father, mainly on the basis that that is the best-known term.

Mr Hubbard—We can see the point. Birth mother just implies that you gave birth and that was the end of it.

Senator BOYCE—I think someone talked about a birth mother being like a breeder or something.

Mr Hubbard—Yes, so there is that very real—

Senator BOYCE—If there was an informed position, I was going to try to use those terms.

Mr Coles—Internally at VANISH we tend to use the term ‘natural mother’. That is our preferred term for the reason that Mr Hubbard has just identified.

Senator BOYCE—You spoke about wanting to harmonise the legislation across Australia. Is there one state model that is better than another?

Mr Hubbard—We were talking about this before. Even with the issue around vetos, I know that some states are phasing out vetos. We want an open, transparent world. We do not believe in two sets of birth certificates. These are adults talking to adults. All we are doing is putting in another level of secrecy and keeping things at an arm's length remove by having these vetos. What needs to happen is a fundamental rethink of the legislation, even at that level. Every state has copied each other and there has been a slight incremental improvement over time. We think some of the concepts need a fundamental rethink in terms of any harmonised legislation and how you might do that.

Senator BOYCE—You are talking about not just harmonising the legislation, but perhaps recasting it, hoping to end up with new harmonised legislation.

Mr Hubbard—That is right. I probably misstated it.

Senator BOYCE—You may like to take this on notice rather than answer it now. What do you see as the core principles that would be given expression in that legislation? You can answer that now or think about it.

Mr Hubbard—The national minimum adoption principles, the draft that we have seen, would form a good basis for that legislation.

CHAIR—Work from that basis and improve it?

Mr Hubbard—Yes. Things like connection with family and privacy and the right of the child, whether it is as a child or as an adult, to have access and so on.

Senator BOYCE—Or the adoptees?

Mr Coles—Yes.

Mr Hubbard—Those principles should drive the legislation.

Senator BOYCE—I know you have talked about this a bit. You talked about the need for subsidised training and you said that you refer people on. What sort of training is it that is needed?

Mr Coles—The training that I referred to before?

Senator BOYCE—Yes. What is that? Where do you get that training?

Mr Coles—There is an organisation in South Australia that provides the sort of training that we would look at providing. They invite people who have adoption experiences to talk about what they have been through and what they have learnt, and then they talk about the impact of adoption in general terms; in other words, the grief aspects, identify, fear of rejection and all of those issues. It is informing the counsellors about the issues that they are likely to confront when clients come to see them.

Senator BOYCE—So it would be a couple of workshops for people who are already trained counsellors?

Mr Coles—Precisely. It is a top-up in adoption, if you like.

Senator MOORE—One of the things that we have talked about in previous inquiries in this area is whether there should be some kind of formal course or some kind of formal developed qualification on issues of loss and adoption that counsellors could obtain. I am wondering whether an organisation like yours wants to give that some consideration today. You can do specialist upgrades in your skills in a whole range of areas. We have talked with people who had been caught up in institutions. The need for specialised knowledge when doing training is one thing, but perhaps there should be some discussion about whether that could be structured to form a special qualification with the right and appropriate skills. That would enable trained counsellors to study quite formally and be accredited in some way so that people would know who to go to. If you would care to give some thought to that, that could be something that you may want to give us some information on, because the people who work in your organisations are the ones who know best these issues and they could put something forward.

Mr Hubbard—All right.

CHAIR—We are a little bit over time. I am conscious that we have a very full day so I am going to try to be a bit tough on time. Thank you very much. You have a little bit of what we call homework with your questions on notice. If you could send your responses in that would be appreciated. Before we go to the next witnesses, I understand that some of the people in the overflow room are a little bit concerned that they are not in here. If people during the break could think of maybe rotating a little bit to give people in the other room the chance to come in then that would be appreciated. That is not an order, by the way, but it would give people an opportunity to come in.

[9.48 am]

ARGUS, Mrs Jean Ann, Secretary, Origins Victoria

EDWARDS, Mrs Elizabeth, Convenor, Origins Victoria

GALL, Mrs Patricia, Committee Member, Origins Victoria

KINGHORN, Ms Lynette, Treasurer, Origins Victoria

CHAIR—I now welcome representatives from Origins Victoria. I am fairly certain that you were all in the room when I was asking about parliamentary privilege, so I am presuming that you have been given that information.

Mrs Argus—Yes.

CHAIR—We have your organisation's very comprehensive submission, No. 166, and we also have a number of personal submissions as well. I would like to invite one of you or each of you to make an opening statement and then we will ask you some questions. We are, to a certain extent, in your hands as to if you want to make an opening statement for Origins and if you also want to touch on your personal submissions as well.

Mrs Argus—First of all, thank you for giving me the opportunity to speak with you. My story comes from the heart. It is a little bit different to the information that you have taken in and what you are actually looking at. I believe there were illegal procedures and crimes committed by various people in past adoption practices, by religious organisations and past governments, both federal and state. I believe in our submission Origins has made this very relevant with all the research that we have done. When you are able to ingest all the evidence that is written it is pretty horrific to think that a country such as ours, Australia, has been party to this. I sit here now before you as a representative of thousands of mothers and their children who have been severely damaged physically and psychologically from the traumatic effects of past adoption practices. I assume that the four of you are parents with children of your own.

Senator MOORE—I have to put on record that I always feel guilty when people presume that, but I do not have children.

Mrs Argus—I would like to take you back and have you think about a few things. This is from a mother of a child that she lost to adoption. Think about the labour ward. Try to imagine a baby being born and you hearing that first cry of life, the life that you have created. You want to see that child, but you cannot because you are shackled to a bed or there is a pillow on your stomach which stops you from viewing that child. You ask for your baby: 'Can I see my baby?' All you want to do is hold your baby, count the 10 fingers and the 10 toes. This child has bonded with you for nine months. You have carried this child. You have felt every movement while this child has been with you. You are the only person this baby knows. It has bonded with you in the womb and yet you are denied that right.

They have denied you the right of seeing your child. They have denied you the right of letting you know what the sex is of your child. Then there is silence. Your baby is taken and put in a different nursery somewhere, crying because the only person that baby knows is you, the mother. It does not know the nurse who took it out. It does not know the doctors who delivered it. It knows you, the mother. So that child then becomes stressed. They give you an injection, a sedative. When you come to, there is no one, only you. Then you are coerced into signing forms of adoption. They say things like: 'Go home and get on with your life. This baby is not yours, give it to a family. You can get on with your life. If you keep this baby the welfare will come and take your baby. You cannot afford to keep this baby.' These are the things that happened to us women and to our children. We are the mothers of these children, the natural mothers who were persecuted. We were not even given the basic human right as a mother or a human being to make that choice, whether to keep our child or to adopt our child out. It was not given to us. Our rights were denied.

The years go on and it does not matter whether you get married or you have more children or a career, there is a gaping hole within you and that gaping hole lasts with you forever.

I just want to close by asking you to look into your hearts as a parent. Ask yourself if this had happened to you would you be the same person you are today? I think not. So much time has elapsed that it is time that the governments, both state and federal, look at what happened to us and our children and right the wrongs of yesterday. Thank you.

Mrs Edwards—As the convenor of Origins first of all I would like to thank you for having this inquiry and inviting us to participate. I would like to draw your attention to the fact that Origins held their inaugural meeting at Parliament House in 1998. Later, in 1999, the Bracks government came to power with not only a promise, but a policy, for a full inquiry. Origins has never been invited to be part of any discussions with the agencies here in Victoria. We wrote and asked to be accepted on the VISCAFF forum and also the AIS forum. I left 10 years after sitting on those two bodies after an adoptive parent told me that we were not birth mothers—we were not natural parents—but were unnatural mothers. I felt that I was bashing my head against a brick wall trying to raise awareness of the past crimes in adoption practices. All the proof that we were providing was falling on deaf ears. We were distressed at the fact that ARMS, the other body that represents mothers, had carried out very little research. It is my understanding that there had been no research into past crimes in adoption. I was a member of ARMS and, again, I left because of the code of silence that was imposed.

In Victoria, because of all of these blockages, we joined Origins New South Wales and Queensland in holding mental health conferences to assist our mothers and the children that had been adopted to come to terms with the truth and to begin a healing process. None of us are professionals. We are limited. All we proposed is that we could support people. Again, we have never had one referral from any of the government bodies here in Victoria—not one. This last two weeks PASQ have given us three referrals, but we have never had a referral from the AIS or VANISH and yet we have been calling for an inquiry into crimes since 1997. We are very disappointed that ARMS has not encouraged their mothers to place submissions before this inquiry.

CHAIR—Who was that?

Mrs Edwards—ARMS. It is, again, our understanding that it has not been widely advertised. Although they, themselves, as an organisation, placed a submission, they have not encouraged their mothers and raised the awareness of mothers. In fact, in the past they have blocked an inquiry, and I will submit all the evidence that we gained under FOI. We attended the VCAT tribunal in order to gain all of this information.

CHAIR—We call it tabling.

Mrs Edwards—I would like to table that now.

CHAIR—Thank you.

Mrs Edwards—That is our main contention. We are talking about crimes in past adoption practices. The Victorian adoption industry has failed to even acknowledge that these crimes were carried out.

Ms Kinghorn—Thank you for the opportunity to share with you today. Ms Gall and I will be reading between us. We cannot read this whole paper, but we have just marked a little bit off so we can share it with you. It has ticks and crosses all over it about what we thought we could fit in. Can I table it when we finish?

CHAIR—Yes, of course.

Ms Kinghorn—To most people the word ‘adoption’ conjures up warm and fuzzy feelings of an unwanted child willingly surrendered by some obscure mother to be rescued by loving adoptive parents to whom the child remains ever grateful for being saved from his otherwise uncertain fate. This transaction was seen as being in the best interest of the child, or so the myth goes.

With adoption itself a legal lie, its success is dependent on denial of truth and the need to lie: with the unwed mother being lied to about her rights to her own child; with the lie that she made a decision when no option was offered; with the lie that her child is not her child; with the necessary lie of the child being unwanted to enable adopters to feel comfortable about taking another woman’s child; with the lie that the substitute mother is the real mother as if born to her; with the lie that the child should be grateful for being saved when he was socially stolen to cure his adoptive parents sterility so that they could better fit into society; with the lie that this birth certificate implies that his adopters gave birth to him, with his birth certificate a blatant lie; with the lie that his mother is not his mother, that his reality is not his reality; with the lie that adoption was in the child’s best interest when adopted children are over represented in mental health facilities and are being diagnosed with severe attention deficit disorders, severe anxiety levels, major abandonment and anxiety, severe dissociative disorders, symptoms of multiple personality disorders, post traumatic stress disorders and schizophrenia, and are at a high risk of suicide and do suicide in high numbers. This perpetual pretence forces them to live in the schizophrenic existence of denying their own reality as a coping mechanism for their emotional survival which the construct of adoption demands of them. It therefore comes as no surprise to learn that in their rapacious quest for newborns the adoption industry systematically lied to unsupported mothers about their rights, their options, financial assistance and legally available

alternatives that would enable them to keep their babies or to at least allow free and informed decision to be made as the law decreed.

Ms Gall—I would like to say that we are reading this in memory of Diane Welfare. She is our family member. It is from a paper called *Wake up Little Suzie*.

I turn to responsibility towards the unwed mother. Perhaps the best way to begin this paper is by doing what the adoption experts have never bothered to do for over 40 years, and that is to actually read the child welfare regulations in relation to the treatment of unwed and unsupported mothers which had been introduced after the *Mace v Murray* case of 1952 to protect the unwed mother from exploitation and enable her to make a free and informed decision about her baby's fate that she could live with for the rest of her life, without regret and without redress.

The regulations explain that a mother giving consent must be fully aware of the import of her action and must be emotionally and mentally able to appreciate all the implications of such consent. A consent should not be taken if there is any suggestion of indecisiveness or that she has not given sufficient consideration to the matter. To avoid any misunderstanding or any suggestion that the mother was misled or uninformed, the district officers are instructed to explain fully to the mother before taking the consent the facilities which are available to her to help her keep her child. These include homes licensed under the Child Welfare Act for the private care of children apart from natural parents, financial assistance to unmarried mothers under section 27 of the Child Welfare Act, admission to state control until the mother is in a position to care for her child, and assistance to affiliate the child and obtain a maintenance order against the father.

When all of these aids have been rejected the officer is expected to explain fully to the mother the full implications of the act of surrendering her child. This includes warning her of the risk of dire future regret if she decides on adoption. Only when a mother has considered these and still wishes to proceed with the surrender for adoption should the consent be accepted.

In 1968 the Department of Social Welfare reported on benefits available to unmarried mothers under allowances for children, section 27A, explaining that the services of the Social Aid Branch are also used in special cases to supply a layette, special foods and milk. Many unmarried mothers call upon this service of the department to act for them in court to obtain an affiliation order. There is no charge for this service.

We are yet to meet any mother who has ever been made aware of such provisions or that such provisions ever existed, yet these two documents alone are clear evidence that financial assistance and other provisions have always been available. Although it has been generally assumed that financial assistance to unwed mothers was first introduced by the Whitlam government in 1973, finally enabling mothers the option of keeping their babies, it seems that all he did was to advertise the already available, but unknown, benefit to single mothers, bringing it into line with the CPI.

Mrs Edwards—Can we leave it there for now and table that paper?

CHAIR—Yes.

Ms Kinghorn—I would like to make a statement that Lindy Chamberlain made. She said, ‘She, or he, who is convinced against their will is of the same opinion still.’ So no matter what they told us, we did as we were told, but we did not believe what we were told. I just wanted to put that in.

CHAIR—Did you want to add anything else?

Mrs Edwards—There is one point that I would like to make. We have never been invited to have consultation with VANISH at any of their conferences, but also one point that I lobbied for, for many years, was what was mentioned earlier, that is the equal opportunity of identifying information for mothers. Also, we are very limited, and actually it is non-existent, with FOI information about our experience, and in fact it has been reduced. New South Wales has a Freedom of Information Act that was introduced in 1992 that allowed all sides of the triangle, if you like, access to information regarding the adoption. I would just like to add that.

CHAIR—Perhaps we could start there. Is it all right to go on to questions now?

Mrs Argus—Yes.

CHAIR—I would like to start with the situation here in Victoria versus the other states, but also the ideal. I would like to explore both.

Mrs Edwards—First of all, we see 80-year-old women passing away not knowing the identity of their child. I think it is imperative to look at the legislation regarding that.

CHAIR—Just to clarify, are these people who have been trying to search?

Mrs Edwards—In Victoria we have to go through a conduit, either go through AIS or back to the agency that took our baby in the first place. That is very confronting.

Senator BOYCE—So the individuals have to use someone who has been funded to do searching; is that basically what you are saying?

Mrs Edwards—Yes.

Senator BOYCE—So individuals cannot do it themselves?

Mrs Edwards—A mother is still treated with the same contempt that she was treated with in the labour ward when they marked her file before she delivered her baby.

CHAIR—When you say that they have to go back to the agencies, do some of these agencies still exist?

Mrs Edwards—Yes. For example, Centacare, Anglicare and so on.

Senator MOORE—So these are the modern equivalents of whatever the process was earlier?

Mrs Edwards—Yes.

Senator MOORE—Do Centacare, Anglicare and the others acknowledge their responsibility to be the conduit for their respective services?

Mrs Edwards—Yes.

CHAIR—So they are willing to cooperate with the mothers?

Mrs Edwards—I think it is insulting that we have to go through them. They then carry out an outreach, so we have to rely on them, the people who took our babies and had an agenda to take our babies in the first place, to perform that outreach and we have to trust that they are going to be honest.

CHAIR—Do you try to use other ways of finding information? When we were in Perth people were talking about trying to search the electoral rolls—anything that they can—in order to find information.

Mrs Edwards—It is very difficult here in Victoria because when you make application to meet your child you will receive a letter that will tell you more about the adoptive parents, but it is non-identifying information so you are not given anything to go on.

CHAIR—So that is when you apply to the agency; am I correct in understanding that?

Mrs Edwards—Yes. It is after you have made the application. They will write to you and say, ‘This is the limited information.’

CHAIR—You clearly work with Origins in New South Wales and Queensland.

Mrs Edwards—Absolutely.

CHAIR—How do your experiences compare to the experiences of people in other states?

Mrs Edwards—Origins has always been blocked from advocating FOI legislation. In New South Wales, as I said before, a mother, her child or adoptive parents can access any information that was relevant at the time of the adoption, but we are precluded from doing that here.

CHAIR—In Victoria?

Mrs Edwards—Yes. The adopted child is given identifying information so therefore they would often go to VANISH for assistance to carry out their search. Some people choose to go it alone.

CHAIR—In terms of trying to find their parents?

Mrs Edwards—Their natural parents, yes.

CHAIR—Why is that?

Mrs Edwards—I suppose for a variety of reasons. A lot of people have told us that they are not happy with the services at VANISH. I cannot comment on that.

CHAIR—Can you tell me what other people have said.

Mrs Edwards—In the past one person who holds a very high position in the mental health field as a director told me that she walked into VANISH one day. There was a young man sobbing because his natural mother would not meet him and one of the paid workers there told him to get over it. Then she sat down and rubbed her genitals against his. She met him on the floor.

Ms Gall—It is a disgrace.

Mrs Edwards—I have asked that person to place a submission. That is the worst scenario, but other people have generally felt that they have not got the assistance that they need.

Mrs Argus—I would like to comment on that. I have only been in Melbourne five years. I lived up in the Murray, at Cobram. I ran a group of 30 mothers up there from Shepparton and outlining areas for Origins. We had a mental health conference in Barooga, which was attended by many people. Those 30 to 50 women that I had contact with had no knowledge of VANISH or ARMS, and neither did I when I went searching. The only reason that they knew of Origins, as it was fairly new, was the fact that I had reunited and put my story in the local paper, and all these mothers came to me. I was a part of Origins and that is what happened there, but in the country rural areas there are not very many. Living up there for 30-something years I had not heard of VANISH or ARMS. I just wanted to put that forward.

Senator BOYCE—Can you tell us a little bit about the structure of Origins? You are an international organisation with branches in each state. Where did you start? Was it here in Victoria?

Mrs Edwards—No, it was in New South Wales. Diane Welfare began Origins. She had belonged to several other mother groups and as a result of receiving all of her information she started to realise that we had the proof that our babies were stolen or abducted from us. From there she started a small group and then people, particularly from Tasmania, approached her with their stories of rapid adoption. I do not know if you know what rapid adoption is. That is where a mother is told her child has died and the baby is placed to an alien breast. There was a lot of publicity given to that scenario at the time and so Queensland and Victoria contacted New South Wales—Tasmania also, but I am not sure what has happened in Tasmania.

Senator BOYCE—Are you an incorporated body?

Mrs Edwards—We were until several years ago, but we felt that our numbers were dropping for various reasons. People had given up hope, particularly when our government dumped an inquiry. We are now in the process of reapplying. We meet once a month at the Queen Victoria Women's Centre.

Senator BOYCE—That is here?

Mrs Edwards—Yes.

Senator BOYCE—What about in other states? Is it a national organisation or state groups that come together?

Mrs Edwards—Origins Inc. is definitely incorporated. I am not sure about Queensland. I know that Canada and America are very active. It is my understanding that the group in the UK is very small.

Senator BOYCE—Do people join as members?

Mrs Edwards—Yes.

Mrs Argus—It is all voluntary. We have never received funding.

Senator BOYCE—How many members would you have in Victoria?

Mrs Edwards—Probably 150 on our mailing list.

Senator BOYCE—Would they be natural mothers?

Mrs Edwards—It is not necessarily natural mothers. A lot of the natural mothers have passed away. We find that, these days, a lot of the adopted persons are joining Origins.

Senator BOYCE—I have been doing some work with cult survivors and I noticed that you have included information in there about The Family and Anne Hamilton-Byrne. Are you able to tell me anything about people who have been involved in some way with cults in your membership?

Mrs Edwards—I think there is a similarity between what happened to us and what happens in cults. We are forced into a secret.

Senator BOYCE—So the authority figure is different, but the process is the same?

Mrs Edwards—Exactly, so you can make those analogies. The similarities are there. We have to keep the secret, get on with our life and not tell anybody, but the abuse is still there.

Senator BOYCE—Do you have members who have been involved in cults?

Mrs Edwards—One of our members is a mother of one of the children from the Hamilton-Byrne family.

Senator BOYCE—‘Cult family’.

Mrs Edwards—Yes, but other than that, not really.

CHAIR—Senator Moore.

Senator MOORE—In terms of process, I know that Origins operates as a support group for people who need to have that support. Is there any focus in your group on counselling and the need for counselling? This is a self-evident question, but it is to get it on the record, in terms of what you think should be available for counselling and support for the women who come to you?

Mrs Edwards—First of all, I think the truth needs to be established far and wide. There definitely needs to be counselling. We have struggled through reunions with an adult who is a stranger that we regard to be our baby and it takes a long time and a lot of resistance to let go of the fact that that person is not your baby. Therefore, I think we need a lot of counselling. We have one member who is a psychologist herself and she has offered her services to us, but there are quite a few of us who continue to see a psychiatrist.

Ms Gall—A lot of informal counselling goes on between us all.

Senator BOYCE—So you are like a self-help group?

Mrs Argus—Yes. We support each other. A typical instance of that was one of our members who was having a really bad morning. We were having a meeting so we put the meeting on a bit earlier and did not call it our monthly meeting; we just called it a day of letting this member share what they were feeling for that day. I think all mothers would agree that there is not a day that goes by when we do not suffer, whether it is a birthday that we have to get over, Christmas or Easter. The siblings of the child we lost all have consequences too from that. They need help and counselling. It is just a complete ripple effect. I can stand here today and say 40 years on that I need counselling and I receive help. Each one of us has individual needs and it is different kinds of counselling, but we still need it. It is desperately needed for us, for the siblings of the child we lost and for the child we lost.

CHAIR—How do you access counselling?

Mrs Argus—Your GP.

Mrs Edwards—Someone who will listen. It is reflecting, sometimes, that we have heard what the person has said.

CHAIR—I did not frame that question properly. We have been talking about the need for counselling. How do you access counselling that meets your needs? Also, what is available and how do you fund it?

Mrs Edwards—We do not.

CHAIR—That is what I wanted to talk about.

Ms Gall—It is very difficult to find clinicians with the expertise.

CHAIR—Which was what we were talking about before.

Ms Gall—It goes back to the issue of the disgraceful paucity of research into the psychosocial aspects for natural mothers. More research needs to be done into that area, even as part of the curriculum for psychologists and psychiatrists to look at the effects for adoptees and natural mothers as part of their training. That is a very real problem. I have been going to a clinic now for some years and they do not understand the issues that I am dealing with. I am having to educate them.

Senator MOORE—You are providing the resource, so you are training the people so they can help others, and that is often how it works.

Ms Gall—Cost has a big effect too.

Senator BOYCE—So there is no funding available?

Mrs Argus—No.

Senator BOYCE—So you pay privately?

Mrs Argus—Yes, we pay privately. You have to pay it yourself, and then there are waiting lists. You have to wait two or three months. You cannot get the assistance you need on that day. GPs do not really understand what you are trying to deal with and a lot of the GPs that were around in our younger days have retired, so we have a lot of new multicultural GPs.

CHAIR—Some of them are unaware of what happened.

Mrs Argus—They have no idea of what happened. You go in to see them as a patient and you are educating them. They will then refer you off, but you have months to wait and the cost for some people is just out of reach.

Ms Kinghorn—Otherwise you marry a man who listens to you go over and over it.

Senator MOORE—That is a good point.

CHAIR—We had a witness in Perth who said that she had married an amazing man who stood by her for 39 years and helped her through things. The other issue that has come up in submissions, but also at our other hearing, was the issue around drug, alcohol and substance abuse in relation to natural mothers having very significant problems and the need to have counselling. Have you found from some of your members that you have a higher proportion of people in that category?

Mrs Edwards—Absolutely. By the same token people have said it is important just to have people listen and understand. They have said, ‘I’ve gone home and I haven’t had a drink every night this week’, or, ‘I may have only had a drink a couple of nights this week.’

Senator MOORE—All of you have talked about the issues of listening. I think it is really important that the work that organisations like Origins does is acknowledged because we talk about formal and professional counselling, which is important. Our committee will talk about those things in our recommendations, but it is the self-help, the listening and the peer support,

people who genuinely understand, which needs to be acknowledged. In terms of the process, you have all talked about the fact that you have done that, and that is extraordinarily valuable. I think in any kind of process going forward it cannot be an either/or scenario. You can do all the professional stuff in the world, but you need to have that back-up of the peer support. That has to be acknowledged.

Mrs Edwards—Yes.

Senator MOORE—Sometimes people get lost in what has to happen being tacked on. It is important that you self-acknowledge that you have been providing these services, and that sometimes that gets lost.

I want to go to something that is a bit painful. Everything is painful, but this is something I am seeking and would like to know if you have information about this. In the Perth hearings we had a number of women who came forward who talked about the fact that it was their family who were the drivers to the situation in which they found themselves. They talked about the ongoing estrangement from mums and dads. I am wondering whether any of you want to put on record anything about that particular level that so many of the women who have come and given submissions were very young. The documentation about which people spoke was signed if not by themselves, by their mums or their dads, and that has led to further trauma. It is a particular issue about which I am concerned, and I am just wondering whether anyone wants to put anything on record about that. It is an ongoing further stressor in the whole process.

Mrs Edwards—We have heard from mothers who feel alienated from their families because this is an issue of betrayal. A lot of mothers cannot forgive.

Senator BOYCE—They cannot forgive their family or their parents?

Mrs Edwards—Yes, that is right. I think it is also betrayal of our community and everybody that we should be able to trust. There were doctors, nurses, lawyers and priests. I think that is a really difficult one to get over. One of the things that my sister said to me was, ‘Mum and dad did that to you, Elizabeth, but the worst thing is that they left you bitter’, so now I actively try to forgive them, but all of a sudden it will come from centre left field and the rage will come up again. I am not sure how we are supposed to deal with that. I have been seeking professional help for 30 years, but I still have not overcome that issue of betrayal and how you forgive the people who did this to you.

Ms Kinghorn—I was relieved to go to Berry Street and be away from my family. I have two sisters who still say I got what I deserved because I was bad.

Senator MOORE—It is that ongoing element of judgement?

Ms Kinghorn—Yes.

Senator MOORE—Thank you for that. It is a particular element of the story which is important to be acknowledged. In terms of the records, a lot of the records indicate that family approval was provided for the process, so it is one other stream in this particular part of the story.

The other thing is that you mentioned the international experience, the fact that what was happening in Australia was also happening in other countries through this whole period and process. We will talk to Origins in every state because they are such a unifying group, but there is the link with organisations in the UK and in America, in particular, because some of the stuff in your submission is actually sourced from the US, whether there is an international movement, whether people have shared and whether there have been, from your understanding, responses in other countries to which you can turn. Is that something that you want to share with us?

Mrs Edwards—New South Wales have been particularly active.

Senator MOORE—In the international stuff?

Mrs Edwards—Yes, on the international scene. They set up a website where we could all communicate on line. That was 20 years ago and it is ongoing. It is a Facebook now, but it has not always been a Facebook. We have shared our stories. We have laughed together and cried together.

Senator MOORE—That is important.

Mrs Edwards—The impression that I get from America is that they are ready to starting fighting, but it is going to be a huge job for them to educate people over there. Adoption has been packaged so tightly here, but over there it is promoted by Hollywood.

Ms Kinghorn—This paper is ‘Adoption Australian Style’ which states, ‘No other country in the world implemented such violence upon an unmarried mother and her child quite to the extent as was carried out in this country.’ There are other statements from different countries. I would like to table this.

CHAIR—Yes.

Ms Gall—In Russia, for instance, they counselled mothers out of adoption and Sweden stopped the adoption of children in 1966.

Senator MOORE—On record we have your individual cases, so thank you very much for that. I know you have been very careful to talk generally in this evidence, and I can assure you that we have all read the individual stuff that you have put forward. In terms of the issue of adoption, are you opposed to adoption? I would like to get that on record because there is a whole range of things around this. Are you opposed to adoption?

Mrs Edwards—We would like to see adoption put on hold and a lot more research carried out into the impacts of adoption on our children and the mothers. We would like to see reality embraced, but I think adoption needs a new paradigm. In some cases we will need adoption, but again, we also talked about birth certificates before. Origins lobbies for the original birth certificate and an adoption certificate and for the child or the person who was adopted to use either as legal tender.

Senator MOORE—As their choice?

Mrs Edwards—From their choice, that is right.

Ms Gall—I think infant adoption is different from the kind of adoption where it is taken from the mother and given away. I do not think that is right. It is different if a child is definitely going to end up in an orphanage.

CHAIR—That is the question that I was going to ask, where you have had situations where they do not have either parent.

Ms Gall—Of course that is different.

CHAIR—We are clarifying here that it is where they are taken from their parents.

Senator BOYCE—Or where a decision to adopt has been made before the birth.

CHAIR—Yes. This is what we are talking about.

Mrs Edwards—Even with the issue where people are drug effected, we are hearing every week of cases where grandparents and relatives would like to care for that child, but they are being denied that because of the legislation that allows the adoption industry or the DHS to go into the labour ward and claim that child for adoption.

Senator MOORE—Are they doing that in 2011?

Mrs Edwards—Yes.

Senator MOORE—We will follow up on that because that is not the stuff that they are telling us.

Senator BOYCE—This is where DHS is saying that they are doing this because the child would be in danger.

Mrs Edwards—We would never put a child in danger.

Senator BOYCE—No. I am just trying to understand. DHS thinks that they are doing this in the best interest of the child because the mother, for whatever reason, is considered not to be someone who would be a safe mother.

Mrs Edwards—Last week we had a grandmother who had a breakdown six years ago and DHS denied the grandmother the baby on the grounds that she had had a breakdown.

Senator BOYCE—That was six years ago?

Mrs Edwards—Yes.

CHAIR—I do a lot of work in looking at kinship care and in other states there is a steep increase in the number of children that are going into kinship care.

Senator BOYCE—It is almost a sense of obligation that grandparents should take them in some cases.

CHAIR—We will write to the department and ask them about that.

Mrs Edwards—Yes, thank you. Another point that I would like to raise is the fathers. I think they are being overlooked here. Very often they suffered too. There is a myth that we did not know the fathers.

Mrs Edwards—The documentation said ‘unnamed child’.

CHAIR—A lot of submissions also talk about that. Of course, the vast majority talk about mothers, but we have a lot talking about fathers as well. They also make the point which relates to Mrs Edwards’s comments that the fathers often did not know.

Mrs Edwards—That is right.

Senator MOORE—That is because of the way it all happened. I would like to know what you want to have happen. So far you have talked around it. There are things in your submissions, I accept that, but in terms of this process where you are giving this evidence, can you put on record what you want to have happen and what you think this committee should do.

Mrs Edwards—The first is that Origins should be given a respectful right here in Victoria to ongoing consultation. We should be recognised for the work that we have been doing. We would like some funding to set up a support area to extend that and have at least one paid worker.

Senator BOYCE—Have you applied for funding?

Mrs Edwards—No, we have not applied for funding. We meet at Queen Victoria Women’s Centre. They sent a letter to us a couple of weeks ago for expressions of interest for office space there.

CHAIR—Excuse my ignorance of Victoria. In WA the situation is different to the other states. We have a Lotteries Commission so lotteries money does not go to the state, it goes to this commission, and they fund, amongst other things, a series of community based buildings where not-for-profit organisations can have not free, but fairly cheap, office space. Is that a similar sort of thing?

Mrs Edwards—Yes, absolutely.

Senator MOORE—There is still a cost?

Mrs Edwards—Yes.

CHAIR—But it is much cheaper.

Mrs Edwards—We understand that we would need at least one paid worker for the type of support that we are contemplating.

Mrs Argus—It is like a resource centre where people that are affected, like young mums today or in the past, can come along and we can refer them, talk to them or have a cuppa with them, so that someone is there for that person. I think that is what we have got out of being members of Origins. At any time of the day or night you can pick up the phone and we are there.

CHAIR—I would like to follow up on Senator Moore's question. Obviously we are looking at the federal government's past practices and policies and also what role the federal government can play in addressing issues. Many things have come up in the submissions, but there was a comment in your submission that I must admit that I do not quite follow, so I would appreciate it if someone could articulate it a bit more. You were making comments about the Commonwealth Marriage Act. I do not understand the point you are making there. Would you be able to expand on that for me? It particularly relates to past Commonwealth actions and policies.

Mrs Edwards—A lot of women were in long-term relationships. They went on and married the fathers of their child. If they married the father of their child that legitimated the child. Even if they did not marry the father of the child, it still legitimated the child. I am talking about before the adoption went through. That has never been addressed and I would like to see that addressed.

Senator BOYCE—There are large numbers of people who were adopted and then have full brothers and sisters that are legitimate.

Mrs Edwards—That is right. I would like to make a point there. Because of the Status of Children Act all people who have been adopted are legitimate. What you are saying is right.

Senator MOORE—It has happened.

Mrs Edwards—Yes, it has happened. I think that should be canvassed. I think that people need to know. We talked earlier about language and what is a birth parent, but there is also a nasty connotation to a child who was born out of wedlock. It is not so much today, but in the past.

CHAIR—If you were illegitimate, there was a real stigma attached to that.

Mrs Edwards—Absolutely. That is what they used against us to get our babies as well.

Senator MOORE—So there is no need for further legislation because the legislation has happened. What you are speaking about is the re-awareness.

Mrs Edwards—Yes.

Senator MOORE—This all comes to the whole issue of understanding.

Mrs Edwards—Yes.

Senator MOORE—My understanding is that, as far as legislation is concerned, that has been done.

Mrs Edwards—That is correct.

Senator MOORE—So there is no need for further consideration of laws or anything like that?

Mrs Edwards—No.

Senator MOORE—It is too late, but nonetheless it was done. I am still struggling over a couple of things that Mrs Edwards wanted to have happen. Is there anything else that any of you want to put on the record yourselves, as opposed to what you have already put in your written submissions?

Ms Kinghorn—When you asked us if we believe in adoption, were you meaning overseas adoption as well?

Senator BOYCE—Any sort of adoption.

Ms Kinghorn—I feel that back in the time that we were subjected to this there would be young girls in these countries that babies are coming from. You hear that it was found in a lane. That is so anxious for me because that is really what was said about us, ‘They were young and they didn’t want them’, which was totally untrue. I worry about babies coming into this country with that story behind them. How many babies were found in lanes that have the same stories that we have?

Senator MOORE—In terms of reassurance, the advisory group that we mentioned in the previous evidence, that is part of their lot, to ensure that any of the documentation in intercountry adoption processes is fully investigated and assured. Just a statement, it is not enough, but I understand that is certainly something that has come up, that people’s fear and anxiety about what happened in our country colours their view of what is happening now. That is one of the reasons why there is so much care in the intercountry stuff and also so much awareness. You can see the numbers are extraordinarily low. Just to put on the record, we get a lot of information and lobbying from people who are desperately seeking to be involved in international adoptions, so the pressure is coming. Just be absolutely assured, Australia is very keen and very aware of those issues, so we are not accepting verbal processes.

I have just come back from a trip to Africa where, in every country, the issue of external adoptions is a major issue on their own legislation agenda. Please follow up. I think it is important to go to the websites and talk to people in this process so that you can have your personal reassurance.

Ms Kinghorn—I would also like to remember mothers that are unable to tell their story. There are many mothers that cannot even voice their story to their families. I wonder how healthy they are, mentally, to live with such a burden. I just want to make sure that they are remembered.

Mrs Edwards—I would also like to remember Aboriginal mothers who also lost their babies in the same way that we did. There is no difference.

Mrs Argus—That is part of what I would like in this resource centre. We are such a diverse community now and such a multicultural country. It does not matter about colour, race or religion, we are all one and we are all mothers.

CHAIR—We are just over time now. Are there any final comments that you would like to make? The other thing is that if you leave here and you think that you should have said something, then please do not hesitate to send us a quick note because we will take supplementary submissions. Do not kick yourself if you leave here and think that you have missed your opportunity because you have not, you can put more in.

Ms Kinghorn—If it is in submission already, then it is in.

CHAIR—If it is in your submission, it is in, but if anything new occurs to you in terms of the questions that we have asked or we have run out of time and you have forgotten something—

Senator BOYCE—Even if you are listening to subsequent evidence and think that you should have said something.

CHAIR—Or you would like to make a follow-up point, do not hesitate to send something in.

Ms Gall—I would like to say that my parents were very supportive of me, but I still blame them unconsciously.

Senator BOYCE—Your adoptive parents or your birth parents?

Ms Gall—I am a natural mother who lost a child to adoption.

Senator BOYCE—I see, your own family.

Ms Gall—Yes.

CHAIR—Your mum and dad.

Ms Gall—Yes. My mother and father were very supportive of me and would never have heard of St Joseph's Babies' Home where I ended up if it was not for a priest that they consulted. He advised that I go there. I still blame them unconsciously. It nearly destroyed my relationship with them.

CHAIR—I think that happened to many families. We have had a number of submissions and also evidence in Perth around very similar situations. In some cases it is the GP that puts them in contact with other people.

Ms Gall—That is right.

CHAIR—Thank you very much. We are going to have a break now. We will try to keep to time and start again at 11 am. I have also had a request to reiterate that if you want to be in the community forum this afternoon you should contact one of our staff here, or come to us.

Proceedings suspended from 10.52 am to 11.06 am

MAISON, Mrs Barbara Elizabeth, Member, Apology Alliance

SMITH, June Mavis, Private capacity

WOOD, Mrs Mary, Private capacity

CHAIR—I now welcome representatives from Apology Alliance to today's hearing. I am not sure if you were all in the audience when we started this morning when we were talking about parliamentary privilege so I will cover that. I understand that information on parliamentary privilege and the protection of witnesses and evidence has been provided to you. Before I invite you to make an opening statement I remind people that the hearings are live streamed. If you want to follow some of our other hearings in Sydney in Brisbane you can watch it live-streamed. Also, the *Hansard* transcript is available online about three to five days after each hearing so you will be able to get access to what everybody said that way as well. We do have your submissions before us, thank you. I would like to invite one of you or each of you to make an opening statement and then we will ask you some questions.

June Smith—I notice that you stipulated five minutes. Mine runs to about six; is that okay?

CHAIR—Yes.

June Smith—It is mostly on behalf of all mothers but it is also personal. I wish to thank the committee members sincerely for giving me the opportunity to speak publicly about our issue. I would like the committee to know that I would not personally endorse nor enter into any counselling with any group or organisation that is or has been associated with adoption in any way. I strongly support other mothers' belief that only trained trauma counsellors should be made available to us.

Our history is about the blatant abuse of unsupported young, single mothers when they were at their most frightened and vulnerable. These young mothers were sent to Coventry, removed from the normality of their lives into a Victorian time-warp of unbelievable injustice, punishment and degradation. These young mothers were isolated, bullied, shamed, humiliated, disgraced to family, friends and society and finally left so defeated and totally disempowered that they became easy prey for the final act of the abduction of their newborn babies, betrayed by the very persons who were supposed to have cared for them.

I had my beautiful baby boy, who I named Michael, in 1961 when I was 19 years old. I am told that I was one of the lucky ones because I saw my son, cuddled and loved him for the first few days of his life. The joy and love I felt for my tiny boy was unimaginable. The memory of the despicable actions of those who took my baby was just too much to bear, even after nearly 50 years. I will give just one example of the Royal Women's Hospital staff's treatment of me.

My baby was taken from my bedside and placed all alone in a nursery. I was forbidden to see him or go in the nursery. I was then left for several days sitting on a bed in a ward full of married mothers who were allowed to have their tiny babies next to their beds. They were able to hold their babies, cuddle them and feed them whilst I sat and watched and cried.

My son now believes the lies written on his documents that I signed him away willingly without a care and will have nothing to do with me when in actual fact he was pulled from my arms by a nun because I would not let him go. My screams that I did not want him to be adopted fell on cold, sanctimonious ears. Their power was absolute.

All Victorian state governments have denied us mothers identifying information of our children. Victoria is the only state in Australia to treat mothers with such contempt. The Royal Women's Hospital in Melbourne has denied mothers their medical records and our social work records for over a decade. Their reason is that the documents have been destroyed in that time yet I have been able to obtain medical records for all my subsequent babies' births for the same years that other mothers have been denied their records with the same excuse of destruction of records. Their treatment of mothers is also contemptible.

Upon reading many of the submissions to this inquiry I wish to state that the continual pro-adoption propaganda that has continued for decades, that there was no pension, that society demanded the removal of our babies, that it was a different time and any other number of the offending, treacherous statements used by those in adoption welfare in order to lend credibility for their inhumane actions in the removal of our babies; these continual trite and offending excuses for actions of immeasurable inhumanity towards us mothers deliberately tend to water down the great wrong that was done to us. The fact was that no-one had the right to take our babies.

Many of our children will have nothing to do with us. They have learned to believe these pro-adoption lies and also believe that we willingly gave them away. These lies that have been perpetrated for decades are now taken as fact by our children and all of society.

In 1965 I was a married, deserted wife with a six-month old son. I did not get maintenance from his father for 18 months. I did not claim any benefit or pension from social services ever. I worked. My son was cared for by a triple-certificated nurse in West Heidelberg. I will not say that it was easy but it was easy to love my boy and care for him as any mother would. The irony was that most people believed me to be an unmarried mother. I faced no obstacles. Yet during 1965, the same year I was a deserted wife and left solely responsible for my son, and for nearly a decade after, thousands upon thousands of young, single mothers across Australia were still having their newborn babies forcibly removed from them for no other reason than that those with absolute power had the nefarious will and ability to do so.

Our children now have children of their own and gaze at them and wonder in anger how we could have given them away for no-one would make them give away their child. This is part of the ongoing trauma for many mothers. We have lost so much. We have learned not to trust, suffer from mental anguish and trauma and have had to live with the fact that we were betrayed, and that betrayal continues to this day. Our trauma is so deeply entrenched into our very souls that I doubt we will ever recover. We need to be respected in this country's history as mothers who had their babies taken forcibly from them for no other reason than to satisfy the ideals of others. We need to be respected in this country's history as mothers who were unjustly abused, betrayed and punished by all governments, hospital staff, welfare workers, religious hierarchies and society because of their inhumane, obscene prejudice towards us.

My son was taken against my will and I was left broken. I am still broken. We are all broken. It is time for justice, acknowledgement and respect. Thank you.

Mrs Wood—Ladies and gentlemen, I would like to tell you how I lost my child to adoption. I always thought adoption was for people who did not want their children. The word ‘adoption’ was never mentioned to me. I went to an unmarried mothers home and I gave birth to my son and I still do not know—because I have not been able to find out from my family—the story behind how I was there.

I breastfed my baby for five days and on the sixth day I was told someone wanted to see me. I was taken to a fairly big room like this and when I walked through the doorway and looked down and saw one person standing down the end of the room I thought that this was not natural. This person came up and they told me to sit down and they put the adoption papers in front of me and told me to sign them and told me I had no right to be breastfeeding my son. I was in shock. When I read that form today that I knew everything that was going on—I knew nothing. I did not know what the word ‘informed’ meant at that stage. I was never informed. Not one word from anybody was mentioned of adoption of my child.

When I went back to my bed and they took my child away and then they bound my breasts so I could not feed him. I would like to see an apology from this government made to us mothers who lost our children to adoption. This wrong is well overdue. Our babies were loved and wanted and part of us, not given away as now thought by our children. How can we ever forget the heartbreak it has caused us all our lives?

Mrs Maison—How can I add to those? Basically I have to agree with Ms Smith and Mrs Wood about exactly what happened and my story is in my submissions. All I would like to say as a summary is that what I would like to see as the outcome of this inquiry that is almost like a miracle because I was there on the day in Perth in the parliament when the apology was made and to me that day was a defining moment in my life. I still get goose bumps thinking about it. It was a miraculous day.

We never dreamed we would get an inquiry. What I would like to see as the outcomes of this inquiry would be a Commonwealth government apology to the mothers and their children with the same quality of recognition and publicity as the previous apology to the Indigenous mothers and the forgotten Australians and the care leavers because people are still talking about those. People recognise them as something very, very significant. Our loss was just as significant, but in a different way. We cannot compare each one. We all have our own stories.

I would like to see funding for trained specialists—trauma counsellors, not mothers or social workers—for people who need help to get over their trauma because it was a trauma. It was an injury to us; it was not just feeling sad and: go home; you will forget about it. You did not forget. You could not forget. I found as I got older and older it has got worse, even though I have met my son. I know him. I have a good relationship with him. He looks just like the first son of my marriage but it is like loving a familiar stranger. He is just like his father. His father and I wanted to get married. We had been going together for quite a while. We had plans to get married and we were told: no, nobody can help you. Our parents could not afford to help us.

The local doctor apparently arranged with a family who lived in our area—this is in Perth—and those people took my baby. I used to walk home from work. I got a job a week after Peter and I had to sign the consent forms because we were told that if we did not sign he would end up in a home and if we really loved him, he would not. So we both signed against our will and after that I got a job within a week and I used to walk home from work, a couple of miles, because I was so depressed. I could not get it out of my mind and I thought I was going crazy because they said, ‘Everybody forgets; what is wrong with you’, and that sort of thing. I did not find out until finally the Western Australian government changed the laws so I was able to find out who my son was, what his substitute name was. In those days after he was born I used to walk past this end of the street where he lived, two houses up, and I was just so close. I worked within half a mile of him. So, that is enough of that.

My third point is that all of Victorian mothers have reciprocal rights as in other states to information of their child’s substitute name, to also be informed of that child for whom they are grieving when their child has died. We have a mutual friend. Sue was grieving for her son and she had been told to swear on a bible she would never look for her son. But it got too much for her so she finally did it, went and got the information of her son that she had been grieving for so many years, and he had died many years before. So the reunion she had with her son was at his gravesite.

I think that is all I can say. Thank you.

June Smith—There was something you asked before with a previous group about—I think it was you—about the pressure of parents on their children. That did not apply to me. My parents did not know. In fact, my dad died without ever knowing. When I told my siblings, my son would have been about 38 or 39 years old. My siblings did not know. A close relative got married very young. She got married at 15 because she was pregnant and had permission from both sets of parents. She said to me how she wished she had known what happened to me because she could have helped me, and of course she could not have. But she said that when she went to the hospital at 15 with her soon-to-be husband and his mother that the social workers—or the almoners in those days—put such enormous pressure on the father’s mother for that child to be adopted.

Also I was in a local newspaper in Lilydale and I worked for Centrelink and I got so many people come up and speak to me. And one girl came up to me and she said, ‘When my sister was pregnant we went to hospital. If it had not been for my mother’s strong will those social workers absolutely bullied my mother to give up the baby.’ So I think there might be some sort of other avenue where these mothers and fathers should not all be blamed. I am not saying that there were not some that were very adamant but there was a lot of pressure, social stigma and all this rubbish that really did not exist if you got out into the world. That is all I wanted to say, thank you.

Mrs Maison—When the almoner came around to take information for the birth of my son I gave her my details and his father’s details. I was not allowed to see him. The father, Peter, used to come to visit me in hospital. I was not allowed to see the baby but she would not take his details to put on the birth certificate. I said, ‘Why not?’ She said, ‘Oh look, it would cause too much trouble.’ But she did take his details because he was later served with papers to go and sign a consent for adoption. Yet when I first met my son, he was very apprehensive asking the

first few questions, but he said, 'Do you know who my father is?' Oh, do I know? By that time I had got back in touch with his father. Both our marriages had finished and we were going to get back together again, but he died of cancer in the meantime. But just before he died we met our son who said, 'Do you know who my father is?' 'Yes.' He said, 'Why isn't his name on my birth certificate?' That had devastated him.

CHAIR—Is that a common—

Mrs Maison—Yes, it is a common occurrence. They had to prove that the father was really the father. If the father was not willing to give information about his name and details, or whatever, to go on the birth certificate they had to then chase them to put it on, but they did not want to. It was too much trouble because they had that many babies pouring through anyhow that it was just extra work for them. But that is a common thing and a lot of adoptees will say that. Their father's name is not on it. A lot of mothers will say, 'But I told them.' That hurt my son a lot, I know.

CHAIR—In terms of counselling, it is a very common thing that everyone is saying and we totally get the need for specialised counselling, were you aware that there has been a lot of calls for federal funding for counselling and other resources. Are resources for counselling something you see that the Commonwealth should be providing?

Mrs Maison—Yes, absolutely.

CHAIR—In all states and territories?

June Smith—Absolutely. None of us have been counselled. I tried twice with VANISH and I was so disillusioned and cried my eyes out and had a row with one of them that I would never go back there. A doctor I once approached told me that she wished she could take babies from some of the mothers that were on drugs and have them adopted, so that is the other alternative that I had. So no, the only people I speak to are people who have been through it because they are the only people who understand. Nobody can; you could never in your life imagine it. You couldn't.

CHAIR—The other group that we hear people raise concerns about of course is the adopted children. We have not heard so much—we have heard but not so much from adopted children—but it seems to me that there is also a group of people that need some support and counselling.

Mrs Maison—Very much so, yes.

June Smith—I think the reason that you do not hear so much from them is: I do not understand because I was not adopted so I do not understand. But I think the biggest factor there is they still believe we gave them away. So for them to look for any sort of counselling, I think it is very hard for them. That is why I think that they need to know what happened to us. I mean they really believe we gave them away. How many married women in this country have given away their children for adoption? How many? There were tens of thousands of us. Nobody said what was going on, not ever. It is only in the last few years that this has actually come out. In Victoria it has been suppressed over and over again, no matter how many letters we have written, no matter what we have done. We have protested. We have done so many things. Nothing has eventuated—nothing. It is just disgraceful.

Mrs Maison—In other places there has been publicity—not Victoria. It seems to be there is a clamp on it.

CHAIR—Out of all the states is Victoria the hardest place to get access to information?

June Smith—You cannot get any. All I got from mine was my son's new first name. I knew about his adoptive father. I knew what he did for a living. I knew what the adoptive mother did. I knew the colour of her hair and his hair. All I knew about my son was his name.

Senator BOYCE—His first name?

June Smith—His first name.

Senator BOYCE—You knew that other information separately from the information you were supplied with by the state government?

June Smith—They sent me a letter. Yes, they just sent me a letter and said, 'Your son's name is'—whatever it was. It was Dominic. I will say it, I have got no problem. I still will not accept that it is, but the rest of it was all details about his adoptive parents as to where they worked, what their hair colour was, how old they were—

Senator BOYCE—But not their names?

June Smith—No, absolutely not, no identifying information at all. But they know my name because it was written on the adoption papers. I know this for a fact because my son would not see me, my daughter went to the AIS to see if she could meet him and the person that she spoke to, the counsellor, was much more approachable than the one I saw. He told her that my son came in to get his birth certificate because he knew his mother was English and he was going to England and needed a visa, as if he had to have a visa. So my kids were upset that he did that and he would not see me. But I was very proud that for once he had to admit I was his mother, so that made me very happy.

Senator MOORE—So, for the purposes of immigration he could access the records?

June Smith—Yes.

Senator BOYCE—He had work there, or whatever?

June Smith—Yes, he can go over there because I am his mum and English—

Senator MOORE—I have not heard that before—

June Smith—Yes, you can go over there because you have an English mum.

Senator MOORE—Can you access the information for that purpose?

June Smith—No, he can access the information of his birth certificate because he has got identifying information rights.

Senator MOORE—But actually for the purposes of immigration and visa processes—

June Smith—He can use that as it is his history. The only place he would have got that information, because he had not been in before, was from his adoptive parents. That is what my daughter was told. He was told by his adoptive parents that his mother was English and therefore he would be able to work over in England.

CHAIR—So then he needed to get your name, so he acknowledged you.

June Smith—He needed to get the birth certificate to prove that it was me and that I was English by birth.

CHAIR—Did he have a changed birth certificate when he was adopted?

June Smith—He must have. I do not know what happened after he was adopted.

Senator MOORE—Ms Smith, you said—

June Smith—Just call me June, I do not like titles.

Senator MOORE—How did you get on in Centrelink then?

June Smith—Centrelink? I went there for about 19 years so—

Senator MOORE—I was wondering how you got on without having a title there.

June Smith—They did do pretty good things there.

Senator MOORE—But in terms of your process you said you were 19.

June Smith—I was 19 years old.

Senator MOORE—Mrs Maison, how old were you?

Mrs Maison—Barbara—I was 17.

Mrs Wood—Mary—I was 18.

Senator MOORE—You were all very young. In terms of the process, Mrs Maison, you actually said what you wanted. You wanted the apology because you felt that the apology that was in WA reaffirmed the whole process for you and—

Mrs Maison—And for the children.

Senator MOORE—for the children. You have come together under the term Apology Alliance, so that is a bit of a giveaway that the thing that you want is an apology.

Mrs Maison—It is an Australia-wide group.

Senator MOORE—I know, but it is—

June Smith—It is a validation.

Senator MOORE—I want you to actually put a little bit more for us as to why you want the apology.

June Smith—I am sorry, I always take over. It is a validation to our children that this did happen to us, that we did not want them to go. We were so powerless. You could never understand because you judge it on today's standards. You could never understand this. We were powerless. These people were to be respected. We were in awe of them. You did not talk back. So for our children to be aware of what we went through, that apology to us demonstrates to them that it was wrong, that this was not what should have happened for them because their life has been one of abandonment. My son apparently is happy. I was allowed to have one letter from him. I was not allowed to reply. He has been happy. But we still need for the people who were not so happy—and I am sure he still thinks I—well, he did, he said in the letter that it must have been a hard decision to make. I never made the decision, so it was very hard not to be able to comment back. I really think that is one of the biggest reasons for an apology, to validate what happened to us, because it was criminal behaviour.

CHAIR—Who said you were not allowed to respond back?

June Smith—It is the law in Victoria. I cannot know him. I must admit, I put on a turn because I wanted to see him and know him and he promised to write one letter, but I had no right of reply.

CHAIR—That only holds if the child does want to talk to you—

June Smith—He knows my phone number and my address. At any time they know that, I do not care.

CHAIR—I was not making that personal to you but in general—

June Smith—No, in general.

CHAIR—if somebody does want to, they can.

June Smith—Absolutely.

Mrs Wood—What happened to me was: I went to the agency where he was adopted from to get information for the start for myself years ago and all I was told was that the parents were good parents and that I would just have to live with it. That was all the information I got at the time. Later on I had my name down with the community services here in Victoria. I think it was

in 1984 the law came in where adoptees could have—I might not be correct on this, but I know they could get information. But I joined a couple of support groups over the years. Years ago it was quite popular for people to put adverts in the paper. You know, when your child's birthday was due and that and Christmas and things like that.

I have met my son 25 years ago but I have not changed. I am just a complete wreck. I cannot move on from what happened to me. He contacted the agency when I advertised once and he had all my details, how many children I had, the family I came through. He knew everything but I was not allowed anything. The agency I contacted previously sent me a letter one day—I had been working hard all day at work and I came home at night time and here is this letter to tell me that my son's father was a fireman. That was all that was in it and I thought, 'Well, that is just wonderful.' I could not get anything whatsoever. So through my son contacting me through the ad that I put in the paper to the group that I belonged to at the time, that is how we got contact. But otherwise I had no way—I had no information—no anything. I was always very upset about the fact that I never received a birth certificate. He was born; I named him; I never got a birth certificate. To me, that is acknowledgement that I have given birth, that this child is mine, but I never got one.

Mrs Maison—We walked into those hospitals pregnant, gave birth and walked out with nothing, not even a piece of paper.

Mrs Wood—After I signed adoption papers in the hospital and my son was removed from me, I was there several days in the big room with eight women in the ward with all their babies and I was left there. When the day came to go I just could not believe it. I was out sitting in the car and I had two family members sitting in the front of the car. I was in the back seat and I just could not believe it. They brought my baby out and handed it to someone in the front seat. I had not seen him for days. He was my baby and I had no say in it. It was just like, 'Well, you have signed the paper.' So, you know, an apology to me is very important.

Senator MOORE—Why is the apology important to you?

Mrs Wood—To acknowledge to me that the government did something that was wrong, that did not support us. We were not treated fairly. We were taken advantage of and I think an apology is very important. I would also like it noted for once on a rally up on the parliament house steps here in Melbourne teenage girls were walking past and they would have been about 19 or 20. We were holding up signs and placards about adoption and they said, 'What is adoption? What is adoption?' I thought, well, they know nothing about adoption. This is what happened to us. I know things are more open now but the same thing could happen to them, too. What happened to us in the past needs to be addressed. To me, that is important.

Mrs Maison—I do not think the children can really understand unless they lost a child themselves, but you would not wish that on anybody.

Mrs Wood—Actually, I told my son I was coming here and I said, 'I know I am not much good at speaking.' He said, 'Just tell them about the Aborigines. You gave me up because it was the best thing for me.' I was a little surprised by that, but I did not take it too seriously because I have known him for so long. But they were his words, 'You gave me up because it was the best

thing for me.' I feel I never gave him up. I signed the adoption papers but I never gave him up. I feel he was just removed from me.

CHAIR—That goes also to what children believe happened, that they were given up, not taken.

Senator MOORE—Mature-aged children.

CHAIR—Yes. It is probably a way of coping as well.

Mrs Maison—'I have been rejected. She must have had a good reason.'

Senator MOORE—Have any of you been involved with other support groups such as the Origins network and those areas?

June Smith—We have filtered through some of it, but you tend to drift away because it just becomes overwhelming. I have gone home and destroyed papers and said, 'I am never doing that again.' My kids are going, 'No, mum, you should not; you look haggard.' And then all of a sudden someone will write something in a newspaper and out comes the typewriter, off goes another letter and you are starting again. You know, that is how we do it. We just cannot cope with the same thing all the time because it is just too traumatic.

Mrs Maison—It is part of your life. It is with you forever.

June Smith—It can just hit you any time of the day or in the middle of the night. It is horrid. The worst one lately was when my daughter a few years ago now had her first baby. That was almost destructive for me. I had to run out and she is crying for me but this was what was supposed to have happened to me but it did not, you know, all the love and the support.

Senator MOORE—Did you get professional support through that? Did you seek out professional support?

June Smith—I have never had any support.

Senator MOORE—Have you since?

June Smith—No, because I have tried three times and each time it has been a disaster, so I do not bother.

Senator MOORE—So it has not worked for you.

June Smith—No, because of the answers. I can give you a valid—I went to ARMS and I spoke to one of them—not ARMS, VANISH, and I said to the person about my child being taken. She turned around and said to me—and these were her words—'I signed my consent form; I have to be responsible for that'—meaning I should be. So I lost that one. That was a few years ago. Then another time I went with a mother and some other women and we went to VANISH again and I spilled my heart out. I get a bit heated, as you can imagine. I am a very vocal person. The woman who was a counsellor said to me, 'Don't speak to me like that.' I said

to her, 'You want me to come and be counselled by you and I cannot be like I am.' So that is why I have never gone to these places. I am not interested. I think we need trauma counselling. I think the end result of adoption—everybody keeps bringing adoption in but the trauma that we faced, that we went through—

Senator MOORE—The separation—

June Smith—No, the abuse of us. It was vile. It was just horrid. How people can do that to other people is beyond me—beyond me, I swear, and with such a demeanour that you were such a low-life. It takes you a long time to get over it. I was in my forties before my two daughters made me feel like I was worth something.

Senator BOYCE—So, as awful as the loss of the child is, is the complete lack of respect part of the problem as well?

June Smith—Absolutely. I went into a website last night and the first thing I saw was because there was no pension and the mores of the time—and I am thinking, 'I just want to scream. When are you going to stop saying this rubbish?' Because it did not exist; there were women who were single who raised their babies and none of them faced this sort of ostracism that they say we would have.

Senator MOORE—Because you were unmarried?

June Smith—Because you were unmarried.

CHAIR—Because just after the war there were a lot of widows bringing up children—

June Smith—Absolutely.

CHAIR—So it was the bit about what we were talking about earlier being unmarried and illegitimate—

Senator MOORE—And young.

CHAIR—which was the problem. There was a whole lot of stigma and things that were bound into that as well?

June Smith—I think it was honed in to use these words. It is like adoption language has been all the way through; it has been a language that motivates people's perception of people. Therefore we act towards those people like that. They gave away their kids. They willingly gave up their kids, so we are branded in that era of the sixties and seventies when girls could actually give away their babies because they did not care. We have had to live with that for decades. Decades later it still destroys you because you have to live with what happened to you when they took your baby. So these words have got to stop. This illegitimacy, this single-parent stigma—even now there is still stigma with a lot of single parents. I know this from working at Centrelink, and they do. They still stigmatise people who are single. There are different families now. We have to face it. I just feel that all this adoption-speak has got to stop.

Senator MOORE—Do you agree though that the key difference is about having made a decision or not, because some women have made the decision that is the best decision—

June Smith—But were they totally informed?

Senator MOORE—Some women have. The people who are coming to us are the people who did not have that open choice. They did not get the information. They were bullied. They were lied to. They were forced, so it was not an open decision. Am I getting it right?

Mrs Maison—Yes.

Mrs Wood—Yes.

Senator MOORE—Because I think it is important to acknowledge that some women, for whatever reason, have made that decision. As you have said, in terms of the process, people say it must have been a tough decision, and of course you can never presume for people. But I think it is important to see that every woman is different and that for some women it may have been something they actually thought about and made the decision. But the reason that you have come to see us is that you did not have the chance to make your own decision. Am I getting that right?

Mrs Maison—Yes.

June Smith—I think to a degree, but I am still very cynical about the amount of people that would have said, ‘I want to sign a form to sign my baby over.’ I just find that—

Senator MOORE—Sure.

June Smith—Because the manipulation—

Senator MOORE—We have to—

June Smith—Yes, I know you are looking at it, as I say, by today’s standard, but the manipulation of these people at the time—and I hate using the words ‘these people’ because they used to call us ‘these girls’ but these—

Senator MOORE—We are these politicians.

June Smith—Thank you. But these people in that era were so powerful. They had absolute power. They had a way of making you believe in the end that you were doing the right thing. You know, ‘What are you going to do for your son? You cannot take him out of here. You have got nowhere to go.’ In the end you think, ‘Well, this is right. I have got nowhere to go. I have got no support. There is no-one. I had better sign over because I am not going to be able to look after my baby.’ There are people like that. There were a lot of innocent girls. Even though we were pregnant we were still very naive in many cases. So I still would be very, very cynical or sceptical, or whatever you like to say, about people who said, ‘I signed quite willingly and gave my baby away.’ I would like to have been there in the room.

Mrs Maison—I brought up my children. I got married soon after and had two children from my marriage. That fell to pieces very quickly and I ended up a single mother bringing up two children just a few years later.

CHAIR—We have seen that from a number of our witnesses.

Mrs Maison—Yes, it is common. A lot of marriages.

Senator BOYCE—Are members of the Apology Alliance organisations or individuals?

Mrs Maison—A mixture of both.

June Smith—I tend to call myself an independent but I support—

CHAIR—And you are.

June Smith—I am, very much so, and I support the Apology Alliance very much.

Senator BOYCE—If you have something of the structure of the Apology Alliance that you could hand over, that would be good.

Mrs Maison—This gives a list of all the groups in the Apology Alliance.

Senator BOYCE—Thank you. That is all I wanted.

Senator MOORE—Is there anything we have not asked that you want to say? There probably will be when you get home.

Mrs Maison—Yes, we will think of a thousand things on the way home.

CHAIR—The point I made earlier holds for everybody, and that is if you think of anything on the drive home, please do not hesitate to send us some more information. We treat it as a supplementary submission and it is all welcome.

Mrs Maison—Thank you very much. Thanks for listening.

[11.52 am]

O'MEARA, Mr Michael Anthony, Private capacity

BAMFIELD, Mr Michael Anthony, Member, Care Leavers Australia Network

CHAIR—Welcome. I understand information on parliamentary privilege and the protection of witnesses and evidence has been provided to you?

Mr O'Meara—Yes.

CHAIR—We do have both of your submissions. Mr O'Meara, yours is 137 and, Mr Bamfield, yours is 52. I would like to invite either of you or both of you to make an opening statement. I presume you will both want to make an opening statement so I invite both of you to make an opening statement and then we will ask you some questions.

Mr Bamfield—I looked up the word 'adoption' and the legal term is:

to take into one's family through legal means and to raise as one's own child, to bring a person into a specific relationship, especially to take another child as one's own child.

In my case I am saying that the Catholic Church took me in that I was placed in an orphanage at a very early age. I am not too specific on the age because I got two pages of information eventually from the orphanage and as far as I am concerned it was signed on the day that I was discharged, and I think that they rigged the years because I can remember never having parents—never knowing parents. I can remember being in a children's nursery. They were my earliest memories. When I did get the two pages of information from the church, it said here that I be recommended by Reverend Father Dunworth of Hamilton, which meant that I was recommended to enter this orphanage by a priest. I do not know why, because I was too young to realise why or anything like that so I found that a little bit rude.

It seems to me that the situation with orphanages is that they closed them in the US in the fifties—maybe because they were not any good—and it took until the seventies before they were closed in Australia. We were a bit slower. There are two things that this inquiry is looking into, the role of policies and practices in contributing to forced adoption. So I think that the Catholic Church adopted me. They took me into their family. They told me that I had no mother or father, that God or Jesus was my father. I thought, 'Well, I never knew a father. I never knew a mother. I did not know anything about it.' They were reading stories to me when I was about four and there were mothers and fathers in these stories, so I asked them, 'Who is my mother and father?' The reply was, 'You do not have any.' It was sort of not too bad because I did not know a mother and father. I thought, 'Well, okay then, I have got no mother or father. I suppose that is life.' I did not know.

I had to live through this orphanage for a few years. Then they told me I had a mother and father, which means they lied to me. I was released to these people. By the time I was released to a so-called mother and father I was so sort of institutionalised, let us say, that I had given in. I

did not care. I did not believe anything. So I met these two people and I lived with them for a while but I did not really accept them as parents any more. I did not know what to do. I just sort of lived with them and they were just people that I lived with. That is the way it goes.

As to the role of the Commonwealth in policies and practices in contributing to forced adoption, after World War II the Commonwealth government seemed to provide funds for orphanages to keep them running. After World War II I think that the Commonwealth government took over say the states' revenues. They actually provided funds for orphanages to exist and to keep them running. The welfare organisations were government supported and encouraged poor families to send the children to these orphanages. It was a quick sort of solution to poverty or other family problems. I am not too sure what my family problems were. When I did eventually ask my mother why when I was 14 she said, 'Do not worry about it.' That was her only comment. That is the only time I have ever spoken to her about it.

I met a brother in this orphanage. I never knew I had a brother. One day a nun just threw me in front of a boy and said, 'This is your brother.' I looked into this boy's eyes; he was mad. I thought, 'Oh.' That was my brother. He had been in there longer than me and so what do you do? He rejected me. He just told me, 'You are not my brother.' He did not want anything to do with me. He was very badly mistreated in that orphanage. He seemed to be bullied a lot more than I was. He had a pretty hard time. I just sort of submitted to anything. That is the way it went.

I think that the federal government farmed out the responsibility to churches and state-run orphanages. I do not know why they did it. It was convenient that the churches were there. They were somewhere to place children that were not wanted or something. I do not know whether I was not wanted. I do not know. I have never been able to find out. I do not have much contact with my family. I do not consider them my family. I do not know a family.

Priority was given to the churches' funding rather than providing families with funds to keep their children. It would have been a better idea probably if some sort of funding—and eventually that did happen and these institutions were ended.

The potential role of the Commonwealth in developing a national framework to assist state and territories to address the consequences for mothers and their families—okay, my mother must have been emotionally distressed. I could see that she took a lot of tablets and stuff like that. I remember the first time I met her. I walked up to her—and I looked at my brother and I said, 'Have you seen this woman before?' He said, 'No.' And I said, 'Neither have I.' I walked up to her and shook her hand and she went to hug me and I could not sort of be touched at that stage because in those orphanages there was this impersonal sort of situation where they reared children in such a way that there was no emotional contact, no physical sort of stuff. The only physical sort of thing was violence or inappropriate physical stuff. So it just sort of felt internally like nothing. There was no emotional sort of things. The Russians did that. They decided, 'Let us take children from their families and raise them separately like an experiment.' I think the Western world did the same. I think it happened after World War II and maybe to some extent it was because they had a lot of trouble in the war with guys coming back distressed and things like that, so let us raise children separately from their family and see what happens.

I know what happens. What happens is that you have this real empty feeling inside of you and lack of emotions and stuff like that. I cannot understand a lot of emotions; I guess them. So they

thought that maybe it would be good; maybe they would make a stronger person. I do not know whether or not it did. I think it actually destroys you, but that is the way it goes. My mother was pretty distressed. She did not show any affection to me. She went to hug me and I just could not deal with that.

It could be addressed by continuing services such as counselling. I get counselling. CLAN and Open Place get quite good funds. I get some sort of medical assistance from Open Place. There are a lot of really good things that have happened that have helped me, especially the counselling. It was when I was in my fifties that I first started talking about it. I could no longer work. I went and saw a doctor and I used to say to a doctor, 'Oh, I feel stressed. Can you give me some tablets?' Eventually one day I said to a doctor, 'I was in an orphanage.' Pretty soon after that I stopped working and then I had to tell Centrelink the same. Centrelink were really good. As soon as I mentioned to Centrelink that I was in an orphanage that, you know, I had nothing, I could not exist any longer, they immediately allowed me to go on a pension without much trouble. So I think there has been a lot of really good things happen—not all bad—in terms of support.

One thing I found was that living in that orphanage was like the book called *Lord of the Flies* and that is what it was like. When you lived in that place it was dog-eat-dog. There was no support whatsoever. I can remember in the nursery we were cared for by older girls. That is how I learnt to read. They had to teach me to read secretly. We used to call these nuns black monsters. They called them 'them'. They would read me the same story over and over again and eventually I started recognising words. I was maybe four and I could read, which was interesting for me because I was really keen. When I was five I was transferred to the all boys section, which was quite different.

They warned me that a lot of things were going to change. One of the things they said to me was they made me promise that no matter what happened I was to stay alive. And that is because some of the boys actually suicided in that place. It was pretty hard. I sort of kept that in mind and I just tried the best I possibly could. I walked out of the school there the first day because one boy was threatening to beat me up and I thought, 'Well, I do not want to do anything with this.' I just walked out and they allowed me to. I just walked around the place for a year or two without any schooling, so I never went to school. I was seven before I went to school. When I came and visited my mother she would not allow me to go to school because I was too distressed. I was so afraid of people she kept me at home. Welfare came and eventually I had to go to school. I was seven. I could not write. I did not know how to write, so it took a little bit of effort to learn to write.

So it was not too easy an existence but you get by, I guess. I did have a much longer letter or estimation of my life in the orphanage and I guess you can have a copy of that. It is still not everything. Sometimes I miss out on things because there are things that I am not going to talk about ever. I think there are a lot of books written about it, anyway. Some things, unless you were there, you cannot really describe. It is all about a feeling of sort of total alienation in that place.

By the time you go to your mother and father it is no good. I met brothers and sisters I never knew I had when I left that orphanage. Why was I put in there? Who is this priest who said that to me—you know, allowed that to happen. They did not treat us very well in there. I hardly even

slept in that place because of the fear of what might happen. They would always say things like, 'You're such a pretty boy.' And I would think, 'Girls are pretty, not boys.' We always seemed to be naked a lot of the time. I thought that was really demeaning.

I did not know how to dress myself. That is how young I was when I went to that all boys section. I could not tie up buttons. The girls used to do everything for me when I was in the nursery. I remember asking this nun once, 'Could you please dress me?' She said, 'No.' She just stood there and looked at me and I had to wrap my pyjamas around me. This was really cold in Ballarat. And to tie up your shoe laces—I never knew how to tie them up so I just put them on, sometimes on the wrong foot, and just have to walk around for the rest of that day. No-one cared. Whatever happened to you, you just had to survive. No-one was going to help you very much. There was a lot of violence there—a real lot. One of the games was that they would come up behind you and just push you as hard as possible to the ground just to damage you, just because they could. One of these guys had really bad emotional problems. You would go and see a nurse and she would ask you, 'What happened?' You would say, 'Oh, I fell over.' You were not allowed to say any more. If you said any more there was a lot of punishment. I did not want to eat their food. I wanted to starve myself.

CHAIR—Do you want to table your statement? Is that okay?

Mr Bamfield—That is my submission. I was adopted by the church and the treatment was quite poor.

Mr O'Meara—I am not telling this story for revenge or because it is sensational; I am telling it because it is essential in the process of me growing away from my past, even though the damage is irreparable. It is Australian history. It created me into the person I am today, a survivor of childhood torture bestowed upon me by the Commonwealth and its agency in a eugenics program for the Arian race. In short a Caucasian in this context comes to be the white man par excellence. Abducted at birth my story is in part the same as what the Anne Hamilton-Byrne's kids endured, but to a degree even more bizarre. I survived Arianism, torture and Nazism inflicted by the Commonwealth.

I had been raised as a Commonwealth scientific experiment and to believe that I was not like everybody else. I was abducted and labelled a foundling—nobody's child—even though I was still in the legal custody of my mother, the woman who gave me life, and enduring unlawful medical procedures conducted without anyone's consent. My mother was denied her parental and lawful rights as to her first-born. I was not filius nullius. My mother was a married woman and whilst I lay lingering in the foundling hospital with a view to adoption I was a child of my mother's marriage. I am not part of a stolen generation or a white stolen generation but an abducted generation of the era, a generation in social engineering of the eugenics of Arianism and racial cleansing of and by the Commonwealth.

My testimony of my upbringing is not dissimilar to the treatment of The Family, The Great White Brotherhood, with the same or similar drugging and/or regime and in the same period of time, the 1970s. But the treatment was to become even worse for there is a dark side to western medicine that very few want to acknowledge: the horrifying medical experiments performed on impoverished people and their children in the name of scientific progress; many of these medical

experiments were conducted on people without their knowledge or any consent. Hundreds of us were treated in this way.

‘If they appear amongst us do not let them have children. We have laws to keep Australia white, but we have no laws to keep Australia from degenerating. Germany and Russia are doing wonders, and so the Commonwealth, with everything in her favour, must surely follow. We have the finest eugenics outlook of all if we can only keep the unfit from mating or forbid them from mating.’

This is a testimony of the Commonwealth sanctioned Arian racial hygiene program in adoption, a class war of illegitimates. It was a class war to cleanse racial hygiene, to eliminate perceived mental illness, just as unbelievable until research showed what past adoption practices was all about—Nazism and racial cleansing. The decade of the 1970s was for a better class of citizens infused experimentally, just as the Nazi doctors did to boys in concentration camps in Auschwitz with devastating results.

Born in 1961, the same year as The Family established itself in Melbourne, the same year that thousands of illegitimates were born in North Carolina who underwent the same treatment regime of impoverishment, the sterilisation programs. It was a period where Nazi experiments continued in Melbourne upon vulnerable boys. The Commonwealth supported it and funded it without question. Once the subject was hospitalised into a eugenics program it meant that they were to become financially not dependent on the state for they needed to be turned into useful members of society with or without their testes. They labelled us bastards and treated us accordingly, more so than any animal, and believed that the weakness of her, the mother’s mind, is likely to have been passed onto that child. Therefore that child is a questionable product—to use those uncomfortable terms—infused with batches of master glands for a master race, overtreated and castrated; adoption, the legal refashioning of a child’s identity, is an extraordinary 20th century phenomenon.

In its heyday it was not just supported by an infrastructure, a bureaucracy, a legal framework; it was believed in. The same thing occurred under the guidelines of the Third Reich, Hitler’s bastard children. When Hitler was creating his own master race from single unwed mothers, adoption in Australia became a class war for the master race, the same as the Third Reich, the genocide program and Nuremberg. North Carolina supports its illegitimate sterilisation victims. Australia does not.

To my mum, Irene, this is dedicated to you whom after 22 years since we met I stated I would always stand up for you. A world in which a government cannot be bothered to investigate potential legal medical assault on its citizens in which those with no feeling—authority—feel free to make decisions which are blatantly against the law and to carry out serious and irreversible procedures on those with little or no capacity to give or withhold consent is a world in which people with disabilities can have no certainty or confidence about their human being or their future. I present my testimony to the chair.

CHAIR—How old were you when you were adopted?

Mr O'Meara—I left the St Joseph's Foundling Hospital at the age of six weeks. There were procedures carried out on me before the adoption went through at eight months in which no consent was obtained from my mother.

CHAIR—Have you been able to access your records? How do you know what has happened, particularly in your early years?

Mr O'Meara—There is very little information that you can actually get.

CHAIR—That is one of the things that we are finding.

Mr O'Meara—Yes, very little information. I do have my adoption records and I do have the case notes from the St Joseph's Foundling Hospital, but apart from that there are no medical notes available whatsoever.

CHAIR—Who were you adopted by?

Mr O'Meara—A married couple. At the time of leaving St Joseph's my mother was married and she was told that if she had become a married woman she could have me back. She went out to Broadmeadows but I was gone.

CHAIR—She had you, then got married and then they would not give you back; is that correct?

Mr O'Meara—That is correct.

Senator BOYCE—They had had you adopted in the meantime?

Mr O'Meara—No, placed.

Senator BOYCE—She cannot have given—

Mr O'Meara—The adoption did not go through for another eight months.

Senator BOYCE—Fostered or something.

Mr O'Meara—Basically you were just placed.

CHAIR—You were placed with the couple that eventually adopted you.

Mr O'Meara—Who eventually adopted me.

CHAIR—What was the time frame when the medical procedures were carried out?

Mr O'Meara—There were medical procedures that were carried out whilst you are in that placement and before the adoption order, particularly on baby boys of that era. Then what I have just read to the committee happened as a child because there was impoverishment. With

impoverishment in the late sixties, early seventies—and I do remember quite a petrol price hike during that period—the impoverishment had financial constraints on the family and people were battling for a dollar.

CHAIR—Through what period of time did this occur?

Mr O'Meara—My particular testimony of the Commonwealth happened between 1972 and 1978.

CHAIR—How old were you at that stage?

Mr O'Meara—I was age 10 through to age 16.

CHAIR—Have you ever been able to get hold of those records?

Mr O'Meara—I have got them just recently only by going through VCAT, the Victorian Civil and Administrative Tribunal, because under freedom of information they will not give you your information, so you have to fight for it in court.

CHAIR—In terms of what was the Commonwealth's involvement, do you believe that it was the Commonwealth that drove it?

Mr O'Meara—Yes, it was funded by the Commonwealth through the National Health and Medical Research Council for that period of time. There was a Senate inquiry in 1994 headed by a Professor Margaret Allars and there were two classes of people. One was approved by the Commonwealth and the other class were unapproved by the Commonwealth.

Senator BOYCE—Approved for what?

Mr O'Meara—Unapproved in this medical experiment.

CHAIR—Was that about vaccines?

Mr O'Meara—No, it was not about vaccines. It was actually about growth hormone and infertility treatment. There was an extensive 14-month Senate inquiry and the unapproved recipients, someone like myself—and there are 300 of us in Melbourne—could not get our records to be able to make submissions to the inquiry and I have managed to get my records since then.

CHAIR—Through VCAT?

Mr O'Meara—Through VCAT.

Senator BOYCE—Do they provide the detail that you now need to prove what you are saying?

Mr O'Meara—No, there are still documents missing.

CHAIR—Including your early adoption records; is that right?

Mr O'Meara—There are still documents missing from there too—the adoption records—particularly the medical notes out of foundling hospitals.

CHAIR—Have you subsequently met your natural mother?

Mr O'Meara—I met my mother in 1989. We were only able to meet twice. She died in 1992 at the age of 51. I did not know of her death as her shame continued and she never told her husband or her daughter about me. It was only through me not being able to contact her; I went through to births, deaths and marriages and found out that she had died in 1992 but I got that information in 1994.

CHAIR—So you had not been notified?

Mr O'Meara—No, the secret continued.

Senator MOORE—Both of you have given us extensive submissions. Mr Bamfield, I just want to be clear, did you actually meet your parents?

Mr Bamfield—I met my parents.

Senator MOORE—And you lived with them for a period of time?

Mr Bamfield—For 12 years.

Senator MOORE—But you were unable in that period to actually talk about what happened and to find out the reasons for your situation. Is that right? That is what I thought I heard.

Mr Bamfield—No. I did not have the confidence to ask. They never gave any sort of explanation. It was never, ever discussed. Like I said, I only ever talked to my older brother about it once. I rang him about three years ago because I had to find out for how many years I had been in that institution because I knew it was wrong. I did contact my uncle because I figured he would know. I remembered him because they used to farm us out on these family holidays and one of them was with my grandparents and I remembered him. I asked him; he would not give me any information. I then asked my father's sister, my aunty. She would not give me any information. They know, but they are not interested in telling me the circumstances and the time. I am more interested in the time frame. The records say that I was in there for a year but it was signed on the day I was discharged, and I think that was from five to six; it was very convenient for them to say that but that is not true. I remember two Christmases, and that brings me back to about four. I cannot remember much before four years of age.

Senator MOORE—What is the situation within your family?

Mr Bamfield—The situation of me ever being with my family, you know, from nearly birth. I may have been in there from birth. I do not know. I still do not know.

Senator MOORE—Has that ever been clarified for you?

Mr Bamfield—Never.

CHAIR—Can I just ask about why you think the institution has only put you in there for a year?

Mr Bamfield—Apparently it is fairly common practice that what they did when they gave the records that they would manipulate them in such a way so as not to inform you that you were in there at any earlier age than five, because five seems like probably an age that they might have thought was appropriate. If you were in there any earlier, it is a little bit inappropriate and hard to explain. This is in 1958-59. I do not know why they did it. It was wrong. I know; he knew—my brother knows. The records that I have got are signed on the very last day that I left that place in the same handwriting. It was not as though there is a record of being admitted in a different handwriting.

Also, if I could make a point, there were medical experiments carried out on us as well when I was in the orphanage. That is something that I have asked quite a bit about, too, trying to get an explanation because I can remember that my brother volunteered, being the great hero that he was, because they bribed us all the time with food. I did not like food. The idea was that they wanted us for medical experiments. He would just go into hysterics any time he got a needle. This was when we left there. I was volunteered in the end because it was such a big money spinner that they volunteered us all, so I was part of those experiments too. I do not know what they were. I remember the one on polio.

Senator MOORE—What was done to you?

Mr Bamfield—I am not too clear because obviously I was—

Senator MOORE—I am sorry, what do you remember?

Mr Bamfield—I only remember a polio vaccine being administered to me because I remember when I went to school they wanted to give me this polio syrup and I said, 'I have already had it. What do you want to give it to me again for?' They said, 'You cannot have had it. It is new.' I said, 'No, I have had it.' I most likely had injections and that as well because at a certain stage when I was in that place I had just become numb to everything. You just become compliant. So whatever they did, I did not care anymore. I had given in at a certain stage, so they could have done anything to me. I just wanted to just not exist anymore. They could do whatever they wanted so if they gave me needles, they gave me needles. It never worried me but I do not remember them. I think I did get a few.

Senator BOYCE—You mentioned that there were 300 people in Melbourne like yourself who had been the victims of unapproved medical treatment. How did you get to know about each other?

Mr O'Meara—We have not actually hooked up with each other yet purely because the files are still closed.

Senator BOYCE—Where did you get the figure of 300 from then?

Mr O'Meara—The figure has come out through a manuscript of the treating hospital where they disclosed the numbers.

Senator BOYCE—But you have not ever met anyone?

Mr O'Meara—That went through exactly the same as me, no.

Mr Bamfield—I have met some people that were in orphanages that do remember because they were older and they assure me that there were medical experiments made upon us. I do remember the fact that they did talk about medical experiments to us.

Senator BOYCE—I think it was Senator Moore earlier who made the point that we had had a lot more evidence from mothers and fathers than from children who were involved in forced adoptions. What in your view can the Commonwealth do to assist—I am not quite sure what the word is that I should use there—to help?

Mr Bamfield—In my case, I think that they should continue along the line that they are with supporting CLAN with funding and supporting Open Place. Open Place has things like they will pay for your medical provisions, and I do need medication that I have had for quite some time. They do pay for that. That is really good. They have a life skills program. That is excellent. I am making use of that as well. They are all good things that are already in operation and I think they should continue.

The main thing now is that anyone who has been in an orphanage warrants financial compensation. It is like they destroyed us. They totally destroyed us. They got a 100 per cent success rate. Because of that I had to stop work at 50. I was a schoolteacher. I decided I wanted to do something positive in life and help children. I have never married or anything like that. I have sort of had this really empty feeling inside so that whenever I do live with a woman they always say the same thing, 'Michael, you never sleep.' And I say, 'Well, I do.' But I do not trust anyone so to be that close to a person is very hard. But eventually you get exhausted and you do sleep so I do sleep a little bit and things like that. So I think some sort of compensation is necessary because we lost our income, our ability to earn an income. Most of us are on medications, and have been from a very early age. It is just not fair that we never had the right to earn a proper living. That is pretty hard, especially now just living on a pension.

Mr O'Meara—I tend to agree with Mr Bamfield. I have given this quite a bit of thought and have been quite extensive in acknowledgement—I am not sure if you have seen this part—

Senator BOYCE—Yes, I have seen that. Was that your second submission, the supplementary one?

Mr O'Meara—Yes, the supplementary submission.

Senator BOYCE—Yes, I do have that.

Mr O'Meara—And the new replacement supplementary went up yesterday. But I think the word 'illegitimate' is just such a hateful word that we, in the best interests of the child, should be able to go to our agency, be it Centacare or whoever, and have that word struck off our records

because we were not illegitimate. That was determined in the House of Representatives in 1959 by Gough Whitlam. A lot of my acknowledgements do come from: acknowledge the genocide program; acknowledge that a child was not a child of sin; acknowledge that the Commonwealth had a eugenics bill in 1950 and it followed the guidelines of Nazi Germany.

Then I have similar things as to what Mr Bamfield was saying and this is a special access card, counselling services. Those of us who went through the program that I went through were being denied counselling by the department of health and yet they are funding a support group. Let us know the biological father on our original birth certificate. There are quite a few what I believe to be fairly proactive recommendations in this and I would like the committee to take them on board for their report to the House on 30 June.

CHAIR—I think you were both in the room when I said to previous witnesses that if you go away from here and think: I should have said that and I did not; I forgot or I did not get time, please feel free to send us any further information.

Proceedings suspended from 12.33 pm to 1.17 pm

CUTHBERT, Professor Denise, Professor of Sociology, Monash University

QUARTLY, Professor Marian, Private capacity

SWAIN, Professor Shurlee, Chief Investigator, History of Adoption Project

CHAIR—Before I start I did just want to remind people that if they want to participate in the community forum we would really appreciate it if you would let the secretariat know so that you can sign the Hansard forms, so we have got you on the list, so I know to call you and I know how much time to allocate to people as well. If you could do that between now and 3.15 when we start the forum that would be appreciated? I welcome representatives from Monash University and the Australian Catholic University. I understand that information on parliamentary privilege and the protection of witnesses and evidence has been provided to you. We have joint submission No. 37. I would like to invite each of you or one of you, depending on what you have decided, to make an opening statement and then we will ask you some questions.

Prof. Quartly—I just wanted to introduce the project, probably not so much for your benefit as for the wider benefit. It is a four-year project. We are into the third year of it so we are fairly well down the track. It is being government funded and I really want to make it very clear that that does not mean that we are working for the government or that we are doing research asking questions that are set by the government. It is a totally independent study.

The intention of the study is to write a book which will be a history of adoption in Australia covering the states and then coming through to the Commonwealth's role, particularly with regard to intercountry adoption. It is to be a popular book; that is, not a heavily academic book, one that we hope will be read very widely in the community, one that will perform some of the functions that people have been talking about today about the need to have wider understanding in the community of the experiences of people involved in adoption and wider understanding of the practices that have been followed and the policies that have been followed.

Another problem that people have with our website is that we say very clearly that we are being objective, that we are not interested in just speaking from one point of view. Let me say that the points of view are vexed and various, but we are trying to take an independent position and to be able to speak to everybody in the community, wherever they are coming from, and to provide our information on that kind of basis.

The other thing is that we are already contributing to policy. We have contributed to several workshops on policy in both Victoria and also at a federal level. We hope that the book and also the academic publications that we are also producing will feed into the making of policy in the future.

Prof. Swain—I want to focus on the material in our submission where we suggest that the Commonwealth role here is a sin of omission rather than commission. The Commonwealth's responsibility for adoption, as you know, was very limited. It was limited to the two territories and, from what we can gather of practice there, it basically mimicked the practice in the

jurisdictions from which they took over responsibility for that territory and often in the early days used the facilities of New South Wales or South Australia, respectively.

The major role was in relation to the provision of social security. I know people have explained ways in which social security could have been made available to single women in these circumstances, but the fact was that those ways were not known and they certainly were not the intention of the Commonwealth. The Commonwealth social security system is a non-contributory system and all non-contributory systems leave a large amount of room for moral judgments because you have to show your entitlement.

The benefits that were paid for women in support of their children have their origins in state or colonial benefits that go right back to the 1880s, and none of those benefits as far as I can see made any provision for single women or women who did not live with the father of their child for any length of time. When the Commonwealth takes over responsibility for this area and introduces its own benefits in the 1940s it is piggy-backing on existing benefits through New South Wales and Victoria and it simply copies their provisions. Its benefits are more generous but it copies their provisions.

Why did single mothers not get in there? This was a time in which single motherhood was at an all-time low and so whether it was a deliberate moralistic judgment at that point is hard to say. It is more likely it simply did not get onto the agenda. Then you have that long period where it stays off the agenda until the 1960s when you get single mothers groups that start speaking out and they identify this as one of the major factors behind the high adoption rate in this country. It is significantly higher than, say, Britain where they have a contributory system and therefore if people had worked they were automatically entitled, irrespective of the circumstances in which they gave birth to their children.

It is really when there is consumer pressure, I guess, that you start to see the issue being changed and being considered. But in the 1940s there is no debate. It is not as though someone stood up and said, 'These women should be left out of it.' They are simply not mentioned.

The alternative pathways that have been laid out involve a detailed knowledge of the social security system which it would be difficult to imagine many people having at the time. In their education social workers probably did about two lectures on social security and they were told to go and read Kewley's book, *Social Security in Australia*, and to keep up to date because it was changing all the time. They learnt in their placements and in their placements they would have been following the practice of what was already accepted knowledge in that place.

Senator BOYCE—What the senior person told them?

Prof. Swain—Yes, what they did. They would accept the knowledge was that there were no benefits. As to evidence for that, if you go to the basic place where we all got our basic sex knowledge and sex information, the women's pages particularly of the lonely hearts and the agony aunts, whenever a woman from there wrote in to say she was pregnant—whether or not this is a real letter we are all getting information that way—the answer was, 'Tell your mother; she will be hurt but she will not be as angry as you anticipate and then with your mother go to your doctor, minister or the social worker at your local hospital and they will make arrangements

to have your child adopted.' There was no answer there that says there is another way, and that is how public information was formed.

The other area we address is to do with the Commonwealth control of border powers. The only point I would like to make on that is in fact that of course adoption right through that period involved women moving across borders, and that does create complications when you want to get any action later—

Senator BOYCE—Internal borders?

Prof. Swain—Internal borders but also New Zealand to here and here to New Zealand. That was a very common practice. When you went away that was where you went. So they are similar to the issues that have been raised in relation to Forgotten Australians. Those same issues relate here. And now Professor Cuthbert will take over and talk about external borders in terms of intercountry.

Prof. Cuthbert—As I mentioned earlier, my responsibility in the History of Adoption Project is specifically with the history of the rise of intercountry adoption. It is clear enough I think to me from the terms of reference of this inquiry that you are envisaging primarily local adoptions, but I do think that the committee needs to take note of intercountry adoption in several respects. Intercountry adoption, unlike domestic adoption, is a form of adoption that has involved the Commonwealth essentially right from the word go because of the Commonwealth's central role in immigration and foreign affairs.

The Commonwealth is not in the situation that it is with respect to domestic adoption and being able to stand back and say, 'Well, this is a state and territory matter', because from day one the Commonwealth was involved in brokering arrangements because intercountry adoption is a mode of family formation but it is also a mode of migration.

I can talk a little about the circumstances of relinquishing in overseas sending countries and the unsettling parallels between those circumstances and some of the circumstances of forced adoption that are the subject of your inquiry if you are interested for me to do that. There is mounting evidence coming out of countries, particularly Korea, that the circumstances under which many of the children made available for intercountry adoption were relinquished for adoption; there are striking parallels to the kind of coerced circumstances that young women faced in Australia and other comparable Western jurisdictions in the 1950s and the 1960s.

There is work by an American anthropologist called Sara Dorow who has done extensive study of intercountry adoption, a very moving anthology called *I wish for you a life beautiful life* which collects together hundreds of letters of mothers from one of Seoul's major maternity homes. The women as part of the therapy of dealing with the loss of their child are encouraged to write a letter to their child given up for adoption. In page after page in Sara Dorow's book the women writing these letters to their children make it quite clear: I had no choice; had I had the means to keep you I would have you with me today. But either poverty in combination with the repressive sexual and cultural mores in Korea meant that this could not be the case and so the children are given up for adoption.

If a consideration of intercountry adoption comes further into view with respect to the issue of many of these adoptions taking place in circumstances which are comparable to the sorts of adoptions that are the focus of this inquiry, that is by way of background.

The other point I would make to pick up the border power issue that Professor Swain has raised, intercountry adoptees, many of whom—the first wave of whom—are now in their majority, are young adults, have demonstrated precisely the kind of behaviours that we are familiar with from other adoptees. Generally at a certain point, either adolescence or early adulthood, the desire to seek out birth family, and for these Australian citizens the challenges are even greater than for many local adoptees because they need to negotiate with foreign governments. So, concurring with what Professor Swain said with regard to the central and coordinating role that the Commonwealth should play with regard to accessing family records for people affected by local adoption—domestic adoption—the same kind of role should be envisaged for the Commonwealth with regard to intercountry adoptees.

In fact it is very interesting that at the 2005 House of Representatives Standing Committee Inquiry into Intercountry Adoption, a representative of a mothers group from South Australia told the committee at that time that the needs of intercountry adoptees would be something that would need to be looked at into the future. She said she could envisage an inquiry such as the one that she was participating in there in 2005, such as the one we are participating in now, at some point in the future addressing the needs of these people because we know from other categories of removed children, the Stolen Generations, the Forgotten Australians that Professor Swain has also referred to, that connectedness with family and family records and medical histories and culture is very important for those touched by adoption.

Senator BOYCE—Perhaps we will not focus that much on intercountry adoption but as part of the arrangements that the federal government makes do we have protocols in place around how adoptees can get information in the future?

Prof. Cuthbert—This is where intercountry adoption is quite complex because since the 2005 inquiry the Commonwealth has taken a much larger role in coordinating intercountry adoption, but the adoption services themselves still reside in state and territory welfare departments and pre and post adoption services are located in the states and territories. So a coordinated approach is what is being aimed for through the harmonisation process that emerged from the 2005 inquiry, but can I say with confidence that Australia now has a coordinated approach to assisting intercountry adoptees access their family records in foreign countries? No.

Senator BOYCE—We will not allow intercountry adoptions with country X unless part of the framework says: and this is the way adoptees will get information?

Prof. Cuthbert—Intercountry adoption internationally is governed by the Hague convention on intercountry adoption to which Australia is a signatory and Australia, I am pleased to say, is wholly compliant with its Hague obligations. It is simply the fact that many of the countries from which these children are coming, and in addition to that the circumstances in which they are being handed over for adoption, are such that the paperwork is just not in place so some of these children come without the paperwork.

Senator MOORE—Can I ask whether you made a pitch for this work. I want to know the background to that because I know how the academic process operates? I want to know what the pitch was that you put forward to get this job.

Prof. Quartly—Can I tell the story?

Senator MOORE—Absolutely.

Prof. Quartly—It is actually the Leader of the Opposition's fault because—

Senator MOORE—We often say that.

Prof. Quartly—The federal opposition. You might remember that he discovered a lost son who turned out not be his. At that point I did not know anything about adoption but I thought I wonder whether in 1973 when he gave up his baby that was a normal thing to do. So I went looking and found that there was almost no information. So I thought that would be a very interesting project. Then I talked to Professor Swain who had worked in the area already and Professor Cuthbert had worked in an aspect of the area and we thought we would put up an application. We put it up several times. The other driving thing was that I have a very, very deep concern with the history of the family. I want to eventually write a book about that. This seemed such a wonderful window into the history of the family in Australia that that is the way we have pursued it. Unlike nearly everybody else working in the adoption research area, we have actually no parental connections—

CHAIR—There are very few people who do not have one-step removed connections.

Prof. Quartly—Somewhere, yes.

Senator MOORE—Is this a four-year program?

Prof. Quartly—Yes.

Senator MOORE—We can get off the internet exactly what the process is.

Prof. Quartly—It is on our page. If you go in there we have detailed our proposal.

Senator MOORE—One of the things that has come out of a few of these inquiries is the fact that there needs to be more research, that the research field is very, very small. To the best of your knowledge, what other research is going on at the moment in this country on these issues?

Prof. Quartly—There has been a PhD that has just been submitted in Adelaide—

Senator MOORE—Yes, I know that one. We are waiting to read that one.

Prof. Quartly—I am, too. There have been various MAs and one PhD. We can give you that information—

Senator MOORE—It would be very useful to have the list from your perspective in the academic field what is currently—

Prof. Quartly—The *The Many-sided Triangle* is a good book, but it is very limited. It is very much a social worker's point of view and it is more about New South Wales than anywhere else, so there is no general study of that kind.

Prof. Swain—Which is one of the issues you will strike everywhere, that all child welfare history in Australia is state based.

Prof. Cuthbert—Dr Daryl Higgins of the Australian Institute of Family Studies was commissioned by FaCHSIA in late 2009, around about the time of the apology to the Forgotten Australians. Shortly after that, in December 2009, there was a teleconference in which I participated with a range of some academics but primarily women from the various organisations and some individual talking about the prospect of an apology to these women. I gather that the decision that was finally made was that the evidentiary base was simply not sound enough and at that point Dr Higgins was commissioned to do a literature review which you can find on the Institute of Family Studies' webpage and subsequent to that the Institute of Family Studies is doing its own research on service needs.

Senator MOORE—In terms of the process that you are working on have the various stories and the various organisations across the country that represent different groups involved in the process of adoption been used as a resource in terms of getting their information and using them effectively in the process?

Prof. Quartly—An important part of our website is the story page. We began by inviting people to put up their own stories. We did not get as big a response as we had hoped, partly I think because people were suspicious of us. We have now moved towards supplying recording equipment to the Origins people in three states and also a couple of adoptees within organisations and they are actually interviewing their own people. We are beginning to put those up on the website. From the point of view of the histories, we work that way. Otherwise, we have tended to rely on archival records and what is up online. I have done a little bit of interviewing with some people and we will do some more.

Senator MOORE—Through the process of a number of these inquiries in the Senate we have been overwhelmed with the amount of information that has been provided to the Senate inquiries.

Prof. Quartly—The government reports are actually superb. There is a massive amount of government material and submissions—

Senator MOORE—And the submissions in terms of the information that is there.

Prof. Quartly—We are working through that and let me say it is a really, really interesting study. I am fascinated by the way that the stories develop over time in a way. I mean the basic stories are the same but the kind of understanding that people are bringing to the stories changes over time. We are going to write an article on that very shortly. That is something very important.

Senator BOYCE—You mentioned what I think you call the sin of omission rather than commission of the Commonwealth government. I think I am not being entirely unfair when I say that the Commonwealth government will often look at ways not to be held responsible for things. Could you perhaps talk in a little bit more depth about what you perceive to be the legal responsibilities of the Commonwealth both in terms of the way it has acted and perhaps in terms of the way it neglected to act?

Prof. Swain—‘Legal’ is a difficult term. The Commonwealth government, as you say, is very keen to look away. In relation to child welfare right through Australia’s history it has looked away with great professionalism.

CHAIR—We should say here governments of all persuasions.

Prof. Swain—Of all persuasions, exactly.

Senator BOYCE—I think it is throughout history we are talking about.

CHAIR—I think there is probably a reason why child welfare was left as a state power, but it has always been acknowledged as a difficult and contentious issue.

Senator BOYCE—Or possibly an unimportant one, initially.

Prof. Swain—Unimportant is the other line, actually. I have a student who worked with me and did a PhD on the history of child welfare. One of the major conclusions that came out of that was how unimportant it was at policy level.

Senator BOYCE—I spend a lot of time dealing with disability, so if you think children are unimportant, huh!

Prof. Swain—This is at another level. You get situations where the systems are actually run by very small numbers of public servants who have very little ministerial oversight because the people with whom they are dealing for most of our history did not have the voice to make the kind of complaint that gets a ministerial inquiry that then lands on your desk to do something about it. It is this looking away of the Commonwealth that is the key point to understand. It was quite happy to let the states keep doing what they did and take no notice. Even in the 1960s when they tried to get a uniform adoption law across the country, as each state puts its hand up and says, ‘We do it slightly differently and our way is best’, they say, ‘That is okay.’ So they allowed the so-called uniform adoption law to retain all the state peculiarities because that was easier than actually bringing it in. And in the way that governments think, going in there and saying, ‘We are going to control it’, in which case a lot of the states would have been quite happy to say, ‘It is all yours’, because it is getting messy by then.

The social security issue is tricky. Our understanding of social security often comes from systems which are contributory and ours is not, and we need to really get that into our heads because—

Senator BOYCE—Are you suggesting that because ours is non-contributory it reflects morals more than other places where it might reflect economic imperatives.

Prof. Swain—A contributory system establishes a citizen's right to relief so that even England with its despised poor actually established a right to relief. No Australian state had a right to relief in any circumstances. So when you get benefits, they are benefits. They are something that the Commonwealth or the government will kindly give you if you satisfy the criteria. While over time the overtly moral criteria tend to get leached out of the language it is always there at the start. The Commonwealth goes around and says, 'We had aged pensions really early.' You need to read who was allowed to have them. It is a really narrow group of moral people. It was not the worn-out workers that the Labor movement had understood were going to get them, believe me.

These benefits for supporting mothers which, as I say, had their origin way back in the 1880s, they are always postulated as being for worthy women and that worthiness is really for the widow. Everyone loves widows because they are just so worthy and they have done nothing to deserve their plight. Anyone who is not a widow falls off on the worthiness scale and the woman who has never married is at the bottom of that worthiness scale. The language that condemns them is overtly moral at some times but more usually it is an economic language. If we help them it will encourage others to do the same.

CHAIR—Because they all love living in poverty—

Prof. Swain—Absolutely, they are all lining up to live in poverty, exactly.

Senator BOYCE—They are all immoral people.

Prof. Swain—Exactly, they deserve to live in poverty. It is that: do not set a precedent. Again, that is a depressing thing if you read welfare records at both the Commonwealth and the state level. They are constantly penny-pinching because of this imagined army of people who the minute you set a precedent will put in their claim and send the country broke. You have got that language sitting there by which a lot of single women miss out. The access to other modes around it involves the bureaucracy. If you are going to get special benefit you have to front up at your local social security office—or whatever it was called at the time—

Senator MOORE—I think it was social services.

Prof. Swain—That is right. When you get there you are not greeted by someone with a lot of training—

Prof. Quartly—Any sympathy?

Prof. Swain—No, no sympathy.

Prof. Quartly—In fact part of their job is probably to prove you are not eligible.

Prof. Swain—Absolutely, and they often young men. The desk clerk was often the first job you did in the Public Service and they are young men who take quite a prurient interest in how you came to be in this situation. One woman I spoke to had three children and when she turned up to actually ask a question, and it was not about getting money, it was about getting access to some documentation so she could go through the reunion process, she was very loudly addressed

by this 20-year-old who said, ‘You had three? You never learnt anything, did you?’ This is the kind of language—

Senator BOYCE—I take it this was in the past?

Prof. Swain—That was after 1984. The policy level was divorced from the desk clerk level and the desk clerk level is doing a job they do not like and their job is basically to keep you away from the benefits. If you are imagining that there is a whole kind of caring bureaucracy there, the minute you find your way to the social security office and realise that in order to test out your entitlement that some caring person is going to come out and go, ‘Oh right, yes, we should be creating a process by which you can bring your children up because the best place for your child is with its mother’; that kind of notion just did not exist. It is bureaucracy at its worst.

Senator BOYCE—Does anyone else have comments to make in terms of the Commonwealth’s role and where links might be made in terms of Commonwealth responsibility?

Prof. Quartly—There is just one quick parallel which is interesting. The point at which no-fault divorce appears is really quite revolutionary. If you talk about the fact that we had it in the 1970s, people in America will not believe it because there are plenty of places there that have not got it now. That that came through was really because of the will of Lionel Murphy. It is really interesting that nobody took up the issue of children, welfare or anything in terms of trying to get rid of the sense of fault. It could be done and the Commonwealth did it in that case—

Senator BOYCE—In that circumstance.

Prof. Swain—The states had got rid of the status of illegitimacy.

Prof. Quartly—Yes, that is true.

Prof. Swain—And that was a first step.

Prof. Quartly—That was really important.

Prof. Swain—That is a huge step.

Prof. Quartly—But it did not have that same kind of community effect that taking away no-fault divorce did.

Senator MOORE—Have you done any work on that? I have to admit that in my reading of the history that jumps off the page for me.

Prof. Quartly—That is going to be part of my book.

Senator MOORE—Fantastic. Whatever happened in the sixties—and that was in the sixties—state political areas at that time which were not known for radicalism, how they actually got through a bill that removed illegitimacy astounds me.

Prof. Quartly—They did not do it in Victoria until 1973.

Senator MOORE—That does not astound me. But in terms of process just what happened to do that. I think that—

Senator BOYCE—I think we need to acknowledge that Queensland was not exactly—

Prof. Quartly—Queensland was a bit behind, too.

CHAIR—Surprise me, what about WA?

Prof. Quartly—They were actually quite good.

Senator BOYCE—Do not flatter her.

Senator MOORE—I would imagine that you often work in sociology departments—

Prof. Quartly—History.

Senator MOORE—Yes, history, but in terms of the stuff we have received from a number of witnesses that talks about the role of the social worker in this process and the almoner, it also talks about the fact that the laws and the guidelines that they were working on were often saying one thing about consent, even at the worst time, but the operations within the various institutions and hospitals were consistently doing another thing. In terms of the work that you are doing has the particular role of social workers been looked at? I notice, Professor Swain, that you did talk about the way training existed in those days. But we have had a number of quite detailed submissions that quote the guidelines that appeared at the time which, for their time, were quite reasonable in terms of how you needed to have consent and the information flow, but were clearly not being implemented. Is there something in the research you are doing that looks at that?

Prof. Swain—We are endeavouring to.

Senator MOORE—I know it is hard.

Prof. Swain—It is hard because you are talking to people who are trying to remember themselves back into the past. Social work training in Australia at that time was influenced from America. When it was first set up in the 1920s it was set up on an English model but during the Second World War the flow of influence comes from America. In America adoption is understood within a psychoanalytic framework which, at its crudest, says that the mother who agrees to surrender her child is only neurotic and the mother who fights to keep it is psychotic. This is really bitter stuff, but this is seriously written and there are books published with this in and social workers who are getting educated are reading those books and nobody delivering that lecture is critiquing it. So that is the understanding, that you are dealing with people who have a mental impairment and that is why they get pregnant. And this, to us, is all quite ridiculous. They got pregnant because they had sex.

Prof. Quartly—And to give away the baby is actually growth. It is understood—

Prof. Swain—Yes, it is part of your mental growth.

Prof. Quartly—And emotional growth.

Prof. Swain—That is the kind of training world from which people are coming. They then go into environments where their continued contact is with the adopting parents because they see them through that lengthy assessment phase and they see them through the six months after that. Their contact with the mothers is more short and focused. The day-to-day nursing and the rest is all handled by midwives, who are another group who need looking at in this respect. They see the distress. The social workers wheel in with their bit of paper and talk happy families because that is what from their experience they see. They do not see the breakdowns when adoption breaks down; somebody else sees that.

CHAIR—A couple of years down the track.

Prof. Swain—Yes, or often 10 or 12 years down the track. They do not see the impact on the mothers because they are going into a health sphere or a mental health sphere or whatever and someone else is seeing that. You have got the kind of range of vision of the social worker who is arranging adoption, and the environment in which they are living is just telling them all the time that this is a good thing; it might hurt but it will be better in the long run, and that is just pushed and pushed and pushed. Looking back a lot of these women now go, ‘How could we do it? How did we do it? What allowed us to do it?’

Prof. Quartly—They do not want to talk about it. It is a really painful thing for them now.

Prof. Swain—They have certainly produced documents which purport to show how social workers were actually fighting for mothers’ rights, and that is from the early 1960s. There is evidence from the Australian Association of Social Workers or the Council of Social Services here in Victoria of a great disquiet about what was happening in terms of civil rights. But how that transfers into the interaction one-on-one in the hospital or adoption agency where the pressure is all on producing the product is a very different situation. It is looking back that they see what they did and their question is, ‘How could I do it?’

Senator MOORE—The other allegation that has come out quite clearly in some of the evidence is a perception that there was a business involved and that there was some kind of business relationship between institutions and adoption agencies or whether they were in that way. Has your research looked at that link, which is taking it the step further?

Prof. Swain—Again, this is almost impossible to uncover. There is certainly a dark underside to adoption that involves—

Senator BOYCE—Producing a product—

Prof. Swain—Producing a product but also picking off the best product to go to the best people. That does not only involve social workers; in fact, I would say social workers are the minority performers in there. It is more likely to be matrons in private hospitals, doctors—

Prof. Quartly—This is pre-1965.

Prof. Swain—Pre-1965, yes, and also after that.

CHAIR—What was the dividing line? Why—

Prof. Quartly—The sixties is the period when the acts come in—

CHAIR—It becomes more professional?

Prof. Quartly—that prevent private adoption.

Prof. Swain—Not completely.

Senator BOYCE—But begin to prevent.

Prof. Swain—So doctors in hospitals would regularly, if they knew a family who needed a baby, go and pick off the best crop.

Senator MOORE—This issue is the link with the medical profession, sometimes out of a sense of good in terms of parents and sometimes quite openly for money.

Prof. Swain—Yes. Certainly also within the Public Service, if you have read Diana Georgeff's book *Delinquent Angel* you will see in that a case spelt out where the person in charge of what was called the Infant Life Protection Branch in Victoria was also procuring. So if someone actually wanted to support their own child they had to go to Infant Life Protection if they were going to place it with somebody else while they worked. This guy in his role there is clearly picking off the best and so basically if a nice, middle-class woman came in in that situation he would say, 'I have got these really nice friends who will take you in and you can stay there.' They came in while they were still pregnant and then they would find that they had in fact agreed to the adoption. That is what I mean by the dark underside.

Senator MOORE—Diana?

Prof. Swain—Georgeff. The book is called *Delinquent Angel* and it is truly a scary account.

CHAIR—Is that Victorian?

Prof. Swain—It is Victorian. I have seen the Infant Life Protection records before the archives closed them and I would say that I have also—

Senator BOYCE—Do not tell us about that.

Prof. Swain—They closed them to academic involvement. All of these records are closed because they contain personal information. They are closed for 100 years.

Prof. Quartly—The adoption ones, too. All the case work is closed.

Prof. Swain—Yes, everything is closed. And the 100-years dates from the last time anything was put in the file. In Western Australia, which had adoption from the 1890s, the file—I think there are no records at all before 1920 but the file runs from 1920 to 1950—no, it must be later than that because they would not let us see them. It is 100 years, sorry. It is closed for 100 years from 1950. But before it was closed I actually—

Senator BOYCE—In virtually every state it will be 2050 before the files can be looked at.

Prof. Quartly—You really need to pursue individual cases at all.

CHAIR—So individuals can—

Prof. Quartly—Individuals can chase their own but researchers cannot.

CHAIR—So if they have accessed their records an individual could go to you and give it to you but you cannot go and access other than if individuals want you to.

Prof. Quartly—Yes. In some ways I prefer that. I worked previously on Aboriginal records that were open to me and at the end of it I felt like I was eavesdropping and I should not be there.

Prof. Swain—There is a whole issue emerging about that now. I did see the ILP files before they closed them. I was probably the reason they closed them. I certainly saw quite clear evidence of the person named in that book doing exactly what they say, so it was not an isolated case.

You have got multiple levels where children could change hands for money. In terms of adoption agencies the exchange is more vague. It is to do with the donation you made, the prestige you got within the religious denomination that ran it and what obligations were built into that. Actual money changing hands would have been illegal, but that was because they used to have to pay people to adopt your child. That was outlawed in laws from about the 1880s, so the exchange of money around adoption is at all points illegal but there are many ways around that, as indeed there still are with intercountry adoption where large amounts of money change hands as well.

Senator MOORE—This is just to give you the opportunity to comment on the record, Professor Swain. I know there are a number of people who have been victims of forced adoptions who are very, very wary of religious organisations. Could you just comment on the fact that you come from the Australian Catholic University and if in any way that is affecting your work?

Prof. Swain—It does not affect my work at all. The Australian Catholic University is a public university. It does ask staff to be—I think they use stronger words than this now—but when I was first employed, and they have not sacked me yet, I had to be content to work within a Catholic environment. At that stage it was interpreted as the positive message of liberal Catholicism. As I say, they have not sacked me yet and they never interfere with anything I do.

Senator MOORE—I just thought it was important to get that on record.

Senator BOYCE—It is indeed.

Senator MOORE—The book is actually a history across the whole of the country; is that it?

Prof. Quartly—Yes.

Senator MOORE—It is just that because we are in Victoria at the moment a number of people have commented on different rules in Victoria. We have only had hearings in Perth and Melbourne now but it seems that there are particular restrictions on access to information in Victoria. Does your research indicate any reason for that? Is there any background as to why Victoria in the liberalisation process has been less liberal than others?

Prof. Quartly—Victoria actually started out early on and so the 1984 act was considerably more liberal than anything anywhere else. But then as the other acts came through seven, 10, 15 years later they all pushed a bit further towards open access. What happened was Victoria got stuck with an act. If you read the debates, the reason for not actually opening access to the mothers—or not bringing them into the access framework—was that there were many mothers who were ashamed of it and did not want to be contacted by their children. They were the ones who were meant to be protected by—

Prof. Swain—No.

Prof. Quartly—No? Oh, sorry.

Prof. Swain—No, because the children have automatic right to access—

Prof. Quartly—Yes, sorry.

Prof. Swain—It was the fear of the adoptive parents.

Prof. Quartly—It was the fear of adoptive parents that the mothers would actually—

Senator MOORE—They had more political clout.

Prof. Quartly—It was the adoptive parents who had rather more political clout.

Senator BOYCE—They were noisy as I remember it.

Prof. Swain—Yes, they always had more political clout.

Prof. Quartly—They are still noisy.

Prof. Cuthbert—And particularly in Queensland.

Prof. Quartly—If you look at the Bishop inquiry you will find that they were still being noisy in 2005. So, yes, they have always had more political clout. But that balance may be shifting.

Senator MOORE—From this committee’s perspective it would be fair to say that we have not seen that.

Prof. Quartly—I think people have decided that you are not on their side, to be honest. I am sorry, I probably should not have said that.

Prof. Swain—Also with the change in the nature of in-country adoption, numerically those people are shrinking away whereas at the time when these reforms were first introduced they were still very actively parenting young people. Now they are not. But it is important to note that any time it is really always worthwhile reading Parliamentary Debates when legislation is introduced and look at who is informing the parliamentarians.

Senator BOYCE—It is good to hear someone say that.

Prof. Swain—I spend a lot of time doing it. The conclusion I have reached is that parliamentarians know about adoption through people who have adopted, and that goes right back to 1928. They know happy stories, so they are very sympathetic to adoptive parents saying, ‘We should be protected by legislation from interference.’ When they talk about mothers, it is indirect and it is all assumption. The assumption is that the mother wants to hide her status. But nobody stands up and says, ‘I know somebody who does this. It is all an assumption. Who would want this to be published?’

Prof. Quartly—Until that wonderful moment when that woman, the parliamentarian, got up and announced that she has in fact given up three children for adoption. That shifted the entire ball game. It was brilliant.

Prof. Swain—But until then that is what influences the way adoption legislation is framed. That is why it gets tighter and tighter around secrecy and there is no organised voice of mothers because the whole trick was, ‘If you keep quiet you will be safe.’ So there is no organised—

CHAIR—I think you will find that within families. The baby would be taken, the mother would go home—

Senator BOYCE—And nothing happened. ‘Did you have a nice holiday?’

CHAIR—Then the parents and the woman did not talk—or the girl. In some cases we are talking about young women and young girls who then did not talk about it.

Prof. Swain—There is the deep impasse for the woman who spoke to me when I did my previous book who went home and had a major nervous breakdown. Her parents paid for to have psychiatric treatment on condition that she did not mention the baby.

CHAIR—We have had other submissions where they had counselling and did not mention the baby. So how can you work out the problem if you must not mention what the cause of your problem is?

Prof. Swain—But that was the package. That was the package that supposedly met all needs. It met infertile couples' needs and it met the respectability needs, but it did not meet the personal need and that was just not acknowledged.

Prof. Quartly—Can I just say something about citizenship? One way now—it is not just in Australia, and apology politics are really important in this—is that a badge of citizenship can now be a discussion of your personal sufferings. It is now possible for that kind of position to be publicly discussed and the fact that you are publicly discussing it is in fact a claim to citizenship which governments can validate by apologies.

CHAIR—How late did adoptions of this nature occur in Victoria?

Prof. Quartly—Forced adoptions.

Prof. Swain—Women are still relinquishing their children—

Prof. Quartly—Under the same kind of pressures, social and political.

Prof. Swain—It depends where the pressure is.

Senator BOYCE—They are more likely to be familial pressures now than the government or—

Prof. Swain—Yes, familial pressure was always there, but I was alarmed last year when an adoption worker told me she had taken five relinquishments in the first three months of the year, and that was one agency. That strikes me as quite a shift, so we cannot be content and say it is not there. But, yes, there is—

Prof. Quartly—That was during the period when there was counselling. When a lot of people went up for abortions they were counselled and told that adoption might be a good idea, and that is happening.

Senator MOORE—That is happening quite strongly.

Prof. Quartly—That is the Leader of the Opposition as well.

Senator MOORE—I am sorry I have jumped in but this relates to a question I asked of previous witnesses. There will be some women who make the choice to adopt and I am a bit concerned about some of the evidence that is all one way or another. We are really concerned in this inquiry about women who did not have an informed choice and it is important, but for some women it is a choice they make for whatever reason and they are not wrong, either. It is important that we do not actually allocate fault to a woman who chooses to adopt.

Prof. Cuthbert—I think the other corrective which needs to be placed on the table—and this also applies to intercountry adoption as well—is that many of these adopted children go to very, very loving homes and are raised wonderfully by parents who are desperate to have them and care greatly for them. Professor Quartly said earlier that adoption is a very acute window into family life. It is simply impossible to say: are families good or are families bad? You cannot.

Some families are very good. Some families are very, very good but have some bad patches or some bad people in them and it is a mixed bag—a very, very mixed bag—where you have good and bad and gain and loss and love and pain all mixed together inexplicably.

Prof. Quartly—Like in any family.

Prof. Cuthbert—As in any family, yes. In so far as that is a balanced view I would put that on the table. So an inquiry into the circumstances of the removal of a child here, in Manilla, Sri Lanka or wherever, and even if inquiry finds that there were unethical practices or even illegal practices does not necessarily mean that the adoptive home that that child goes to is not a loving and a wonderful one because in many cases they are loving and wonderful homes, but that equally does not wipe out the circumstances—

CHAIR—And it does not stop them feeling the emotional feeling that my parent, my mother, my father gave me away, no matter how much you go into a loving family.

Senator BOYCE—I would ask you on notice if you would comment on three particular areas around specific types of adoption that may have come up during your research. One is forced adoptions within cults or cult survivors. The other one was we had evidence earlier of unapproved medical treatments on adoptees, if you have got anything on that. The third one, which strikes me as perhaps an issue that is waiting to happen, is surrogacy.

Prof. Quartly—I think we can say that we really have not discovered anything beyond what government reports might have mentioned about the first two points. As to the third, it is very large on our plate.

Senator MOORE—It is ticking away.

Prof. Quartly—It is very, very clear that all the problems that have been associated with adoption are liable and are already being associated with surrogacy.

Prof. Swain—As indeed mothers and adopted people have been saying—

Prof. Quartly—They have been saying it for 20 years.

Prof. Swain—since it was first introduced. What underlies all of this is that if you look at adoption in kind of economic market terms there is a huge sense of entitlement out there that we are all entitled to have a child, however, and the market will meet that entitlement and it will just keep twisting and turning in order to do that.

Senator BOYCE—One section of Monash might know quite a lot about that.

Prof. Quartly—Indeed. I have been looking a little bit at that history, yes.

Prof. Cuthbert—In fact, the numbers and kinds of children available for intercountry adoption changes and decreases as it has quite markedly particularly in the last three years. The significant trends now are pointing to a decline in intercountry adoptions because very young children are no longer available. There are increasing numbers of older children and children

with special needs and sibling groups, and this is from the countries that have been major sending countries up until the very recent past. It is almost as if you can see the corollary in particularly offshore surrogacies.

I was at a VARTA seminar the other night, the Victorian Assisted Reproductive Treatment Authority, on reproductive care in India. From listening to the questions being asked by the audience in the room and you would only need to spend a few minutes in the pages particularly of Melbourne's gay press to see that reproductive medical tourism to major centres in India for the purposes of surrogate reproduction is big business. It is part of a sense of entitlement. But I would say, with regard to what I said earlier about intercountry adoptees seeking exactly the same knowledge of family and belonging as all of the other categories of removed children, that we are just setting up precisely the same circumstances for the future.

Prof. Swain—It is a disappointment to me that the media coverage does not get it. I think if you remember the day after the Forgotten Australians apology was released and you had all that media coverage about how it was terrible and how could it have happened, the next day it was adoption awareness week and you had a whole lot of coverage about all of the unwanted orphans around the world that needed families, and nobody joined the dots. That is exactly what is happening now in relation to surrogacy.

CHAIR—Thank you very much.

[2.12 pm]

GLARE, Ms Jenny, Manager, Heritage and Information Service, MacKillop Family Services

CHAIR—Welcome. I understand information on parliamentary privilege and the protection of witnesses and evidence has been provided to you?

Ms Glare—It has.

CHAIR—We have your submission, which is No. 86. I invite you to make an opening statement and then we will ask you some questions.

Ms Glare—What I would like to say at the beginning is that I would like to acknowledge the hundreds of thousands of children and mothers that were cared for in the Catholic orphanages that came to be part of MacKillop Family Services. I would like to start by saying that the primary capacity that my job involves is with adults who grew up in the eight original orphanages and children's homes with the grandchildren and great-grandchildren of people. Our records go from the 1850s up until 1997, when the organisation was formed.

Even since I first began working for the Sisters of St Joseph out at Glenroy in 1991 I have been profoundly affected by listening to the stories of birth mothers whose children came to stay at Broadmeadows. That has come about because on a number of occasions the mothers would assume that their children had been adopted only to find that, whilst they had signed consents, the adoption had not gone through. So then in order to reconnect with their children that meant that they access the service for the non-adopted children. It turned out that there were children whose mothers believed they were destined for adoption but for a variety of circumstances those children were not adopted and they ended up spending their life in institutional care. So to inform a birth mother that that is in fact what happened to her child was always an extraordinarily distressing experience for them because their child had not taken the path that they thought they were to take.

Equally when children who have grown up in the institutions all of their life wanted to connect with their birth mothers—and their birth mothers were very elderly by this stage—and they said, 'No, we do not want to have anything to do with our child because we had assumed they had been adopted.' Throughout the years that I have been working there has always been this echo of the profoundly distressing experiences of mothers whose children were placed in care for a variety of reasons and the difficulties that then leads to reconnection and the difficulties and the hardships that has led to all through their lives in coming to terms with the fact that one or more of their children have been adopted or have been somehow removed from their care. That was always there.

Our service is now based in what was the old orphanage at South Melbourne, but when I was out at Glenroy for about 10 years on a number of occasions somebody would come to the door and they would say to me, 'Oh, it is very nice to come here today. I would like you to know that I have had three Broadmeadows babies.' I took a while to come to terms with it but what they

were in fact saying to me is that they had adopted three babies from Broadmeadows. They would say things like, 'The sisters were so good to us. They got us three babies.' I remember a number of times I would say to them, 'But what about the mothers who gave birth to these babies? Don't you in fact owe your thanks to them?' They would look at me in a very sort of strange way as though that had never sort of entered their head, the fact that somebody had to give birth in the beginning but that was not where they were acknowledging the gift of their child.

It is through these experiences and also through the work that the historians did in the history of our organisations in the chapter called 'Keeping the Secret' where there were a number of interviews conducted with mothers that had stayed in the homes. But for me it is the personal encounters that we have in our service with birth mothers that I wanted to write a submission about.

Senator MOORE—Can we get on record exactly what services MacKillop offers to women who actually have had to give up their child for adoption? For your services you acquired all the records of any Catholic institution in Victoria?

Ms Glare—We wish we had acquired them.

Senator MOORE—I just want to get it all on record.

Ms Glare—We have acquired the records of the eight orphanages and children's homes that were run by Christian Brothers, the Sisters of Mercy and the Sisters of St Joseph. The Sisters of St Joseph had the babies home at St Joseph's Broadmeadows which had accommodation for mothers, accommodation for babies and also ran the mothercraft training school. As well as that the Sisters of St Joseph had St Joseph's Receiving Home in Carlton, which had accommodation for mothers, pregnant mothers and also for children at various times. We have acquired all of those records.

In 1935 when the Catholic Family Welfare Bureau was established their role was to assess or gate keep the children that came into the institutions, but it also became their role to take the consents for adoption. From 1984, when the legislation changed in Victoria, the Sisters of St Joseph and the Catholic Family Welfare Bureau—as it was then called—ran a joint adoption service. Then in the 1990s the sisters withdrew from that service and Catholic Family Welfare Bureau continues to provide that service today, but there is a set of records relating to those homes that we still hold because of the difficulty of always determining whether or not the children were adopted.

Once it determined an adoption took place, CatholicCare, as it is now called, will process the request for adoption information or the Department of Human Services may process that. But where an adoption has not taken place that is where we provide information. Some of the maters that we are providing information on are where mothers had thought their babies were being adopted but in fact they were not.

Senator MOORE—So they may well have gone through the other service and not been able to find their child? Actually they would not because in Victoria they have no right; do they?

Ms Glare—I would hope that if they went to one of the adoption services, if they did not have a record that they would very quickly send them back to us.

Senator MOORE—Can you give information to women, because we have been hearing today on record that the Victorian legislation does not give the right to a mother to find out what has happened to their child?

Ms Glare—I think that is right. There are particular issues related to the Victorian adoption legislation but for the mothers who approached us whose babies were not adopted, even though they might have thought we would release that just as we would release information to non-adopted persons—

Senator MOORE—I was actually taken aback in reading your submission and also hearing your opening statement, because what we have been hearing about consistently in this inquiry is women who have had to give up their child and the clear presumption was that they had been adopted by another family. There has been no link that there was any alternative.

Ms Glare—Quite clearly it did not happen.

Senator MOORE—No, it is different evidence.

Ms Glare—It is very interesting reading the records because the sisters were very open in a way in how they word the statements. Sometimes they might say, ‘We could not allow this child to go to Mr and Mrs Brown even though they wanted to adopt the child because they were not good enough Catholics.’ So the baby in fact went. Mr and Mrs Brown sort of assumed that they had adopted the baby but the adoption was never legalised, so then baby Brown goes to look for his or her birth certificate and it is not there. What has been our experience is that an aunty or someone will say, ‘I think your mum and dad actually got you from Broadmeadows.’ That is then how they get back to us. Then we go to the records and we find that, yes, because we can search on our index of database for the parents that took the baby, so we would look up Brown and find all the babies that went to anyone called Brown, match it with the date of birth and then for the first time in their life the person would actually know their birth name.

When I started to work at Glenroy doing this job in the very beginning, that was the predominant area that we worked in. That was the predominant sort of request that we dealt with because that is why the sisters had recognised the importance of always having a service there for people who were not adopted. They must have known somehow that this would happen. It was not so much for people to come back who had stayed all their life in the institution, it was also for people who had probably been fostered out or boarded out. The people would have thought they had been adopted until they went to get the certificate and what would have been reasons like that. Or it could have been that there was something medically wrong with this baby and the doctors will not finally sign the consent for the baby to be adopted but we will let the couple take it.

Senator MOORE—Are there in fact three categories?

Ms Glare—There are more. There are probably even more but they usually put a reason on the card why we feel we cannot allow the adoption to go ahead.

CHAIR—I think I have missed a step. In terms of the very first step, which is the actual adoption or the birth and then how the baby ends up in the institution.

Ms Glare—The babies were in the babies home because they were the children born to unmarried mothers, so that is why they were there.

CHAIR—Can we just examine this because this is where we are taking a lot of evidence in terms of the fact that the mothers did not relinquish or give up the babies voluntary, there is very strong evidence of forced adoptions, that the mothers did not know what they were doing when they signed the forms—

Ms Glare—I am not disputing that at all and I do not want to enter into an argument as to anything about that. What I am saying is that why this whole area is—I think there were very diverse experiences. Just when I was listening before and you said there were—and I believe there certainly were—women who were asking for their babies to be adopted who would say it was not forced. It is some of those women who then have been distressed years later to find that their babies did not get adopted but stayed in the institution. The group of mothers that I would most have contact with are in that category.

CHAIR—What we are talking about now is access to records regardless of the way that the baby came into being adopted?

Ms Glare—At MacKillop because we no longer do adoptions we are not approved to be an adoption information service, but we have to often check our records because in fact an adoption has not taken place. When it has not taken place that is when we will release it, even when it looks like an adoption but it did not legally take place.

Senator BOYCE—Do you only deal with the non-adoptions at MacKillop; is that right?

Ms Glare—Well, yes but—

Senator BOYCE—If it has been a formal adoption they would go elsewhere for the information; is that correct?

Ms Glare—Absolutely, but once people have accessed that information there is a proportion of people who then come back to us because they want to go to revisit the home, and that is mothers as well as babies. They want to look at the photographs and we have a lot of photographic images. Not everybody was adopted as a new-born baby, so a number of babies would have spent some years, some months, some weeks before they left the institution. On a number of occasions both mothers and children who were at Broadmeadows will ask to speak to one of the sisters who was there at that time about what it was like. From what you will have been hearing that may seem a very unusual thing, but let me assure you that it does in fact happen. We are running out of sisters because they are getting older and older, but we have a number of sisters who are still very available to come in and meet with people.

Senator MOORE—When you have a look at the records what kind of detail is recorded them in terms of parenting? Is there anything in there that talks about whether a woman was reluctant to give up her child? What does a record look like?

Ms Glare—The records are very diverse and they are from the 1900s up until the 1940s. The records that we hold are register entries for the two homes. For one of the homes there is whole page of descriptive information. Usually that would be information that the mother has provided. Sometimes it would appear that the more information that is there may have related to the assertiveness with which the particular sister who was in charge on that day got the information to record it. Often that information is very valuable because it will have the name of the father.

From the 1940s onwards the Sisters of St Joseph brought in a card system where the front of the card refers to the information about the child and the back of the card refers to the information about the mother. What is profoundly sad about that information is that information about the mother's parents is put there as though the mother is still the child of the parents, if you know what I mean. So even when the mother could well be an adult woman it is there like as if she is the child and it will have information as to whether her parents know about the pregnancy or whether they do not know, which family members she has been able to tell, who supported her and where she has gone. It will often have the name of the father and sort of physical descriptions of people.

I could not make any judgement as to whether they were forced by the notes that had been left because sometimes there will be a notation that Sister So-and-So took the consent. But mostly from the 1940s on the consents were taken by a social worker visiting from the Catholic Family Welfare Bureau. There are no comments as to whether the social worker came out and the mother did not present. There is nothing like that there. But there are more descriptive comments on the person who has written the information as to how they assess the character of the mother. In the way they wrote the records they did not refer to the mothers as mothers. They used the letter W, which means woman as a sort of shorthand.

Of course we just have the records that we have. Where the actual consent paper is signed that would be in another set of records, so the records that we have are the descriptive information about the child and the mother and there is just a date that the consent was signed on it and who witnessed the consent.

Senator MOORE—Does each card indicate that the woman did consent but it gives no—

Ms Glare—No, I do not think you could. It says, 'Date consent signed.' Sometimes it will say things like, 'Mother wanted to keep but later decided to adopt.' I do not think you could read anything into—I have not read anything to sort of put a flavour on that. It seems to me that it has recorded the date, not the circumstances at all of how—

Senator MOORE—It is one of the required pieces of information or at least a category is date of consent.

Ms Glare—On the card it has the date that the consent was signed.

Senator MOORE—That is there, but any kind of comments about the type of consent, the feelings, the emotions, anything like that is not recorded?

Ms Glare—No, and my issue with this has always been that, despite my efforts to find them, nobody seems to know where the records are of the social workers who would have done the interviews to take the consents.

Senator MOORE—There is no record of that?

Ms Glare—No. Our card related to the baby and the mother just has the date but there must have been a lot of detailed information.

Senator MOORE—That is not there?

Ms Glare—Yes.

Senator BOYCE—The Catholic Family Welfare Services would presumably have it—

Ms Glare—That is where I would have thought that it was held.

Senator BOYCE—And it is not?

Ms Glare—I have not been able to discover that there has been an abundantly rich material that relates to what sort of circumstances and conversations were entered into. I do not know whether similar material would exist at the women's hospital because most of the adoptions that happened for the women who stayed at Broadmeadows and Carlton were arranged what was the Catholic Family Welfare Bureau or the women's hospital until the Mercy hospital had an adoption service—and I do not think that was until the sixties—except for another small proportion of children whose mothers gave birth at the maternity hospital attached to St Vincent's, and it is virtually impossible to find those records. We have tried many, many times to help people to access those.

Senator MOORE—You cannot find them at all?

Ms Glare—We cannot find them. No-one has been willing to provide that.

Senator MOORE—Would those three places, St Vincent's, Catholic Social Welfare and your own records, cover any birthing processes of Catholics in this state?

Ms Glare—No. The ones we hold only relate to where the mother stayed in one of the two homes. Lots of other adoptions—

Senator MOORE—The two in Melbourne?

Ms Glare—Yes.

Senator MOORE—Did St Joseph's did not have anything in Ballarat?

Ms Glare—No.

Senator BOYCE—That was, what, you have got over 12,000 women; haven't you?

Ms Glare—But you see the mothers in our records who came to stay came from all over Australia really, predominantly Victoria, Tasmania, South Australia and New South Wales but—

Senator MOORE—They could have been from anywhere?

Senator BOYCE—That going interstate to have the baby was quite common, wasn't it?

Ms Glare—Yes, and they were not always Catholic women. In the very early days they certainly were not because the other denominations did not really start their babies home until adoption came in in 1928, so once that happened it seems that the women who came to Broadmeadows and Carlton were mainly Catholic from then on, but in the early days before legal adoption they certainly were not.

Senator MOORE—I know that there is no answer to this question but I want to put it anyway: is there any record of any financial interaction to any of the organisations from families or people who may have benefited from adoption?

Ms Glare—There is no record of very much financial at all. But there are very unusual records where quite clearly names have been changed or false names have been given. It is very hard to know what the story would be—

Senator BOYCE—What sort of records are you talking about?

Ms Glare—I am talking about records where it is very hard to know if the records that we have for the names of the mothers were real because then you actually cannot get their birth certificate. So when you are trying to help a person to get their family story, the first thing that you try and do is get their mother's birth certificate for them. Sometimes you cannot get them, which leads you to think either someone has changed it in our records or false information has been provided, which may well be the case to keep the situation secret.

The other thing that did happen from time to time is that St Joseph's Receiving Home in Carlton was used as—I do not know quite what you would call it—a place where babies that were destined for adoption were sort of dropped off. Then somebody had made an assessment of the prospective adoptive parents and they came to the babies home at Carlton and picked them up. Because we have indexed all of our records and put them all on a database and can access them and search them under various categories we have noticed that there is a particular section where that has happened. Some of the consents were signed in private hospitals—not even Catholic private hospitals—but the babies were somehow brought to Carlton. Maybe it was just that the adopting parents could not travel all the distance, I do not know. There are some odd things like that.

There are other odd things where very clearly a private doctor in a private hospital was caring for a married woman. One instance sticks in my mind where she had had a number of still births. At the same time he was also caring for a mother who was in the babies home—not in the babies home, the mother was staying in the receiving home. So he arranged for the baby of the single mother to be given to the married woman who had had a number of still births. I imagine that

was not an adoption. That was not anything; that was just a substitution. That is in the record. I just happened to find that one day when I was looking for something else. Through the whole collection of records that we have there is this continual story that must be acknowledged and must be held to all the time, so just as the Forgotten Australians are now understood as part of Australia's social history in whatever way you look at it, then the whole history of why we had so many children that were placed for adoption and how that happened also must be acknowledged.

The work that we do has I guess completely destroyed what was said to the mothers in terms of, 'You go away and find yourself a nice husband and have another baby and everything will be all right', because in fact that has not happened at all. That is not the case. It is very important that this part of our history is acknowledged.

Senator BOYCE—How do people find MacKillop Family Services and do you promote yourself? Where are you at in terms of ticking: we have solved this one; we have solved that one and in terms of uniting people with as much information as possible about themselves?

Ms Glare—I think it would be true to say that from day one when our organisation was formed in 1997 we were very clear that we had to be providing information. In fact we have been providing information; the service that happened in 1997 was a continuation of the service that I had been providing with the Sisters of St Joseph before MacKillop was formed. The three congregations gave us the records. That was an extraordinarily generous thing that they did because in no way do they interfere with our release of the records. In many other parts of Australia the records are still held by the religious congregations—I am talking about in the Catholic system—and it is not always easy for people to access those records.

We have tried to have a process that is open and that is generous. People find us now usually just by Googling in the name of the home that they had a connection to, which gets them to the Pathways website which then gets them to us.

At the time of the canonisation of Mary MacKillop last year I took a number of calls from mothers whose babies were adopted. One of them sticks in my mind because she said to me, 'I feel that I have been MacKilloped out.' I said, 'What do you mean?' She said, 'I feel that whilst there is all this euphoria about Mary MacKillop being made a saint no-one is aware of what happened to me when I was at Broadmeadows and my baby was adopted.' We had quite a bit of engagement over that time and in the weeks that followed. What I really learnt from this woman was that every time there is some publicity it is yet another reminder of her story, what had happened to her and the pain that she still feels because the baby she had before she got married was the only baby she has had. She was never able to have children after that time. It will often be if there is some particular publicity or something particular happening that calls will come from birth mothers.

We have got 115,000 records and we certainly have not released 115,000 because that many people would not have applied, but the demand for access to our service is increasing dramatically. Last month we had 56 inquiries for information right across the board. That could be from a parent; that could be from someone looking for records on a whole variety of things. Most people choose to come to visit us to receive the information. Most of our work is face-to-face work.

I just want to really stress the point that we do not purport to the congregations as to what we are releasing the records on. They have entrusted us with these records and we provide a service that is independent.

Senator BOYCE—Does MacKillop have a view on the requests or demands of some groups for an apology around forced adoptions?

Ms Glare—I do not know. That would not be a question that we would have raised. The religious congregations may well have a view on that. We would certainly know from listening to people that some people would demand an apology, some people would demand an acknowledgement and others would demand compensation. But I guess it is that diversity of experience that people have had in how they view it. I guess for me, whether it was forced or not forced, the sort of fallout from it in many ways is still the same. I would agree that it is worse where people believe that the adoption was forced on them, but regardless it leaves a lasting impact. If you have ever had to contact a mother to see if she is prepared to reconnect with her adult child, to hear in her voice the shame and the stigma that she still fears, the fact that she has never been able to tell her husband or any children she subsequently had, is very profound. Then it is very tragic for the person who wants to find her.

I guess the other thing for me is the age at which people contact and say, 'I have just found out I have been adopted.' It is extraordinary that people can be 60, 70 or 80 and something will have happened and for the first time—maybe they cannot be 80. I might have exaggerated there. I am thinking of when the legislation came in. But people will ring up and it will be the first time they have found out and it will be because a relative has let something slip. They have never really thought they were adopted all their life and then they are told at that age. The secrecy that was around adoption for both the mothers and then for the children is also something that really needs to be acknowledged. To grow up your whole life thinking that you were the child of the people you grew up with and then to find you were not—

Senator BOYCE—Also to find out perhaps too late to reconnect.

Ms Glare—Too late to reconnect. But often then if you can reconnect with children that your mother had after she married, often those children will say things like, 'Well, that explains why our mother was like that', or, 'You're the missing link.' So sometimes there is good that will come of that. But I think it is the secrecy that went with it which is really hard to understand now. Sometimes very elderly mothers have said to me, 'Every time I go to the supermarket and I see a young mum, probably a single mum pushing the baby around the supermarket, I think how lucky you are because I had to keep it such a secret that I got pregnant. And look now the government even gives you money if you have had a baby.' It is that secrecy that is very profound and has lasting consequences on people.

CHAIR—Thank you very much. I do not think we asked you for any additional information. If we do have any questions on notice is it okay if we send them through?

Ms Glare—Yes.

CHAIR—Thank you.

[2.48 pm]

COUGHLAN, Ms Brenda, Private capacity

CHAIR—Welcome. I understand you have been given information on parliamentary privilege and the protection of witnesses and evidence?

Ms Coughlan—Yes.

CHAIR—I invite you to make an opening statement and then we will ask you some questions. I know you have been sitting in the audience. I know you have seen how it works.

Ms Coughlan—Thank you for the opportunity. As a teenager from the 1960s I believed our nation's law was important, including federal conscience law, for a more just, more equal, more free and more caring Australia, until my moral integrity was questioned.

No other group of unwed natural teenage mothers in history faced greater obstacles. We did not give up. We felt great resistance. We did not give in. We have grown weary from the long fight for the truth. We did not lie down. Australia's law and practice of unmarried mothers and their babies advised by Commonwealth officials during the United Nations world studies in the sixties are unquestionable, undeniable and irrefutable. I quote:

The law in Australia provides for the status to be enjoyed by unmarried mothers in law which constitutes a set of rights. It reflects a widely accepted doctrine: a mother is a natural guardian of her child born out of wedlock and as such has a prima facie legal right to her custody, care and control superior to any other person.

A Victorian judge's decision during a court case under the Police Offences Act in 1958 under the obscenity law labelled unmarried mothers of a phantom crime against society, of indulging in illicit sex, giving the medical profession the incontestable liberty of embarking on their own illicit actions, by abducting new-born babies their ongoing sexual assault of young unwed mothers whilst in their care as a result of intimidation, their abusive use of chemistry, neuropsychology, mind-controlling drugs and inhumane physical restraint during birth. The system has proved it was in no way remotely honourable.

The chairman of the Hospitals and Charities Commission, a doctor himself, ignored a deputation's grave concerns on 13 May 1958. The public hospital's new, modern medical outlook in the matter of unmarried motherhood and procedures in the disposal—and that is the contemptible word used in all government official documents—of unmarried mothers and adoption of their babies with the act of intent that breastfeeding by the mother was no longer advisable and maternity homes were required to change their breastfeeding policies.

In November 1978, a 1958 social worker stated, 'The purpose of the 1958 Adoption Act legislation was to make a complete and total separation of the child from its natural mother.' I would like to table a letter I personally received from the Hon. Doctor Chesterfield-Evans, New South Wales MLC, dated 28 February 2000—and I would like to clarify aspects of it later—

where he is giving his open and honest account of the past illegal hospital protocols he experienced as a medical student.

I would also like to address later the figure of 300,000 Australian adoptions that the inquiry has been advised of between 1950 and 1970. I would like to clarify that later. I would also like to clarify later the commonly practiced variable on one of the most horrendous, illegal, Australian adoption processes, by exchanging a married mother's stillborn baby with an unwed mother's healthy baby without consent.

Most natural mothers are averse to receiving trauma counselling from anyone associated with government, private or volunteer organisations whose charter includes adoption. I would like to make the following recommendations: that a national summit exclusive to the psychologists and psychiatrists be funded to address the trauma experienced by unwed natural mothers which is incomparable and unequal to any other trauma as well as the trauma mothers later suffered when learning of their angel's premature death before adoption and their burial without permission in unmarked graves or under a false name. My latter comment is made in memory of Christopher.

I recommend that the Commonwealth government and the Australian Medical Association acknowledge the past illicit injustices, the AMA to recompense mothers and babies for the irreparable damage suffered from a flawed and illicit past medical system.

I would like to recommend for discussion that the present Commonwealth funding for any university or AIFS repetitive abuse of truth research programs into past adoption practices be suspended and all future funding cease until these people who call themselves professionals are educated with the absolute truth that has happened.

I recommend that the Australian university degrees be reviewed so future graduates learn from history so that flawed teaching and tenuous comments about unwed mothers and babies as per a student's essay report by a University of Melbourne criminology lecturer on 22 October 1976 are never repeated again.

With the destruction of natural relationships between a mother and child the longer the truth is hidden the bigger the stain on this nation, on its integrity, on the rule of law, on the Constitution and on the federal conscience law and its moral integrity. Thank you.

Senator MOORE—Thank you for the evidence you have provided to the committee. There is so much there. You have mentioned a couple of things that you do recommend. Is there anything else you feel should happen out of government reports?

Ms Coughlan—Out of?

Senator MOORE—Out of the evidence that government should do. You have mentioned changing—

Ms Coughlan—I think the most important thing is that they do hold a summit for psychiatrists and psychologists to really address this trauma and, following on from that, maybe a counselling or healing service, I am not sure. They are the experts. I think that something needs to be done, some sort of healing. I think one of the biggest healings that is going to come is like

the mothers in Western Australia. One of the most powerful things that they heard was, 'We believe you.' They have been called liars all these years. We know we are telling the truth and I think to have it acknowledged is probably the hugest thing.

Senator MOORE—Do you think that there are professionals who actually truly understand these issues?

Ms Coughlan—I do not believe there are. Throughout my research in the last 25 years the ones that fully understand it—and I have had a lot to do with the psychologists and the psychiatrists association—they are very open to it. They have got a lot of support within it. They are gaining more knowledge out of it. I think I could probably even name the chairman of who it should be. They are gaining knowledge but their hands are still very tied until they are given this open opportunity to really get down and have a look at the real trauma.

Senator MOORE—Because certainly one of the things we have heard about is that there have been a number of smaller discussions around mental health that have been sponsored by Origins in a couple of the states which have been a particular focus on a conference looking at the mental health issues in particular of women who have gone through this process. Have you had a chance to look at any of the papers?

Ms Coughlan—I did, but I am against them.

Senator MOORE—Can you tell us why?

Ms Coughlan—Because I feel that these health conferences are all talking in the same sense. It is like when I underwent brain surgery, the best thing to do is go to a group that has had brain surgery and you are seeing the same emotions. So I said, 'No, I do not want that.' I believe that whilst some people think they are okay, I personally think that there has to be something more substantial with much stronger foundations and it has got to come from the top, and that is the Commonwealth government.

Senator MOORE—Because you have such a view about the needs of this professional input and you said you could even name the person who could be involved, are you prepared to put that name on the record in terms of—

Ms Coughlan—I have not asked him.

Senator MOORE—You might take that on notice. That would be the best thing if you want to check with that person and then if that person is agreeable it would be very useful for the committee to have names in terms of people who have the skill.

Ms Coughlan—Yes, I will get it.

Senator MOORE—If you would like to take that on notice and come back because one of the things—

Ms Coughlan—I will ask his permission.

Senator MOORE—That would be great, because one of the things we find consistently is that when people are crying out to have effective research, evidence and support of information that can go on, as you have said, to the future training of people; you have said that in your own submission—

Ms Coughlan—Absolutely, yes.

Senator MOORE—and also in evidence so that would be very useful.

Ms Coughlan—I will ask him.

Senator BOYCE—Could I just clarify what you are saying? Are you saying that there should be a specialised part of mental health, or a specialised mental health counselling service, available for people who have been victims in some way of forced adoption?

Ms Coughlan—Yes.

Senator BOYCE—But they should be generalists first, professional mental health people with extra training; is that right?

Ms Coughlan—I think the psychiatrists and psychologist practitioners need to come together and look at it. It has not been looked at before, probably in individual cases of psychologists and psychiatrists from my experience with them. But they have to get the lead, come together and then really address it and then bring it out into mental health. However, I am not an expert in that area. That is how I really think of that.

Senator BOYCE—VANISH, who were our first witnesses today, were talking about there is a national conference held every four years and that there had been some national meetings held between government funded groups working on forced adoption. Do you think there is a need for more getting together of the different groups so that perhaps a national voice can be developed?

Ms Coughlan—I think one of the biggest gaps in the subject matter is that your voice is not heard. That is why I feel very proud to be here today. Our system seems to run on: what group are you in; what organisation are you in? There are so many individuals out there that are not in a group who have got lots of experience. I have researched this for 25 years and I have not even touched 10 per cent of it. There are a lot of independent people out there and the system does not really allow them to be heard. I think that is a flaw in the system. If there were to be, for instance, a summit they might want to call on individuals. They do not need groups. They need individuals to express their views, not a collective view.

Senator BOYCE—Or at least the views of people who have lived the experience rather than people who work with people who have lived the experience.

Ms Coughlan—I think that they would look at what you have done; how you have lived it; what happened to you? That is what has got to be looked at—that trauma—because I have had great counselling. It has been a marathon race and I thought I was pretty well healed until about 10 days ago, something happened and I was a complete mess. Luckily I had a phone call of

support from somebody. But I thought, ‘Oh my God, I thought the marathon race was over.’ It is never over. I understand that. But the reason that I have been able to research it—which has been with a lot of emotion as well—it is like me sitting here today listening to the gentleman talk about the drug experimentations. I was the researcher that broke the story in *The Age* in October 2004 on the contaminated Salk vaccine.

Before I left today I picked up a document that I got on drug experimentations. It has never been released. Being the researcher that I am it was given to me by the Victorian government and it details what they did and what did not happen. But it was only a draft, a confidential document and was never released. I also kept at them and I got hold of the fact that they never had consent to do any of their research. And I brought that with me, too. I do not know why. After the Salk vaccine, the Commonwealth government’s minister for health at the time within six weeks—and I suppose my back goes up again because I believe they do not fully understand things—a professor from the University of Sydney came up with this report here. It was never tabled in the Commonwealth government, hidden away, and I said, ‘No, that is not good enough. Where is it?’ This report is dated 14 December 2004 and it was eventually sent to me on 17 May 2006.

Senator BOYCE—What is that report about?

Ms Coughlan—That is the report that Tony Abbot as minister for health responded to the breaking story of the SV40 contaminated polio vaccine that was released. In this report they said, ‘We cannot find anything’, and that is not true.

Senator BOYCE—The purple folder that you just held up you are saying is unpublished Victorian government information about unapproved medical treatment of people who were adopted?

Ms Coughlan—It is all the experimenting—the reason I pursued it is because when I did the Salk vaccine—because the Commonwealth government funded the Commonwealth Serum Laboratory the Commonwealth government is responsible for all drug experimentations that did take place until it became a private company, which I think was in the early 1980s. There was no consent. There is just so much to it. Because I have not read the report for a while I am not absolutely sure whether the type of experimentation the gentleman was mentioning is in this report. I just grabbed it on my way out and I thought it was worth doing that. But it clearly states that it was all illegal. There was no consent given. When you stand at the graveside of a baby that has died from drug experimentation, you vow that you will get a plaque put on their grave because they are just disposed. This happened. I had the records that were presented to the Commonwealth Senate inquiry into institutional care and there were actual registers with all their names. It is there in the national archives. It is there.

CHAIR—Which national archives?

Ms Coughlan—The national Australian archives. They are there. It is the Commonwealth Serum Laboratory’s files.

CHAIR—You found them in there.

Ms Coughlan—Absolutely. I had 50 boxes open that had never been opened before.

Senator BOYCE—What is in those 50 boxes—names?

Ms Coughlan—Names, yes. I found the registers, the registers that they used to have for Joe Blow and what dosage they were giving him and what homes they came from and all that. They are there. And in that report that the professor of New South Wales did, she says in that there are no records. I am sorry, 'I have got copies of them.' I think that is where I am getting to with this research that goes on, they are not getting to the bottom of it. Researching is truly logical. If you want to find something and someone says to you, 'Oh, we have not got them', you have got to start thinking which way do you go. Which is the logical way? Where have they hidden them? The records are there but they are hidden. But you have got to find them, and I have been fortunate enough to find quite a lot.

Senator MOORE—Did you actually contact anyone when you found that and say, 'The records are there and here they are.'?

Ms Coughlan—Yes.

Senator MOORE—What happened?

Ms Coughlan—Do you want to know?

Senator MOORE—Yes.

Ms Coughlan—When the Commonwealth Serum Laboratory person—I found their workbooks that categorically tells us of the contaminated stock. I eventually had to take the story to an *Age* newspaper journalist because I just could not cope with the whole thing anymore and he rang the person up and said, 'What about this thing?' They said, 'Oh, no, no, no, sorry the workbooks are destroyed.' And he goes, 'I will send you a couple of pages. You ring me back and you verify it.' And he rang back and said, 'You got me.' So they are there.

CHAIR—I think you said you have copies of them.

Ms Coughlan—I certainly have it all but I have not got them on me. I did not bring them with me. But I am quite happy to copy them and to certify mail them to you.

Senator MOORE—That would be very useful.

CHAIR—Very, very useful.

Ms Coughlan—Okay, not a problem.

Senator MOORE—Thank you very much.

Ms Coughlan—Could I just pick up, though, on one very, very important point where I said about exchanging a married woman's stillborn baby—

Senator MOORE—The very rapid adoption?

Ms Coughlan—Yes. I will just read it. It is not my writing. It is their writing. ‘This variable was given some attention at the Australian seminars at a meeting held in Sydney attended and endorsed by 314 Australian professionals representing the medical profession,’—and I think it is in my submission.

Senator MOORE—I think it is, too.

Ms Coughlan—‘The Commonwealth and state government departments, maternity hospitals and adoption agencies. The spokesman for obstetrics looked favourably upon this form of adoption’—and this is where they break the law—‘as the married mother’s baby was prepared for motherhood with the ability to breastfeed the alien child’—so we have got people coming from outer space now—‘and it was considered that this was seen as the best form of adoption, even without a young mother’s consent.’ That is a crime. But if you go back to what I said previously about what was happening in the Hospitals and Charities Commission, they changed the maternity hospital rules—they changed the hospital rules—on breastfeeding. Well, they are admitting it.

Senator MOORE—What date was that?

Ms Coughlan— It was 3 February 1967. It is in there.

Senator MOORE—It is in there?

Ms Coughlan—Yes. Can I just clarify one thing, and I have to do this on a personal level. It is imperative that the focus only remain on the adoption from unwed, teenage, natural mothers who were forcibly separated. We must not denigrate, belittle or degrade past adoptions of orphan children, children adopted following an unwed mother’s marriage, the remarriage of a widow or widower, the baby born to rape or incest, born from an adulterous situation, a disabled child not wanted by their natural parents, other relative adoptions or any foster or permanent adoptions of vulnerable angels because I think that when you use the word ‘adoption’ I do not want to see it become to mean ‘collectively’. It is not to be inclusive, because the whole triangle is very close to me, too, and I would not like to see them denigrated in any way.

CHAIR—I think you were here earlier when we were talking about adoption. I do not want to put words in your mouth, but what I think you are saying is that there are some adoptions that you think are acceptable—

Ms Coughlan—Absolutely, so we cannot denigrate those. And you will have a look at Dr Chesterfield-Evans’s letter.

CHAIR—The reason the secretariat takes it is so that we number them so we do not lose any of the evidence that we are given.

Ms Coughlan—Is their time to allow me just to highlight something that he says?

CHAIR—Dr Chesterfield-Evans?

Ms Coughlan—Yes.

CHAIR—Sure.

Ms Coughlan—He is so honest and so open he actually explains the whole act. ‘As I delivered the baby as per the textbook I had never seen a delivery before. I had not even met the mother. As the baby came out the nursing staff said to me, “Keep it low and put it on a trolley.” ‘ I am just trying to imagine that. That is very horrendous. He continues, ‘I did as I was told. I had realised as I went in the BFA’, baby for adoption’, was on the head of the bed so it was immediately tagged but did not know the protocol. I assumed that the mother knew the protocol and had already signed.’ You cannot sign before an adoption. ‘Obviously this was not so.’ I think that from the rest of his letter he is a very honest and open man that responded to a correspondence that he and I had. I just feel that they are the sort of things we are looking at that are important.

I remember the former Senator Andrew Murray brought this up at the Senate inquiry into institutional care when we were there and said to the researchers then, ‘We have got one of the greatest research libraries of all time. The stories are there. Why aren’t you using that?’ That is what the former senator said. They are there. Go get the stories. Do not go on the myths. Do not go on what you perceive yourself. The Commonwealth government has got all of it there in their library, all these inquiries. That is where I would like to see the researchers, whether they are professors or whoever they are, get down to the truth and not have a generalisation in their research because the information is there. I have found it over the last 25 years and I have found a lot more, too, but of course time does not allow me to—it would probably take me 10 years to get it all together. Listening to that lady earlier say that she was going to do a book, well that is where mine is supposed to be going but I think now once we hear the Commonwealth government say, ‘We believe you and acknowledge you’, I can go, ‘That is it.’

CHAIR—Thank you very much. If you could send us that additional information it would be very useful and very much appreciated.

Ms Coughlan—I will do that and thank you for your time.

Proceedings suspended from 3.18 pm to 3.35 pm

MacDERMOTT, Dr Kathleen Ann, Member, Victoria Executive, Women's Electoral Lobby Australia

CHAIR—Welcome. I understand you have been given information on parliamentary privilege and the protection of witnesses and evidence.

Dr MacDermott—I have.

CHAIR—We have your submission, No. 224. I invite you to make an opening statement and then we will ask you some questions.

Dr MacDermott—The committee's inquiry was brought to my attention by a WEL member who asked for support in drafting a submission. I was pleased to give the support because in 1984, while employed by the Human Rights Commission, I had been responsible for drafting a commission discussion paper on the rights of relinquishing mothers to access information concerning their adopted children. My work for the commission involved contact with women's organisations representing single and relinquishing mothers; research into the psychological and social impacts of relinquishment; analysis of the legislative framework governing relinquishment at that time; and, most importantly, a large number of submissions from relinquishing mothers themselves about what they had been through.

WEL's submission principally addresses the first of the committee's terms of reference: the role, if any, of the Commonwealth government, its policies and practices, in contributing to forced adoption. Our submission highlights two aspects of the Commonwealth's role: first, the denial of social security benefits to single mothers and, second, the preparation and enactment of the ACT Adoption of Children Ordinance which served as model legislation for all state jurisdictions from the 1960s through the time of the commission's review.

You have my submission which is based on that discussion paper. What I want to say now adds to the submission. In 1986, two years after the release of the discussion paper that I drafted, the Human Rights Commission published a full-scale review of the ACT Adoption of Children Ordinance 1965. In its review the commission examined the ordinance in the light of human rights conventions to which Australia was then a signatory and in the light of the then recently passed Sex Discrimination Act. It found a number of significant inconsistencies between the ordinance and the human rights specified in these instruments. Importantly, the commission found direct operational links between the actual terms of the Commonwealth ACT model legislation and forced adoptions. It made a series of recommendations for changes to the legislation that it hoped would break those links. These recommendations went to pre-natal counselling, which I understand has been discussed here—not pre-adoption counselling, but pre-natal counselling—to create a capacity for relinquishing parents to make their adoption of children conditional on such things as maintaining contact or collecting information and recognising the rights of the parties to identifying and non-identifying information.

The commission sought to build these practices throughout the legislation in the requirements for adoption agencies approvals in section 24 of the ordinance on consents and in the consent

forms themselves prescribed under the regulations. The Commonwealth did not, to my knowledge, act on any of these recommendations.

We believe that in the light of the Commonwealth's role in developing and promoting legislation which facilitated forced adoptions and in the light of its having done nothing about the legislation throughout the period when the ACT was in its jurisdiction, it has a responsibility to follow the lead of the Western Australian government and to deliver a formal, unequivocal apology to all those who were subjected to policies and practices that were unsupportive of pregnant, vulnerable, unmarried women.

CHAIR—Thank you for your submission; it is always good to have something from WEL. It shows you why we are important. In terms of the interest and the process around these issues within the network, is there a large degree of interest around the issues within the women of WEL?

Dr MacDermott—When I was approached it was at a WEL meeting and it was raised by a member who wanted to do something about the adoptions. This is before we were aware of this inquiry. The response, both at the Victorian WEL, where I am a member, and the national WEL was that it was an important issue that they had not dealt with sufficiently and they were distressed to find that they had not. They were very supportive of the submission and they got it through very quickly.

Senator MOORE—I think that is really important for the committee and also the women to know that an organisation such as WEL, which is women focused, expressed distress that this was something that there was not a lot of information about and that they wanted to act on it. I was very keen to have that on record.

Dr MacDermott—They were very concerned.

Senator MOORE—In terms of your research you have recommended that there should be an apology. Do you have any indication of what the impact of that apology would be?

Dr MacDermott—It is very difficult to say and I think it would vary quite a lot between individuals who experience the apology. For people who are feeling guilty because the legislation was structured around communicating guilt to relinquishing parents and making them feel almost as if they were not as good as the adoptive parents who were always given priority in structuring the legislation, I think that kind of guilt would be addressed through an apology. People would understand that their own sense of injustice was right. That is really all I can say.

Senator MOORE—One of the issues is that there has been little effective research into the issues and the history of this issue in Australia. We have heard about two things that are happening now. The Australian Institute of Family Studies is looking at the history of adoption in the country and you may have heard earlier that we have had evidence from Monash and the Catholic University in Victoria that they are sharing a project. Will WEL be contributing?

Dr MacDermott—I became aware of those projects when I was doing my research, so I had a look at what they were doing, but we have not contributed to their research, no.

Senator MOORE—It might be useful to contact those two groups so that we are actually getting a record of what research is happening in our country on this period of our social history.

Dr MacDermott—That is right. I am particularly concerned because what I looked at really did not—this is just an odd thing—people do not know about the ACT ordinance and they do not know about the Commonwealth’s responsibility for that ordinance. They do not know that it was a model for all the states. The research that I looked at did not pick that up because it just did not know where to focus and it is an accident of history that I know, so I was very pleased to get it here. The other information that I do not think that anyone has used, and I do not know whether it is still there, is several files of submissions from relinquishing mothers that were taken to the Human Rights Commission in 1984; I do not know whether they have maintained those files, but they were extremely moving documents.

Senator MOORE—Thank you.

CHAIR—I would like to work out some time lines because I am not sure in my head, if that is okay. Was the Adoption of Children Ordinance in 1963?

Dr MacDermott—I think it was 1965.

CHAIR—So the Commonwealth was responsible for that?

Dr MacDermott—Yes.

CHAIR—So the states then modelled their legislation from 1965 on that?

Dr MacDermott—In the sixties I think they used the states committees of Attorneys-General to filter that through to the states. My impression is that some of them actually used it before it was enacted in the Commonwealth, but the model legislation was made available at all stages to the states, so they have their legislation through the sixties based on that model.

CHAIR—Do I understand from what you have just said that it went through in 1965, but before that there were various iterations that the states could have engaged with?

Dr MacDermott—I think there was a model draft legislation around before it was passed.

CHAIR—I want to be clear from your submission because many people would not have seen your submission, which states:

The 1965 model law determined the interests of the child and of the ex-nuptial mother to be served by separation and anonymity. The natural mother was “encouraged to regard herself as unfit to become a parent and to regard her child as not hers in the same way as the child of a married women would be”.

Am I correct in drawing the conclusion that the clear link is that that was what the 1965 model was on; the Commonwealth used that for the ACT and other states then copied it?

Dr MacDermott—That is right. Those are the principles underpinning it. What is interesting about the subsequent document that the Human Rights Commission came out with is that it

actually went through provision by provision through the legislation itself, so it is not just underpinning principles; it was actually the way things were managed, the way counselling was not given, the way there was no capacity for people who gave up kids for adoption to put in conditional arrangements which retained links with them, which made their name available or made certain information available. The legislation itself served the interest of taking the child away from the relinquishing mother in a quite absolute way and giving priority to the adoptive parents.

CHAIR—Can we go to the Human Rights Commission report? That was in 1984.

Dr MacDermott—I did a discussion paper in 1984. We got lots of submissions in. The discussion paper went out, we got comments back on the discussion paper, then the matter was handed over to the legal area of the Human Rights Commission and they did a review of legislation which was published in 1986.

CHAIR—And that goes through what you have just said?

Dr MacDermott—That is right.

CHAIR—To my recollection, that study has not been drawn to our attention.

Dr MacDermott—It is very hard to find. I went back to dig the material out in the last few days. It is in the State Library here. It is in the National Library in Canberra.

CHAIR—It seems to me that it is quite clear that the Commonwealth knew what was going on.

Dr MacDermott—It had to. It was a Commonwealth agency which told them what was going on.

CHAIR—Which agency would that have been?

Dr MacDermott—That is the Human Rights Commission.

CHAIR—Yes. Which agency would have been responsible in those days? In 1965 I was four.

Senator BOYCE—In the ACT.

CHAIR—But the Commonwealth was drafting the model ordinance. Which agency, in those days, would it have been? What was it called? That is for the drafting.

Dr MacDermott—The drafting was the Attorney-General's Department.

Senator BOYCE—That is good to know.

CHAIR—Clearly we need to talk to the Attorney-General.

Senator MOORE—Absolutely.

Senator BOYCE—You have quoted here from the discussion paper where you are talking about para 14, 17 and 7. On the second page your quote is:

Current Australian law dates, broadly speaking, from uniform legislation enacted in the sixties. Its explicit function is to enact the principle that the adopted child shall be regarded as having been born in wedlock to the adoptive parents.

Who is the author of that quote? Is that out of the bill itself?

Dr MacDermott—It is out of the discussion paper. I would have to go back and look at the legislation. I do not have a copy of it here.

Senator BOYCE—That is why I am asking. Is that in your interpretation?

Dr MacDermott—No. That material went through all the Human Rights Commission's lawyers before it was allowed to come out as a discussion paper, so it has had a legal—

CHAIR—That is from the discussion paper.

Dr MacDermott—That is from the discussion paper, which is here if you want it.

Senator BOYCE—Thank you.

CHAIR—Has this been tabled?

Dr MacDermott—It has a bit of my hand writing on the back of it, but if you can cope with it—

CHAIR—We can cope with it if you are okay with it.

Dr MacDermott—Yes, that is fine.

CHAIR—Thank you.

Senator BOYCE—That paragraph about the explicit function being to enact the principle seems to me to be the nub of whether people's rights have been trampled on and so on, and whether compensation should be made. Is it something that was written by you or someone else at the Human Rights Commission, or did it come out of the original legislation?

Dr MacDermott—I do not know whether the terms are in the legislation. I know that if you go through the actual legislation, as they did when they reviewed it, they found that all the provisions gave recognition to the rights of adoptive parents in an absolute way and no recognition to the rights of the relinquishing parents, so in that way the principle of recognition was enacted through the operational arrangements in terms of counselling, consents and so on. Whether or not there was an object of the act that articulates that, what they found was that, in fact, the provisions of the act and the way in which the regulations and the forms that were

documented consistent with the regulations all operated was to remove rights from relinquishing mothers and to treat the adoptive parents as the legitimate parents.

Senator MOORE—It reflected the mores of the time.

CHAIR—So the commission found that in the case of the ACT Adoption of Children Ordinance the Commonwealth's influence had been substantial and that during the sixties legislation was basically passed.

Dr MacDermott—Yes. Although it is now a matter for state jurisdictions, at that time the Commonwealth had a significant role. That is the nub of what WEL has to say and that, therefore, a Commonwealth apology is warranted.

CHAIR—That is very useful information. Thank you.

Senator BOYCE—You made comment in terms of the Social Security Act. Is it more an act of omission by the Commonwealth at the time?

Dr MacDermott—It was a judgement that was made. Widows got it, but single parents did not. That was a policy decision. I presume it was taken—

CHAIR—We had a bit of a discussion about that this morning, about the worthy and the unworthy.

Dr MacDermott—That is the sort of policy underpinning a lot of this legislation as well.

Senator BOYCE—Are there any other issues relating the Commonwealth directly or indirectly to forced adoption policies?

Dr MacDermott—Not that I am aware of.

Senator MOORE—You have done a fair bit of work on it.

Dr MacDermott—I did 25 years ago.

CHAIR—I suspect once we have had a look at that report and have had an opportunity to study your submission in a little bit more detail we may have some more questions for you. Would it be okay if we put more questions on notice?

Dr MacDermott—Of course. I strongly recommend that someone get for you a copy of the commission's actual legal review, because the status of the discussion paper is in that.

Senator BOYCE—We might be able to save ourselves a lot of time and energy, do you think?

Dr MacDermott—I hope you do.

CHAIR—Thank you very much.

Senator BOYCE—This is slightly to the side and it goes back to an issue that I asked about earlier. I said this morning that I saw current surrogacy and surrogacy laws as having the potential to be a future issue, perhaps a little along the lines of forced adoptions. Has WEL looked at the law around surrogacy at all?

Dr MacDermott—No. If you are interested I can take it to them.

Senator BOYCE—Obviously, if it works in with your work agenda. It seems to me that there is a possibility; I am not suggesting that there is, but there is the possibility perhaps that some of the issues that come out of forced adoptions might well come out of surrogacy.

Dr MacDermott—Yes. I think they will be very interested. I will take it back to the executive.

CHAIR—I would like to go back to the discussion paper and ask what motivated or what kicked off the study and the discussion paper?

Dr MacDermott—Complaints from relinquishing mothers. This was in 1984. It had only just come into existence, but it had received a number of complaints. I was asked to do this work and I was shocked and surprised by the submissions I received. I had no idea that that was what was being done.

CHAIR—I asked a couple of witnesses this morning about how late adoptions were happening and one of the answers was, ‘There are still adoptions ongoing.’ In terms of the involvement of agencies and states, in Western Australia one of the latest pieces of evidence that we heard where the state was actively involved was a strong complaint about 1981. We have had a lot of evidence for the seventies, but I think that was the latest towards the end of the spectrum that we have had. Were you hearing about ongoing cases then?

Dr MacDermott—I know I got a request for this discussion paper from a young woman in a high school. She was actually in a convent. I sent her a copy and the envelope was returned to me empty. I assume that was because what she had done was unapproved of by the people in charge. I would assume that she must have been pregnant. That is the only example, to my memory, that is dated. If you can get your hands on those files then you would know more about it. That one was in 1984.

CHAIR—We are still seeing the forced approach up until as late as the mid-eighties.

Dr MacDermott—It was in a convent in Victoria.

Senator BOYCE—I am not sure if you would want to have a view on this or not. It seems to me that it would be possible to argue that perhaps in some cases forced adoptions or forced abortions are still happening in Australia where family pressure is forcing people to behave in a certain way. Where do we draw the line, so to speak, between which authority figure is pressuring women to behave in ways that they may not behave if there was not that pressure?

Dr MacDermott—I am not clear on the question.

Senator BOYCE—The question is: there is probably still, within families—

Dr MacDermott—There is. I agree with all of that.

Senator BOYCE—pressure on people, or on women in particular, to do things that they would not do if left to their own devices.

Dr MacDermott—Yes.

Senator BOYCE—I have an interest in emotional and psychological violence and abuse and how we try to ramp up the law in that area. My question is: how do we access legal remedies around that sort of pressure, irrespective of whether it was being done by a church organisation, parents or by whom?

Dr MacDermott—The proposal that the commission made back then was that they wanted counselling which was not pre-adoptive put in place. They wanted the adoption agency not to do the counselling. They thought there should be a general pre-natal counselling that everybody went to and everybody got access to all the information so that the choices were not narrowed. They wanted consent made conditional so that the people could say, ‘Yes, my child can go up for adoption, but I would like to choose to maintain contact or to have this information passed to it and if the adoptive parents are not comfortable with that then they will have to find other adoptive parents.’

The mechanisms that they recommended be put into the law were meant to leave the choice with the individual concerned. A lot of what you have probably heard about, with these women being forced to give birth and not see the child or have a sheet over their head when they gave birth, they were mechanisms to remove choice. That was their function. The only sorts of policy decisions that I can seek to make are decisions which make appropriate counselling available to individuals in the absence of other people.

I can give you an example. My daughter is working in the women’s hospital with abortion counselling. Again, she has encountered a lot of people whose boyfriends or whose parents have a view one way or the other. They are being pressured to do other things.

Senator BOYCE—Something.

Dr MacDermott—Yes, something. The mechanism that they have there is an individual counselling arrangement and it is a struggle sometimes, because sometimes the parents ring up and say they are the child.

Senator BOYCE—To get the partner or the parents out of the room.

Dr MacDermott—Yes, and to ensure that the person is given the opportunity to make their own decision. It seems to me that you have to build that in in terms of the kinds of counselling and consent arrangements that you have that are designed to encourage or enable that. I am sure you cannot clear it further.

Senator MOORE—We tried to have this in this committee on a draft bill five years ago, in terms of effective pregnancy counselling. If you are interested you could have a look at some of the submissions and evidence we received in that inquiry, which was hair-raising. That was five years ago.

Dr MacDermott—There is a long history of that recommendation.

Senator BOYCE—The other thing that you need is the support services to support that individual, particularly if they have made a decision that does not match the expectations of the others.

Dr MacDermott—Yes. It is important to note that it is not just emotional, but actually emotional support.

Senator BOYCE—Yes, the gamut.

CHAIR—No other questions?

Senator MOORE—No.

CHAIR—As I said, I suspect that we may have a few more questions which we will put on notice. I would like to thank you very much.

Dr MacDermott—I will do my best with them.

Senator BOYCE—That is very valuable.

CHAIR—It is extremely valuable. Thank you.

[4.01 pm]

ARTHUR, Ms Lily, Coordinator, Origins Inc.

BIRD, Ms Alexandra Anne, Private capacity

BRYCE, Ms Susan Alexandra, Private capacity

COLLINS, Ms Isabell, Private capacity

HORIN, Ms Leonie, Private capacity

KOWALSKI, Mrs Dorothy, Treasurer, ARMS (VIC) Inc.

LEGRO, Mr Roy Murray, Private capacity

MENTA, Ms Kim, Private capacity

MURPHY, Mrs Pru, Private capacity

MURPHY/WEBSE, Mrs Marilyn, Private capacity

NEWINGTON, Ms Lynnette, Private capacity

O'DWYER, Mrs Catherine, Convenor, ARMS (VIC) Inc.

SMITH, Ms Charlotte, Private capacity

CHAIR— We will move straight to the forum. As I said this morning, we have received many submissions to this inquiry containing personal stories of people who have been affected by former forced adoption policies. The committee is overwhelmingly grateful to participants for sharing their personal stories and we have some understanding of the personal cost to people in doing that. For those of you who intend to participate in the forum, I am hoping all of you by now have signed the Hansard witness form. If you have not, please do so. That is an official document so that we have your details correct on the record.

You would appreciate that a committee of this nature cannot possibly hear from absolutely everybody who has put a submission in because, unfortunately, we just do not have enough time. We have tried to provide a situation where we can hear from as many people as possible. We do not mean to cut people off or deprive people of an opportunity. We are trying to give people an opportunity; otherwise we do not feel that we have done our job properly or paid respect to the submissions.

I will invite each person to come up to the microphone to give us their thoughts and evidence. We have a roving microphone as well. If you do not want to come up, you can speak from your seat. We are trying to accommodate what people want to do. I also wish to remind people that

we have counselling available. I intend to give priority to those who have not already given evidence or had the opportunity to participate, if that is acceptable to everyone.

I have been asked to read out a statement for Kim Menta. Ms Menta has said that she will answer a few questions. This is Ms Menta's statement:

A taken child's perspective.

The assumed name I was given as a baby was Kim Rhonda Gillett. However, I was told by the people that raised me upon divorcing that my name is Shelagh Collins. They had seen the name on a baby's bassinette. I was taken from hospital as a newborn. I was not adopted. I did not have a legal guardian. I was not fostered. What policies and practices in 1959 let this happen?

The Adoption of Children Act of 1959 was wrong and the result of this was in direct breach of the Children's Welfare Act of the time. It is still a crime to take a child without authorisation. The Adoption Act was changed. In 1976 I was not considered a child of the marriage. The Federal Family Law Act of 1975 did not recognise me as such. The Family Law Act has changed.

Can this government help me to find out what my name is? Can the government help to understand why this happened? Can the government give me proof of who I am, and the many other babies that were taken in these circumstances? Thank you sincerely for permitting these words to be spoken. Kim Menta.

How important is it for you to know your name and who you are? Will that help you understand who you are?

Mrs Menta—I have had support from psychiatrists and I have asked the question to them. I really want to know who I am. They try to explain to me that it really does not matter what your name is; it is really who you are. I doubt whether that psychologist or psychiatrist had the qualification to really understand what it is like to be taken. Does that answer your question?

CHAIR—Yes.

Mrs Menta—Who are you? You are the sum of where you have been and what you have done, but who are you? Where do you come from? My children ask me that. I do not know.

Senator BOYCE—So you have tried to find out, but you cannot?

Mrs Menta—I tried to find out based on the information that I had. I was told that when the Gillettes were divorcing they were having an argument about whose child I was and it came out that I was not either of theirs really.

Senator BOYCE—So that was the first time you realised that you were—adopted is not the right word—similar to adopted?

Mrs Menta—Yes. I then asked the question: who am I? I was told that they had adopted me and my name was Shelagh Collins. I thought, well, that is really interesting. I suppose I should go and get a birth certificate for that person. So, off I went to get a birth certificate, but I thought there was something that was just not right. Was I adopted? I later found out that I was not adopted. I was just taken. Of course I started searching. I must say that throughout this process of putting the submission in I have only just started to address what the laws were back then. My

parents are both deceased. I hoped for a death-bed confession from either of them, but I discovered that they did in fact commit a crime by taking me illegally and not going through the proper processes. I am in an awkward position, because I really do not know who my mum is, what my name is or whether a consent was ever signed.

Senator BOYCE—Did this happen in Victoria?

Mrs Menta—It did, yes.

CHAIR—So there are no records?

Mrs Menta—Nothing. I became a member of Jigsaw and got to meet Pauline Toner. I was very happy that the adoption legislation had changed for adoptees to be able to obtain their original birth certificates. But of course that did not really help me. I struggled to get support because I was not adopted. I had to struggle to explain to the Adoption Information Service that I needed some help researching, but of course they had no record of me. They tried to help in the end.

Senator MOORE—But you do have a birth certificate?

Mrs Menta—I found out that the name they had seen was on a baby's bassinette. I went off to Births, Deaths and Marriages, got a birth certificate and then started to search.

Senator MOORE—What did the birth certificate say?

Mrs Menta—It said that my name was Shelagh Collins and that my mother was Shelagh Collins. It said that my mother lived at 16A Glen Street, Malvern. Back then I started to go through the electoral roll records. I went to the State Library and spent a week there with books all around me trying to find something, but that did not happen. I did a doorknock in the street. I discovered that the address at 16A Glen Street was a stable. I did a doorknock. I felt a little bit like baby Jesus. I did a doorknock and found this beautiful lady who asked me to come in. I had a cuppa with her. She had been there for a few years and she said, 'Yes, I think there might be some people that lived there, but there's no hot and cold running water.' I do not know.

Senator MOORE—But somebody had registered a birth certificate with that name and that date?

Mrs Menta—Yes. I have tried to find out through Births, Deaths and Marriages who lodged that documentation, but they told me that the documentation has since been destroyed.

Senator MOORE—Did it have the place of birth on it?

Mrs Menta—Yes, it had place of birth at Winston Private Hospital in Malvern. Mine is such a long story. I actually found the woman who ran the place and she said that she could remember the people that took me. Apparently they harassed her to get me. She described what my mother looked like, which I thought was pretty amazing, but of course I kept on searching. It said that my mum was 25 when she had me, born in the UK, so I asked a travel agent here in Melbourne to do a search over there.

This is the dark days. They came up with one birth certificate for a person by that name with a slightly different spelling. I thought, 'How am I going to handle this?' I went off to Australia Post, as it was known then, where they had all the international phone directories. I had an area where she lived, so I wrote something like 80 letters off to all of the Collinses in the area where I thought she lived. Strangely enough, a lot of those people were relatives of each other. I got a write-up in the UK paper over there searching for Shelagh Collins, but nothing came of that.

Now, with electronic media, you can do a lot of online searching. It turns out that this person, Shelagh Collins, this particular one, if you go back 25 years from when I was born, was born in 1934. I did the searching online and got this person who had never left the country. Immigration records coming out of that country say that there is no-one that has ever left that country.

Senator BOYCE—It could have been someone who used her name?

Mrs Menta—Possibly. Going by the lady from MacKillop services, I am not surprised that something like that would happen.

CHAIR—Unfortunately I am going to have to call it quits, because we have quite a lot of people to hear from.

Mrs Menta—Thank you so much for reading my statement.

CHAIR—Thank you for coming and sharing. It is really appreciated. Isabell Collins?

Ms Collins—The only reason why I am here is because a natural mother asked me to come. I would like to do a presentation on the basis that I am an adopted person. It is difficult to talk about stuff that is really personal. The community in general terms think that adoption is a good thing. From an adoptee's point of view, I would stake my life on it, that 100 per cent of adoptees, if they had a choice about being adopted, would choose not to be adopted. They may very well choose their adoptive parents as their parents, but they would certainly choose not to be adopted.

When you are a child you do not have the brain development to work out what is right and what is wrong. You are told that your mother did not want you. There is a feeling side and a thought side to adoption, and I would like to talk about it from the adoptee's point of view and so it is not meant to be disrespectful to any member of the triangle.

As a kid, before I was eight, I knew I was on my own. I can remember we lived on a farm and I used to go off on my own to try to work it out. I used to think when I grow up and have a child of my own I will be the head of that family, because there is nothing behind me. Everything in society is about genetics. You cannot go to the doctor without them saying, 'Is there a history of this in the family?' You have got to say, 'I don't know.' People constantly talk about who you look like, and we do not look like anybody. They talk about who you take after, but we have no idea who we take after. When we make mistakes you have people telling you that it is the bad blood coming out in you.

I could end up in the Guinness Book of Records, for example, for having the shortest engagement to be married than anybody in this world. We were going together for about 18 months. He asked me to marry him. I was 17 and he was 18. I said, yes, and we decided that we

would go home and tell his family and then we would go on and tell mine. When we announced it to his family his mother, who was a dominating person, said very aggressively, 'You're not going to marry her. Good God! You wouldn't know what you were getting.' I looked at my five-second fiancé's face. I left the room, left the house and we never spoke again. I did not tell my adoptive family or my other adopted brother until I was in my late thirties, because there was nobody to talk to about those experiences.

One of the beauties of VANISH was that adoptees could get in a room on their own and talk without fear of upsetting anybody and without fear of rejection. I was gobsmacked at the number of adoptees who had very similar experiences where we were called bastards. I had this best friend who, for years, I went to school with. I would pass her house on my way to school. I would pick her up. We would walk to school together, play together and come home together. We stopped off at her home where her mother had biscuits and milk, then we would play for a bit and I would go home. We did that for years. I am a lapsed Catholic and proud of it, but at that time I was practising. I was going for my Confirmation. I loved Cheryl's mother. I just adored her. I asked her to be my sponsor. She met my adoptive mother, who informed her that I was adopted. When I came on the Monday to pick up Cheryl for school, Cheryl's mother answered the door, said that Cheryl had gone to school and I was to never have anything to do with Cheryl again. When I got to school and asked Cheryl what on earth this was about she said, 'My mother said you were bad', and that was the end of the friendship.

I am surprised I am getting so emotional about these things that happened years ago, but many adoptees have those experiences. I can tell you a good one. It must be such a heavy day for you. I bet you will need a stiff drink tonight. There is one time my brother and I stood up for ourselves when we were kids. We did not get many toys. One of my mother's sisters and her kids were there. They were playing and being rough with our toys. We had a go at them. I would have been about 11 and my brother about 13. They said we were nothing but bastards and threw our toys in the backyard. My brother and I looked at each other, looked back at the toys, and then looked back at each other, and without saying a word we belted the living daylights out of them. That was the only time we ever stood up for ourselves and of course with their screams their mother came out.

Senator BOYCE—Therefore confirming—

Ms Collins—I can still feel my ear. We were thrown into the laundry and locked in there for the rest of the day. My brother and I still laugh about it. We never spoke a word that afternoon, but every time we looked at each other we started to laugh. Many years later we ran into these two cousins as adults. They walked into this house and my brother and I looked at them. Their eyes met ours, we looked at each other and started to laugh and they stormed out of the house. That is probably the only joy we ever had and it is the only time we ever fought back.

What I would like to say for adoptees is that there is a lot of research, but in my view there is not enough about the impact that adoption has on adoptees. I have written several articles and I have put one of those articles in as a submission. But when I talk about adoptees, I would say that is exactly what it is like. If I describe adoption, it is a bit like there is a picket fence. You, as an adoptee, are on one side of the picket fence completely and utterly on your own. You can see everybody else. You can talk with them, cry with them, laugh with them and do anything with

them, but the one thing you cannot do is join them on that side of the fence. The trick is that you have to learn to live with that.

There is the fear of rejection. I spent 15 years looking for my natural mother. I knew her for 12 years before she died. I was probably the most compliant daughter. I can give you a light moment. I am a lapsed Catholic. I have not been to mass, certainly not officially, for about 30 years, and my mother was a devout Catholic. When she was dying of cancer in hospital, to my absolute horror the priest came in to give her a communion and she asked me to have communion with her. All I could think was that I had 30 years of mortal sins on my sole, and if I have communion God is going to strike me dead. But I did not hesitate to have communion with her. When she died, one of my staff's mother died two days later, who received flowers and a card from the Department of Human Services and I received nothing, I assume because we are not entitled to normal grief.

When my adoptive mother died I did not receive it, because she was not really my mother. When my natural mother died I did not receive anything, because she did not raise me. That is the other thing that we do not appear to be entitled to, normal everyday grief without judgement from people who have no idea what it is like to crave being treated like a normal human being. Perhaps on that note I should leave it. I am sorry about the emotions.

CHAIR—That is perfectly understandable.

Ms Collins—It is not easy to talk about.

CHAIR—Thank you. Lily Arthur.

Mrs Arthur—I am conscious of the time so I will be very quick. I would like to respond to some things. I am here in the capacity as the coordinator of Origins Inc., and as the New South Wales delegate for the stolen generations, non-Indigenous. I would like to address the issue of apology. I think it is important that we get our perspective across reasonably early in the piece.

I do not know if the senators are aware that mothers were offered an apology, along with the forgotten Australians, that we rejected. The reason we rejected that was for the simple reason that mothers and adoptees have not had the opportunity of telling their stories. I think that every person that had an inquiry had that opportunity and they got their apology, which is how it should be. You get the main meal before you get the dessert.

In response to the apology in Western Australia we would like to make the following observations, and I am focusing on the Western Australia apology, because people seem to have got something out of it. We are not quite sure, because they were not very happy the next day. The elation died down in a very short space of time after that apology.

Having admitted that the past adoption practices in Western Australian were unlawful, the Western Australian government usurped the notion that those responsible for serious crimes committed under the common law can be rectified by a few chosen words instead of facing the justice system, thus absolving the perpetrators of premeditated breaches of various statutory crimes acts. Apology crimes would be the only instance where the law would absolve perpetrators of serious crimes to face accountability by the legal system. However, a dismissal of

crimes such as kidnapping, wilful intent, fraud, false imprisonment, assault and a litany of other such breaches of law can be casually ignored by apologists who have the audacity to think that this attempt at contrition will placate the victims of such crimes that have remained denied for decades, which not only undermines the basic human rights but also erodes the criminal justice system.

I will quickly go back to when I gave evidence at the Forde inquiry, where I brought up the issue of my son's unlawful adoption. I was told by Leneen Forde—I do not know if anyone knows of Leneen Forde—to go and make a complaint to the Queensland Police about what had happened to me whilst I was in the care of the state. I basically had an opportunity of making a complaint.

The Crime Squad investigated that for 18 months and discontinued their investigation into my case for the simple fact that they could not find the doctor that took the child, and the people that were involved in the birth of my son were too old and could not remember me. They did it to thousands so they would not particularly remember me. I will just continue.

An apology without exposure, redress or accountability for criminal behaviour is not only an insult to an established legal system but also opens the opportunity for other types of criminal activity to occur on a grand scale, such as past adoption practices. Crimes can be perpetrated on victims with the knowledge that, if you can hide your crimes long enough, then you can get away with it.

This was the instance that I brought to bear when I took the case against the state of Queensland. The judge in that case absolved the crimes of the state on me as a state ward and basically gave licence to the state to commit whatever abuses that it wanted to on its wards and get away with it. If you leave it long enough then you can get away with it through the statute of limitations. A lot of crimes were committed against me in that particular instance, but when you cannot get any justice for it that is another story. Such a mentality will not appease any other family member who has had a child forcibly taken away and hidden from them. I will give Daniel Morcombe as an example of that. Mothers affected by the theft of their child for the adoption market are seen as an exception to that, protected under common law. They are not deemed to have the same avenue to the legal system as any other victim of crime. Any forthcoming apology may assist those mothers who felt they may have played some part in the surrender of their child, but will not placate those who know that they have been treated unlawfully.

Origins Inc. will continue to pursue accountability for those mothers who have been affected by these past unlawful practices. We have 750 members, who have given us their permission to be able to speak on their behalf on this issue. Any past unlawful practices, either through the justice system or through civil law, cannot basically be absolved by an apology.

This is why we are so grateful to have this inquiry. The average Australian does not know why a government would apologise to these women, who they have considered to be child abandoners, sluts and every other name that you could possibly inflict on these women who willingly gave away their children. To apologise to them without any sort of education campaign makes a ridicule of the gesture in the first place. It becomes meaningless.

As an advocate organisation that sits at a national level on the Stolen Generations Alliance and the Alliance for Forgotten Australians, it may seem very nice that they have both had apologies, but I deal with people who have been affected by these issues every day, and to them the apology, given in very good faith, has not furthered them personally. We need to start thinking that it is okay to give out lots of words, but if you are not following any of this up with any real reconciliation or restitution, you have wasted your time because it has not healed anybody. It gives them false hope that something is going to come after. I am only directing this towards the concept of an apology. Thank you very much for listening.

CHAIR—Origins New South Wales is appearing next week, so we will obviously have time to follow up then.

Mrs Arthur—That is why I was trying to watch the clock.

CHAIR—Alexandra Bird.

Ms Bird—I am not really prepared for a speech at the moment. I have not brought my submission with me. What I would like to talk about today is the fact that when I was given up for adoption it was supposedly in the best interests of me as a child and all the other adoptees. My mother was 16. I was adopted into a family where I was abused. The situation was not ideal. I left home when I was 14. I only found out recently that the Methodist adoption home was in contact with my adoptive parents until I was 16, but my adoptive mother never once told them that our relationship had broken down entirely. At the same time my biological mother was going through Jigsaw and looking for me.

Two years after I was adopted out at birth she married my father and went on to have three other siblings. I have two full biological sisters and a biological brother. She cannot be here today, because this is too much for her to deal with. She still managed to get on with her life and become a teacher.

She was basically told that because she was 16 years old she would never be a good mother to me; that she would not be able to love me. She was a beautiful mother to my siblings. She is now a Steiner school teacher, which means she cares a lot about children. My father was in the Little River Band as a guitarist. I had no idea of this. I grew up with a passion for music, but as all adoptees know we have no self-respect and we do not understand ourselves. I had no belief in myself. If I had known my father was a musician I would have followed that through. My son is a beautiful musician. A lot of people tell me that I have talent in music, but it is never going to get anywhere. Adoption has basically ruined my life.

I have gone on to have drug addictions, alcohol addictions and suicide attempts. I am going to be on antidepressants for the rest of my life, which I have to pay for. I am a cleaner. I am not qualified at anything. I believe this is because I was adopted. I believe that if I was brought up with my biological family then things would be a lot different, as it is for my siblings, who lead normal lives. I believe I will never lead a normal life. I have four children to four different fathers and have never been married. So, 30 or 40 years ago I would have had my children adopted, too.

My kids are great. I have a son who is a painter and a daughter who is a hairdresser, but they still have to put up with the fact that their mother has gone through psychological problems all her life due to this. I do not think my adoption was in my best interests. That is what I would like to say. There is probably heaps more I would like to say, but that is all that I can think of at the moment. Thank you for listening.

CHAIR—You have not used up all your time so can I ask you a question?

Ms Bird—Sure.

CHAIR—Have you been able to access counselling in terms of support?

Ms Bird—I have never been offered any kind of counselling. When I talked to my doctor recently about [name removed], he said, ‘I find that hard to believe.’

CHAIR—You have not been offered any counselling?

Ms Bird—No; that he went through all of that. I live in a small country town where there are counselling services. I have had counselling before, but never from anyone who has anything to do with adoption. I feel that most people, even down to my daughter, do not understand. My 19-year-old daughter threw at me last week, ‘Well, your mother never wanted you anyway.’ She did want me. She was writing to Jigsaw about the same time I was in the girl’s home at 14. She was looking for me, and nobody ever said anything to me. I came off second best and I am never going to be able to better my life than what it is. All I can do is try to deal with it and try to accept my situation. I am not going to go and be a musician. I am not going to ever be able to earn money. I am going to have to deal with counselling and I am on medication for depression and anxiety, and also my drug and alcohol addictions. I believe that being in a forced adoption has everything to do with that. Any more questions?

Senator BOYCE—When did your adoption take place?

Ms Bird—My mother never got to see me.

Senator BOYCE—What year was that?

Ms Bird—That was in 1970. I was born in the Box Hill Hospital and adopted to the Methodist Babies Home. My mother was never told that she could see me. The adoption papers were not signed until 18 months later. As far as I am aware, she was my legal guardian for that 18 months, but she was never told that. If she was told 18 months later, when she had her life together slightly and things were happening, when she was going to marry my father; if she was aware of this, I would have grown up in my natural family. I would have gone on a world tour with them, as they all did. Instead I went through abuse and was at a home as a teenager. Yes, I sold myself on the streets at 14. I had my first child at 18, because I had no-one that was biologically related to me and it did not matter that I was not married or anything; I just needed that biological link.

CHAIR—Thank you. Leonie Horin.

Ms Horin—I would like firstly to put on the record that I believe adoption should be banned, and ask for a royal commission. I have never met anybody that has happily given their baby away like you inferred before. I heard you infer that, Senator Moore. I found that extremely highly distressing, because that has been said about me. I found my records and shocking things have been written. I have never met anybody that has happily done that and I think that you should not be the voice to say things like that, because there are a lot of women that kill themselves. If somebody would have the courage to do a royal commission and a proper investigation they would find out how many suicides there have been. There are a lot of people that are not here today because they have killed themselves. I have two suicides in my own family from all of this.

I also want to say that I feel very intimidated. I want to pass on an email that I sent to your office, which I would like to put on the public record, to say how I had been spoken to very badly by your staff member, and I felt very shaken by that. I wrote this email to ask if she had a conflict of interest, but nobody has answered, and I sent a copy to you, but your office has not answered. I do not understand that.

Also, I want to talk about VANISH. The lady that was here before was in charge of something I went to. I have been to a lot of things. This is very important for people who cannot speak or are not here to speak. I have been abused and exploited by both the Catholic Church and the Salvation Army while I have been trying to get help suffering from all the government abuses. What happened at VANISH is that somebody got bashed up and I got abused and my daughter got abused at VANISH. I was very shocked to see the two men from VANISH representing everything and saying how wonderful it was. I have never had any help from VANISH. My daughter was emotionally abused and chased down the hall by a man. It was meant to be the manager's friend. Another lady that I met accidentally at St Vincent's Hospital said she was bashed up. I also found another lady who had been bashed up. People kept on saying that the management had changed and I should go there. I said, 'Now I'm terrified to go there because you are telling me people have been bashed up.' When I have rung up to talk about the people who have been bashed up, now the latest manager does not want to talk about and is trying to silence me. I know these people. This is a 70-year old women who would not be telling me lies. She is an ex-ward of state. There is so much crime and so much lies.

My daughter and I wrote an email to the state government about VANISH and what happened to us. We got a very callous response. That was about five years ago. The bashings seem to be all hidden. It is a nightmare to me. I am meant to be able to go to all these places. The staff that abused us are now working at Open Place. That is the reality for me and a lot of people like me. As a few people have said, they cannot even come to something like this. I rang up a few government departments to try to help me do my submission. The Department of Human Services minister—I forget what her name is.

CHAIR—In Victoria?

Ms Horin—Yes. They said they could put me through to Adoption Practices or Services, but I said, 'Please do not put me through there. I've rung there before. They're not interested.' They forced me to go through to there and I said, 'Now that I am through here, the minister's office told me that you will help me do my submission.' They said, 'No, we won't help you do your submission. We've got nothing to do with it. We're not interested with anything to do with

mothers', and hung up in my ear. That was about two or three weeks ago. The counsellors that are here come from the same department that hung up in my ear. I find all of that rather bizarre and quite insane. I told them as well.

I hope it is on the record that I think adoption should be banned. My sister, whose body was found on the railway track—there is an advertisement in the *Jewish News* advertising to sell my sister. They were getting ready to advertise my sister when I was 6½ years of age. This started when I was 6½ years of age and then my sons, later on, when I am a teenager. I was that distressed all my childhood about my sister. I have got this. I have these records where they have been hiding my other sister from my poor father, who is running around in a green truck working at the Victoria Market. He is running around Melbourne trying to put my two sisters in the same home, because they finished up in children's homes. They have got here, 'Hide my sister because he looks like a Turk. He's got dark skin.' It is written here, 'He looks like a Turk.' I want you to have all of this. He is not a Turk. He was a Polish Jew. That is how ignorant they are; everybody with dark skin is a Turk or something. That is the government, who are not meant to be ignorant people. I would like to hand all of this in.

My uncle died in Changi—from the Kakoda Trail—when he was 16. I basically asked, what did he die for? His favourite sister was locked up in Pentridge for having no money. That is what my uncle died for. All of her family was destroyed while he was dying. My sisters were put in children's homes and abused and one of them, her body was found at the Elsternwick Railway Station. I do not even know what I was doing being taken by Jewish Welfare to Jewish Zionist activities. I have no idea. I was put in a little army uniform at six years of age and had to go to all this stuff. I want to know, where was the Commonwealth while I was being taken there, abused and told, 'Your mother's not really Jewish. She's a shiksa', and demoralising me at these places.

Senator BOYCE—What is a shiksa?

Ms Horin—It is a filthy vermin. It is a name derived deliberately for non-Jewish women who married Jewish men. It is really very immorally illegal and a violent, horrible, defaming thing to say. It really affected my mother and it really affected me all of my life. They came back when I was 18, found out that I was pregnant and just tricked me and coerced me. My first son had gone and I was very weak, humiliated and shamed. They said that they were going to help me. This is the Jewish Welfare that I am talking about. The same women who was involved in my childhood got me a taxi after I gave birth, and I do not know where my son went. I found out later on that he went to Israel. They kidnapped my son to Israel and he has 'Jewish' on his birth certificate. Then they said after that that I am not Jewish. That is mental torture of the highest order. They said that these advertisements did not exist. They lied and said my files did exist.

CHAIR—Is that your advert for your sister that you mentioned in your submission?

Ms Horin—Yes. The *Jewish News* said that they did not exist, but the librarian at the State Library helped me find it. My daughter did most of the work, but we found it. I knew it existed.

I would like to lastly say that I feel quite nervous about this whole inquiry when Senator Moore's office have not answered my email. I feel like there is a conflict of interest and it is

worrying me. I hope I am wrong, but I am quite frightened about it. Are we are going to get to the truth? Are we going to have a royal commission?

CHAIR—We are not a royal commission. As you know, we are a Senate inquiry.

Ms Horin—I know. There have been too many crimes committed and too many deaths. This is too serious and it should not be watered down.

CHAIR—We are not trying to water anything down.

Ms Horin—I will say it loudly, that there are lots of people that have killed themselves, but that has all been hidden. My sister is one of them. That was an adoption that was not even a legal adoption. It was not even an official adoption. She was hidden by the matron in her house.

CHAIR—Would you like to table your documents?

Ms Horin—Yes.

CHAIR—Feel free to table that now and if you want to send anything else in—

Senator MOORE—I would like to make one comment. I did respond, but it bounced back twice saying your box was full.

Ms Horin—I apologise.

Senator MOORE—I had a full response to your email. I did not jump in when you said it because I did not think it was appropriate, but I formally responded to your email. I do not know who monitors your email, but on two separate occasions two days apart, to give it enough time, it bounced back with the process saying your email was full. You did not provide a mailing address to send it to a post office box or to a mailing address.

Ms Horin—What do you mean?

Senator MOORE—I could print it off and post it to you. In your email comment you only provided your email address and not a postal address.

Ms Horin—What is wrong with that?

Senator MOORE—I could not post you my response. If you want to provide a postal address to me, I am happy to on forward it.

Ms Horin—Do you mean because the email did not work?

Senator MOORE—Yes.

Ms Horin—I did not know that the email did not work.

Senator MOORE—It did not.

Ms Horin—I would be glad to look at that, because it has frightened me the whole time. It has terrified me actually, because I thought that if the people running the show are trying to intimidate people trying to speak, then it is very terrifying. It is very terrifying to find that your sister's body has been found on the railway track. I am terrified to go to hospitals. I am terrified. I am terrified of the government. That is the effect that it has had on me and my family.

CHAIR—Thank you. Catharine O'Dwyer.

Mrs O'Dwyer—I would like Dorothy Kowalski to come up with me.

CHAIR—That is fine.

Mrs O'Dwyer—I would like to speak personally about how adoption has affected me. I came from a large Catholic family and I lost my child to adoption in January 1973. I had no idea that the Single Mothers Pension was going to be allocated in July that year. No-one ever told me, not that I do not think that I would have remembered. I went on to marry the father of my child, subsequently had another five children and I am still married to the father.

My subsequent son, when he went to school, his teacher suggested that I was suffering from separation anxiety. She was also a psychologist. My night-times were filled with nightmares of having my children taken from me. When I accessed my identifying information from Western Australia I looked at the signature and realised it was mine, but had no idea when or how I wrote that. I have suffered from profound grief. I have been really lucky in lots of ways that I have been surrounded by supportive friends. Ms Kowalski, would you like to say anything personally about your adoption and how it has affected you?

Mrs Kowalski—It has affected me quite badly, but I did not put in a personal submission because it was in New Zealand and you are only speaking about what happened here. I thought you might like to hear that my solicitors, not me, were able to get my child's original birth certificate on the grounds that I wanted to include him in my will. I read this somewhere and I thought it was a good idea and that would be how I would get it. They sent it to my solicitor and said he was not to show it to me and not to copy it, but he did. It said that my child was the unnamed male child of me, but I had registered him with a name. They had also taken a power of attorney. Someone else had gone and crossed out my registration and someone else had gone and put it in.

CHAIR—The power of attorney?

Mrs Kowalski—There is a special form in New Zealand for someone else to register the child. They had done it like that. My solicitor said, 'My client named this child. Where is her original information that she signed?' They sent it to him, and again we could see exactly what they had crossed out. We then said, 'We want that amended. That is not true and while we are about it we want the father's name on it.' He was always willing to put his name on, but the doctor said that it would not be good for his career and not to do that. It then turned out that the adoptive parents had paid for a blue ribbon unnamed child. They had paid extra. They had also paid that doctor extra to guarantee that I would never be able to find them and that there would

be no trace, but I did. We then said that we wanted to see the certificate as it is amended. This had to go through the Solicitor General in New Zealand. Then the certificate, as it was amended, as my son will see it, was sent. Once again, I was not to see it, it was not to be copied and it was to be returned as soon as the solicitor had ascertained it and used it for what we said it was for, and that this really is the child that she wants to write into her will. We gave them all the details.

It is a very scarring and ongoing awful part of life and it affects subsequent children. I had three more children. One, when he was 15, when he heard about it, said, 'Now I know what's wrong with you. I always knew there was something wrong with you.' We have gone on from there. I have seen my relinquished child now for 18 years. He will be 50 this year and we have a good relationship, but the grief does not go away.

Senator BOYCE—The grief for the life missed?

Mrs Kowalski—Yes, and for coming to terms with, 'It is not my baby. Forget about it.' This is an adult. We are all looking for our babies, because we have never had the growing up experience. We have not had their name. I think it is terrible that the name is obliterated. UNICEF wants to make it an abuse of the child's rights to change its given name. There is no reason to change the name. The adoptive parents are putting a stamp on their child.

Mrs O'Dwyer—I would like to talk about ARMS. As you are aware, our legislation in Victoria is that we do not have identifying information and there is a history to that. There is a large group of people with Pauline Toner, some social workers and one or two adoptive parents. Certainly identifying information was included in that legislation in 1984, but at the last minute the adoptive parents were going to turn over the legislation, so it was withdrawn. We thought that later on we would be able to go back to parliament and get that information, but 26 years later we are without identifying information.

It is unbelievably difficult. I went with some colleagues to the local party in the mid-term of their second election. I thought they would be open to that, but they were not. In fact, we went several times. It has been quite difficult. It is more that they wanted to do everything else but grant us identifying information. It is a huge issue for us. We have started the ball rolling in Australia with changing of open adoption legislation and we are now the last state to receive that fundamental equal access. We currently have an inquiry with the women's hospital. We went to the women's hospital asking for an apology a couple of years ago and they fobbed us off. They are doing their own inquiry into past practices of adoption.

Senator BOYCE—The Royal Women's Hospital?

Mrs O'Dwyer—Yes. They have appointed Professor Shurlee Swain to oversee that. That was meant to come out in December last year and it looks like it will be December this year. We get fobbed off quite a lot. As you are aware, women who gave birth in the fifties are now quite elderly and many of them are dying off. We were present for the Western Australian adoption apology, which was an amazing experience. I had my child in Western Australia. An apology would be very welcome. If there is any way that you could help us to get equal access to identifying information that would be fantastic.

Senator BOYCE—What would an apology do?

Mrs O'Dwyer—It would validate that what we went through was real. There are all sorts of things. Once someone apologises it really helps the healing process. It would also be good if we were able to get counselling. We have educated a couple of counsellors in Melbourne over the last 20 years about adoption issues, and they are very good. They are good for the adoptees and people get quite good results from that. It is an ongoing issue. Mental health issues for women and adoptees are astounding.

Senator MOORE—Did you hear the previous evidence that the euphoria of the apology only lasted a day?

Mrs O'Dwyer—I did hear that. I was there the next day and it was pretty extraordinary the next day. I have to say that I was amazed that it was a Liberal government that offered that apology. There was an amazing euphoria the next day. I am not sure where that came from. That person was not actually present at the morning tea.

Senator MOORE—So, the step towards healing did continue;; there was not a depression that cut in the next day?

Mrs O'Dwyer—Not the next day. I think they were exhausted, like any ground roots policy campaign which is exhausting and really trying. There was a lot of exhaustion, but it was joyous. That was my impression.

CHAIR—We have certainly had quite a lot of feedback. Being from Western Australia, I have probably had more contact with it.

Mrs O'Dwyer—I have to say that there was not enough press coverage.

CHAIR—I agree with you.

Mrs O'Dwyer—It is very sad. That really was appalling.

CHAIR—I have some negative feedback as well, but I have also had a lot of positive feedback.

Mrs O'Dwyer—I am sure you would get some negative feedback from some.

CHAIR—We have run out of time unfortunately. If you want to provide any further information, as you know, we are very open to more information. John Perkins?

Ms Horin—He was coming from the counselling people that get abused in cults, but I do not know if he has made it.

CHAIR—We can go to Murray Legro and if Mr Perkins does come then we can hear from him at the end.

Mr Legro—I was going to come here today to talk a little bit about what I knew about my late mother who I never met and the need to validate her for her children's sake, my own sake, and to accept the fact that I had a good life but at her expense. When I was listening today I came

across the feeling that I think I had better address why I believe there is a need for centralised processing of information, and to do that I will relate my little search story, which I will try to do quickly.

In 1984 I found out that I was adopted. In 1989, living in Victoria, I went to Tasmania to seek the okay to get a birth certificate. In Tasmania, under the laws then, there was counselling before the birth certificate unless you lived out of state. So, bang, the certificate rocks in and Murray gets his birth certificate. I asked them to do a search two years later and they came back and said, 'No can do, can't find anything', so Murray sat down over eight years and decided to try to track his mum down, which he did. It would have been 1998. I tracked my mother down in three short weeks, and this is where the problem comes in, because I did not know who to go to to get professional help to enable a decent meeting. I was probably like a rat up a drainpipe; I went too fast and I think, to a certain degree, I must have scared her off, because it eventually came back saying she could not handle it. So I dropped that one out.

In 2006 she passed away. That was the only time her sister ever acknowledged that she was my mother, when she rang up and told me. I met her brother for the first time. Basically after that I went into what I call PTSD, post traumatic stress disorder, where everyone said, 'What's happened to this rational bloke going to jelly?' I did not know who to contact. Thankfully the brother I met was very understanding and helped to work our way through it. I managed to get three support sessions from VANISH in Victoria. I am a Tasmanian, having to use a Victorian support service.

Senator BOYCE—Did you have to come over here for that?

Mr Legro—I was living in Ballarat, so that is why I went there, but then after the three they said, 'We only have funding for three. Here's a list of possible names', but Murray did not feel too comfortable about that. His counselling sessions were when he was doing the interviewing during the Living in Australia study, pulling over on the side of the road having a bit of a howl.

The reason I say that national processing centre with possible support services—that would enable a person, say in Queensland, to institute through say a Queensland adoption information service to go to Tasmania through a central processing and all the counselling services that are required are all coordinated. I think that is very lacking.

For a while there I was going through the *Herald Sun*, or the Herald Hung, if you want to call it that, on a Sunday morning going through people searching. I would look at people around my age group and I would ring them up and say, 'Hey, check this.' When I was finding my father I checked the War Service records on the National Archive. As you know from Submission No. 81, I used the online search in the National Archives a fair bit.

One day I came across a person called Clark, and my name was Kevin Michael Clark at birth, who was born in the same baby factory that I was, looking for his mother. When I rang him up I found out that his mother was born in Queensland and they did not know how to search in Queensland. He was not related. The name was just a coincidence. To me, I think that is more important. You need to look at the future and say how can we facilitate people coming together? Nowadays we move around the countryside a lot. Maybe my 20 years in the Air Force made me move a lot more than other people did, but how do we facilitate people coming together in such

a large country? That is why I see the need for a central processing. Maybe we turn around to the states and tie a few grants or tie a few little clauses in there that they help fund a central processing centre. I know funding is always a problem.

Senator BOYCE—Would it also be the case that the birth mothers or natural mothers often moved out of their home town for the birth of the baby?

Mr Legro—How I managed to trace her was that towards the end I have a brother, and when I say ‘brother’, he came to live with the parents that I was raised with when he was six months old whilst his parents were divorcing, and he stayed. He now lives in Canberra. I shipped him off to the National Archives to go through the electoral rolls. By going through the electoral rolls I was able to track her down in 1952 when I knew she was over 21. He tracked her to 1956, 1958 and then lost her, but he sent me photocopies of all the records, and what I found was a brother that turned up. He was alive so I rang him up. That is how I found her towards the end, but that took about eight years. I knew where her mother was married. I knew where she was born. I knew everything except her and that was the final bit. That is why I believe—

CHAIR—Having that central system would be helpful?

Mr Legro—Yes. I know it would not help the person I know whose mother was shipped over from South Africa to the Rockland House in Launceston to have her. That girl was too scared to even go back to Tasmania. If anyone knows Tassie, it is one of the most beautiful spots. I know I will never go back there to live because my family is now in Victoria. The fear that generated even. People underestimate that part of it. There was a diaspora of pregnant women being shipped all over the countryside.

CHAIR—To get them out of the town.

Mr Legro—To get them out of the town and move them. It did not happen to my mother. Fortunately it was in Tasmania. That is basically all I have to say on that matter.

CHAIR—Thank you very much. I invite Charlotte Smith.

Ms Charlotte Smith—My name is Charlotte Smith and I am an adoptee. My story is a little bit different, because I was not adopted in Australia. However, my adoption was forced and my mother was Australian. My grandparents’ decision to make her give me up for adoption was undoubtedly informed by policies and practices in Australia.

My mother moved with her family to Beirut at 11 on a posting and fell pregnant at 16. Just after her 17th birthday she was put on a plane, alone, to England to find an adoption agency, and that is where I was born. She and I were together for nine weeks before my adoptive parents came and collected me, and it was at that point that I was robbed of my true identity, my natural family and my country of origin.

When I was reunited with my mother and heard her story it was truly devastating for me to hear, particularly when I heard about how she tried to find me for years and years. She never really recovered from being made to relinquish me and it affected her whole life from then on, even though she kept it a secret from almost everyone.

As for me, being separated from my parents and being brought up by strangers left me with identity confusion, a sense of not fitting, of being a fraud, an inability to maintain relationships and a belief that I was unlovable. My mother died at 56 with cancer in 2002.

I share this as brief background to my point, which is actually about healing. The committee has sought views on what is required now, so I would like to contribute to that debate. For my own journey I had counselling at various stages in my life and it may have helped a bit, but the benefits were usually short-lived and any healing was at surface level only. It was not until I participated in a group emotional healing workshop that involved using a range of tools and processes, including art therapy, bodywork and psychodrama, that I truly started to heal. Because my trauma was preverbal, talk therapy was of limited benefit. Since that time I have trained in these tools and processes and I practise as a holistic counsellor. I am now fulfilling my dream of supporting adoptees, natural mothers and other people who were affected by adoption to heal themselves. I see a range of clients, including people affected by adoption, but not only adoption. I have repeatedly found a holistic approach to be beneficial, both in one-to-one and group settings.

A mother whose child has been stolen does not only remember in her mind, she remembers with every fibre of her being. A baby taken from his or her mother equally remembers this trauma in a physical way as well as at a subconscious level. This is recognised by modern science and in modern therapies. Somatic and other approaches need to be recognised by the Australian mental health industry for their potential to heal where traditional therapy has failed.

My request to the committee is, therefore, that when looking for possible support for people affected by adoption, consider a broad range of healing modalities, yet look outside the box; that research be commissioned or funded into what really works for this particular kind of trauma; and that people affected by all kinds of adoption be allowed the choice of the type of support that they get, a choice that is informed by the research that I have mentioned and not just a predetermined program with a set number of sessions and a limited range of practitioners.

I would like to note that I am not the only practitioner of this view, and I would be happy to share details of names and statements to that effect, including psychologists who also share this view. Thank you.

CHAIR—Thank you. If you want to provide any further information to the secretariat, with contacts, then please do.

Senator BOYCE—Are there any accreditation or legislative impediments to who can do counselling at the moment?

Ms Charlotte Smith—Not on who can do counselling, because pretty much anyone can call themselves a counsellor, but there are limitations.

Senator BOYCE—Which is a problem in itself.

Ms Charlotte Smith—Yes, that is right. There are limitations to which kind of practices can be charged on Medicare, so that tends to be the limitation.

Senator BOYCE—The main thing that you are saying is the impediment.

Ms Charlotte Smith—Also, I think that it would be worth looking at doing some research to find out what works for people. I should add that I would be sad if we just went to research and that stopped any support happening, which can always happen if we spend years doing research into what works and then that prevents people from getting support. Yes, just to find out what really works.

CHAIR—You can start and then you have follow-on.

Ms Charlotte Smith—Yes.

CHAIR—Thank you. Spring Blossom?

Ms Blossom—It has been a lot of years waiting to be heard. My life has been overwhelmed by adoption experiences, both my own and other people's, including my son. I never had any other children. I have gained 14 grandchildren as an effort to try to resolve what I felt in my body, which was that I wanted to be a mother. I have dear friends who love me very much and who trust me with their children. The youngest one is Grace and I think she will be the last one.

I have two grandchildren that I do not see, because my son has alienated himself from me as I was very damaged and probably quite crazy when I first met him. He has never forgiven me for being so outrageously demanding of him as my child.

I live with a man whose sister died. She had her first child adopted. Another sister was sitting at the table the other day and I just told her something of this inquiry. She was adamant that her sister made a choice about giving up her first baby. She went to the hospital with her second pregnancy with the baby there again, went home and haemorrhaged. When her parents saw that she was haemorrhaging they knew what had happened so they went to the hospital and got the baby back.

My brother married a girl who had lost her first child to adoption. Her children do not talk to me because of the effects that adoption has had on me, which is that I just want justice. I just want everyone to hear the truth about this. I want kids to understand that they were wanted. That is the major thing. The kids do not know that they were wanted. They think that they were given away. They think that they were abandoned and in their bodies they feel discarded. That is a terrible legacy to leave your child and it is inflicted on your grandchildren, too. I will not be happy until there is a public education system that allows everyone to understand what adoption has meant to many families.

My brother does not talk to me because sometimes he triggers me off and I get emotional. I have had counselling and I found out after two years with a psychologist that he was one of the doctors that helped remove the babies. No wonder I could not trust him. I have no trust for anybody in this system.

I live on the outskirts. I lived in a caravan for six years. I lived on the streets of Kings Cross, because I could not live with what had happened. You have my submission so you understand that I had a nightmare on my hands. I did not understand the damage that removing him while I

was unconscious had on my life. I did not understand why I could not get my baby back when I actually had the opportunity to do so. I could not do it because of the damage that had happened to me during the pregnancy, not after the pregnancy. The way in which I was spoken to during my pregnancy and the abuse that they inflicted by putting me down and making me feel wrong—someone said a slut or whatever—the whole implication of being unmarried and pregnant was a terrible legacy from a society that was damned sure of getting my kid; they did not care how. He went into a home and stayed there for a long time. It was horrible for him and he is not well. I cannot talk for him.

In 1998 Steve Bracks wrote a letter to me, because I was in his constituency in Williamstown before he was the Premier. He wrote a letter to Denis Napthine in 1998 suggesting that we should have an inquiry in this state. He sent me a copy of that letter. I have it here and I think I put it in my submission.

This has taken over my whole life. It is not the only thing in my life. In a lot of ways I have an amazingly good life and I have done a lot of therapy, but the only stuff that works is what Ms Smith was just saying, which is dream work, colours and imagery which lifts the spirit, because the spirit is depression and deadness.

CHAIR—Thank you. Susan Bryce.

Ms Bryce—Thank you for giving me this opportunity today. I have had a lot of time to think about submissions, hearings and so on. I think I got a bit upset about it. I did a recording of how I felt about my adoption—I am an adoptee—and how adoption can go terribly wrong. I find myself here today. I scratch my head actually, because if it were not for the cruel, unconscionable practices of taking children from their mothers I would not be here now. I would not be trembling inside. I would not be feeling sad. I would not be feeling angry and alone, but I am.

The government, whether it is the state or Commonwealth government, made a decision that they were going to decide for my mother what was to happen with me. As an adoptee, quite apart from the brutality and serious human rights breaches borne by so many young women, I too was traumatised. I have been severely affected by the early detachment from my mother, clearly affected as a young child. They give that a name now—development trauma disorder—which is part of the psychiatric model apparently. There has been a certain recognition for early childhood traumas, but there is a long way to go. Thankfully some of this recognition has occurred with regard to the separation from mother and child. The traumas experienced by the mothers will probably dominate these proceedings, but this can also cause terrible trauma to the child, and that is what it did to me. All my life I have fought loneliness, mental illness, substance abuse and, more than anything, a feeling of not belonging at all in this world to anybody. It is not something that can be explained easily, but it hurts deeply.

The government made the decision to give me to people to adopt me as their own. Those same people who had the money, the name, the position and of course the religion, a supposed perfect couple to raise a child. The government made a mistake, because they did not see, which was so clear, that I had been traumatised from being separated from my mum.

I say here today that the Commonwealth government had knowledge of these practices and I ask that these issues be taken very seriously, not only for the adoptees adversely affected by forced adoptions, but for all those mothers who had choices made for them that should never, ever have been made. It agonises me to think that I was separated from my mother at birth because of some silly idea that perfect strangers would be better off looking after me than my own biological mother. She, herself, married and had three children of her own only two years after my birth and is still married to the same man. She has happy, well adjusted children. I have to ask, at what point was the decision made that she was incapable for caring for and loving me any less than she did her other children?

During the process of the trauma throughout my childhood my adoptive family became impatient and hostile towards me, at which time I became a forgotten Australian, placed in an institution by my adoptive parents and Children's Services in my teens, deemed to be uncontrollable and placed under the care and control of the state. During this time, as evidenced during that particular inquiry—and I think a lot of us know about that inquiry—I was brutalised and destroyed and my life changed forever. More than it already had done, because there was so much going on. I was alone. My adoptive parents did everything they could to keep me from returning home, and ever since have rejected me in every way. These are the people who the government decided were suitable to raise me as their own. The chaos this bizarre decision caused for me and my entire life has been there for many to see. Let us look closely at what we can do to help, just somehow, and finally recognise the pain these practices have caused to so many.

I was going to finish it there, but I wrote a little LOL note to myself at the end of this last night and it reads like this. Effectively the government gave me to the adopted parents and when those people got sick of me because I was a traumatised child they gave me back to the government. Regifting, so to speak. That is how it looks and that is how it is. I disagree with adoption on all counts except under exceptionally extreme circumstances. It was studied in the early part of last century. The effects of separation from a natural family were known before these practices came into being. How did it ever happen?

I tried to suicide at the age of 17. I was gang raped at 16. I was an innocent child and I did not know that some person was being nice to me but really with bad intentions. I have had ongoing psychiatric and psychological difficulties and I am currently undergoing yet another review because of how unwell I have been.

My adoptive mother sat me at the end of the bed one day and explained to me at quite a young age that I was adopted. I understood what she meant to a point. I read in a submission—I do not remember which submission—that refers to what I call 'the mummy spiel', and it was a little bit like that until things got difficult and then my mother did not want me. Initially I was given the information this way. Your mother cared for you so much that she knew she was not able to look after you and she wanted you to have a better life. But when I showed signs of trauma, hyperactivity and all sorts of difficulties, then I was ungrateful.

I do not know what true family is. My carer, my ex-partner of 20 years, is the only person in this entire world that cares and loves me. I know everyone here understands. You are right; talk therapy, CVT and all those newly developed things are all wrong, they retraumatise us, and yet I am going to be led into all of that again by psychiatric services because that is the only way they

know. I will be on medication for the rest of my life. I was given hepatitis C when I was in the institution because of the non-sterile procedures they used, which I have been very ill with and will probably kill me within the next five to 10 years.

I have gone over time and I am aware of that. I was not intending to and I apologise, but these things need to be looked at very seriously. Some of us need a lot of help—mothers, children, fathers. The anger and the rage.

I have put in a formal submission No. 134, and I would like you to read that at some stage. I cannot thank you enough for listening to us all today—the emotions, the anger in the voices and the destruction of lives. It has got to stop, but first we need to recognise that it took place in the first place. Thank you.

Ms Horin—I left out that I have not got any help at all. I was so overwhelmed that I could not tell you that. I am just letting you know now that wherever I have gone to get help I have got no trained people; there are none to see. It affects my daughter, who is the third generation. I left that out and I am sorry.

CHAIR—Lynette Newington.

Ms Newington—That is me, but I think it is time that we all went home.

CHAIR—We have time.

Ms Newington—After hearing all of these things today I am a bit overwhelmed. I think I can just summarise it by saying, especially with the Catholic issues, that I think the Church has a lot to answer for. The mothers that have relinquished their children have been reared with a mindset of the sin of adultery/sex before marriage. What brought my attention to this was that I heard the name of [name removed] by a young woman 24 years ago, and her name came up just recently where I found out that she was a Sister of Charity, but as a young nun Archbishop Mannix, on her founding of St Vincent's Private Hospital, which came up today, approached her to expand the maternity wing to cater for women in situations created by his clergy, and nothing has changed. [name removed] died in 1998. It was still being utilised by Archbishop Little in the early 1980s. There is no record of the poor children of these situations. To hear the pain of these women here today and the discrimination, I grieve for them.

The Religious Discrimination Act gives the church the right to do whatever it needs to do to prevent scandal and whatever is in line with the church teachings. I do not know when that law came out. This needs to be addressed, because there are decent clergymen out there who have loved the children that they have had to relinquish, even though the hierarchy has led the mother to believe that they are not wanted, and they have moved the priest away. They move the priest away so there can be no bonding between the two. These are only the mothers who are courageous enough to keep their children. As a convert and a lapsed Catholic I had a child. I never knew there was the United Nation's Convention on the Rights of the Child. They sent him overseas for two years, because of the bonding and that there would be no way for me to have the child registered in his name. The child was four years old. I had been married before.

My daughter was doing a law subject at secondary school. I was doing her research and that is when I saw this United Nation's Convention on the Rights of the Child; that the child had every right to have the name of the father, if it is acknowledged. The child was acknowledged, because in my second trimester I was offered a live-in situation. We lived as brother and sister. As a convert, I found that deceptive and I could not be party to it.

Consequently, so that his child could be supported, he had to relinquish that child, sign a deed of release, and it was only through my own doggedness that the release was rewritten and the church had to assist me with bonding, which could be done openly. As it was at that time, he was stealthily making contact with us, because that was the only way it could be because we could not live together, unless we ran away. But I do not run away from anything, so that was not an issue.

I never knew until 2005 that he had been fighting to have a rescript of legitimation. Legitimacy in the church is not the same as legitimacy civilly. As far as the church is concerned, 'illegitimate' means a defective birth. Even though that child was baptised and registered in the father's name, on church records all connection between the father and his child has been removed. They could not do it on the birth certificate, obviously. He is registered on his death certificate.

In 2005 he had been seeking this rescript of legitimation for both me and his child. He had a brain tumour and when he got ill his superior from the Franciscan Order, Steven Bliss, contacted me and said, 'Lynne, I want you to know that I have couriered a request for this to be done expeditiously for you and for the child.' Well, he died.

The Vatican is like a sovereign state and the Franciscan Order does not deal with the bishops, they have to deal with the pronuncio and it had to be done that way. A letter came back, leaning on the pronuncio saying, 'We request your understanding in this.' This request could still have been granted posthumously. 'This request is denied due to the fear of scandal and inheritance rights.'

The United Nations Convention on the Rights of the Child has said that there is to be no undue interference, especially when the child has been recognised. The church has a lot to answer for over its mentality about sinning and the relegating of women to whores. At the end of the day, because I would not go along with this in my second trimester, where it would have all been done very quietly, where he could stay in the priesthood and he could continue with his ministry, they had to discredit me, because they would not want it known that they even made that proposal.

There has to be a line somewhere that the laws of the land overrule this separation of church and state. Once you are a father and that child is recognised, it comes under the Commonwealth law. There has to be something done with the numerous children 'father unknown'. This is cruel and terrible. I hear of all these poor Catholic women and all the bad things that are said. These women are reared in a mentality of this sin element.

CHAIR—I am going to have to ask you to finish shortly.

Ms Newington—It needs to be looked at somewhere along the line. Thank you.

CHAIR—Pru Murphy.

Mrs Pru Murphy—I am an adoptee. I was born in March 1958, date really unknown. I have two birth certificates. I do not know my real name. The doctor that delivered me was in Coburg. He was very well known for his baby selling practices. I was very ill at six days of age, so I could not be sold. He put me into the Alfred Hospital, where I lived until I was 2½ years of age. From there I was put out on the street to become a ward of the state, because he would not give up parentis or whatever it is. I had to wander the streets with a little suitcase and a teddy bear until the police came to pick me up. They then put me into the Melbourne City Mission, where I lived until I was 12½. I was adopted by a lovely lady at 12½ who worked in the children's home. She was the first single woman to adopt legally in Australia. She did that purely because she did not want me to be sent off to another home.

I have looked at myself after having surgery and being a ward of the state from 2 ½ until 12; in the schools I was prodded and probed, especially when the school doctors came around. 'It's okay. She's a ward of the state. We can do what we like.' I would go into hospitals and it would be the same thing, 'She's a ward of the state. We'll do what we like', and that happened until I was adopted. The teachers at school treated me exactly the same way, 'She's a ward of the state. We'll penalise her. She's a gimp. Look at her.' It continuously went on.

My mother's family have all said, 'You're adopted. You're not blood. You're not part of our family. Don't ever think you will be', and I am treated as such in all family things and on all paperwork, 'by adoption', and that is if I am allowed to be put on any of the family tree. That is how it affects us.

I do not know who I am. I do not know who my mother is. I do not know who my father is. When I have applied for my passport, the hell and hoops I had to go through because there were no birth certificates that were properly registered. When I first got my adoption papers I thought I am going to start searching. The register, on the old birth certificates, had an address. I tried to look up the address in Boronia. The street did not exist, so I rang the Boronia Council. The Boronia Council said, 'No, we've changed the name of the street.' I found the person on my birth certificate eventually. The registrar had died. When I spoke to his wife she said, 'You'll have to speak to my son.' Their son threatened me, 'Don't you ever come looking for us.' We were threatened. My family was threatened, 'We know where you are.' I know that the doctor that was involved in the sale of me and other babies was working with the black market. He was doing backyard abortions. He was sent to jail from the Beech inquiry. It states on my adoption papers, 'This child was to be sold, but she was too ill.' Hence, instead of taking me to the local hospital or the closest hospital, it was easier back in 1958 to send me to Prahran, because then that was a big distance to travel and that is where I lived.

I can remember at one taking my first step. I can remember the bed I slept in at the Alfred Hospital. I can remember walking through the corridors and pulling toe tags off dead people. I have a photo of me at six months of age with two nurses, but the Alfred denies that I was ever there. I have gone back.

CHAIR—The Alfred—

Mrs Pru Murphy—There is a nurse there that looked after me. She was a trainee. It was actually through her father that I got into the Melbourne City Mission, because he was one of the high-up people there. She said, ‘This child cannot stay here. She’s 2 ½ years of age. She cannot even feed herself.’ I sat in a cot and I shoved food in my mouth. I did not know how to eat with a knife, a fork, a spoon or anything like that.

When I went back to the Alfred with my UR number, which I have in my government documentation, she said, ‘You’ve never existed.’ I do not know what has been done to me. I know that they gave me a poorly given injection into my sciatic nerve, because that is on the Alfred Hospital paperwork that I received last week from my adoption files. That has caused me no end of problems all my life. I now know that if I have any more surgery I would lose my leg, but the Alfred says I never existed. One doctor that operated on me is still alive and he worked there, so why do I not exist? Where is my paperwork? Community Services have gone looking, but they cannot find it. Nobody can find it. Why is that? Why am I being covered up? Why do I not exist? What is my name? Who named me? I do not know. When I went to court for my adoption I can remember standing in front of the judge and he said, ‘Which date of birth do you want and what name do you want?’ I was 12 and I thought, which one? So, I celebrate both.

When you are going for a job you have to have police checks. It took me nearly two years to get a police check, trying to find out who I am. Even though I have an extract of birth, it is not good enough. I have my licence and my Medicare. I go to Centrelink and they ask, ‘Are you a Torres Strait Islander? Are you Aboriginal?’ I do not tick those boxes, because I do not know. I am then stopped from doing anything with Centrelink because I will not tick the boxes. I cannot tell them, in honest truth, because if I tick the box that says yes then they can say that was fraud. If I tick the box that says no, that is fraud, so where do you go? I do not want an apology, I want an understanding. I want recognition that these things happened to wards of the state, that children were taken away illegally.

We do not know whether the woman on my birth certificate is or is not my mother. It took me one phone call to find her. As the social worker said to me two weeks ago, ‘How come you could find the woman on your birth certificate and yet the St Kilda Police could not?’ Thirty years later I found her. Why could they not do it back then? Yes, it was 1958, but there were still telephones. There was still communication between each state. It took walking into a garage sale and saying to a lady, ‘Excuse me, do you know [name removed]?’ ‘Yes, but her name is not that anymore. Who are you?’ I said, ‘She’s a friend of my mother’, which was not a lie. She said, ‘Her name’s McDonald now. She lives just down the road.’

The doctor told women that their babies had died at birth, he was swapping birth certificates and mother’s names. ‘We’ll put that mother’s name on that child’s birth certificate even though that is not the real mother and that is not the child that belongs to her. We’ll just swap them.’ This was a big practice that went on at Vaucluse Private. It went on constantly at Vaucluse Private. Unless she does a DNA, we will not know, but I have asked her to do that because of genetic disorders. We do not know whether those genetic disorders came from my hospitalisations and so on, but that has cost my son now. My son carries the same genetic order, and it is basically a bullet in the head that both he and I have.

I just want understanding and some sort of support, because this is the first time that I have spoken about it. Even Centrelink said, 'You've got to talk', and I said, 'No. It stays locked.' Thank you.

CHAIR—Thank you. I have more people on the list, but I only have two that have not spoken. Given the time I am just going to go to the two people on my list that have not spoken. That is Marilyn Murphy.

Mrs Marilyn Murphy—I shall be brief because it has been a long day. Firstly, I would like to say that I am a Western Australian. This is really the day for the Victorians. As you know, we are probably six months post apology and I just want to let you know that for myself, and I know for many women, it has been a tremendous regaining of our dignity and the acknowledgement, of course, that what we went through was horrendous. It was an incredible day. It far succeeded my expectations.

My own comments about my own experience as a natural mother, very briefly. It was not my destiny or my daughter's destiny for her and I to be separated because I was unwed. I thank God Almighty, the powers that be, that I found my daughter when I did back in 1988, because it saved her life. I know there are many where it was too late and they did not get that opportunity. That is all I want to say.

CHAIR—Thank you. Is Wilamena in the other room? Do we know if John Perkins has come back?

Ms Horin—I do not think that he is back. He is a counsellor and his children are on holidays. He thought he could wait, but he went to attend to that.

CHAIR—That is everybody that we had not yet heard from. We are now significantly over time and I think it is time that we adjourned the hearing. I would like to put on record our appreciation and thanks for everybody who shared their story with us. We know it has been extremely traumatic for people, but we appreciate it so much, because it is only through hearing people's stories that we actually get close to understanding what has happened and it gives us insights that we would not be able to have if we did not hear from you. Thank you very much. We also thank the Victorian Department of Human Services for providing the support provided today, and the staff of the Victorian parliament as well, because they have also assisted us.

Ms Horin—Can I still see those counsellors, because I feel quite traumatised?

CHAIR—Unfortunately, we think they have gone, because we were scheduled to finish earlier than we have. We thought it was important to keep going so that we heard people's stories. I apologise for that. We will adjourn now. We will have our next hearing in a week's time in Brisbane on 27 April.

Committee adjourned at 5.59 pm