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LA LSIC - FORCED ADOPTIONS INQUIRY
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Lyn Kinghorn

[REDACTED]

[REDACTED]

[REDACTED]

TO: The Committee Manager
Legislative Assembly Legal and Social Issues Committee
Parliament House, Spring Street
EAST MELBOURNE VIC 3002

Committee Reviewing: Senate Report 29/02/2012 Principles and Practices of Forced Adoption

I am the eye witness to these principles and practices ABDUCTION for adoption. I will continue to speak up to gain justice, and forever hold in scorn each who played their role in the destruction of my family, until true exposure is achieved.

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My name is Lynette Kinghorn. I suffered this crime of illegal abduction of my first baby after her birth on the 24th of December 1963, when I was seventeen. After she was born, I lovingly and eagerly cared for her for one precious week. Then, on the 31st of December 1963 I was brutally physically and forcefully removed from the Royal Women's Hospital without her. On seeing a nurse arrive from Berry Street, I ran to a nurse for help. She put her arms around me and said "go home and be a good girl." I screamed the whole way back to Berry Street, where the matron came out and yelled at me "I hope you have learned your lesson." Under law I was the binding and legal guardian for my baby. No one had a right ahead of me to make plans for her (our) future. My parents' wishes should not have been accepted above my own. 8 days after her removal, I was sent alone to sign consent for adoption. I was told if I didn't sign, she would be raised in an orphanage. I believed this was my punishment for being a 'bad girl'. I was also made to believe that I was a criminal for daring to be unmarried and a mother, and the sentence that was imposed was the removal of my first daughter. How do you fight against everyone telling you that you're a criminal? I received my medical file from the hospital over 25 years later. When I re-read these records against the findings of the Senate Report in 2012, I fully realised the extent of the crimes committed against me and that my precious baby had been ABDUCTED for adoption. My 'no' was illegal to ignore. I was unaware that I had had my breasts bound until I received my medical file. I was traumatised over the years as to why I bottle fed her and had not breast fed her. I understand now this was illegal assault in preparation for her abduction. It was brutal to live a life of anxiety, from then on, for my first daughter for her welfare and safety... where was she? I was told whoever she was given to would give her a new name. For months I read all the birth notices which used to announce 'chosen to cherish', it was torturous I am angry now that I have to relive the anguish that this solid wall of no information tormented me with for years. Many are still living this torment. How cruel to have your child abducted with no comfort or compassion from anyone. Further brutalised, I lived that for **20 years** until my second husband listened and helped in my search. He was the first adult to confirm I had been abused. How then was I in any state to identify this crime within the statute of limitations frame when those around me continually confirmed this was the punishment for girls like me.

The stillbirth of my second daughter was caused through lack of history passed on from the women's hospital in their disregard to provide my attending doctor with information. He received a letter saying all was normal, my following 3 daughters survived due to early induced labour. My only son needed no intervention. When I finally received my medical history, I was shocked to read of placenta deficiency discussed without my knowledge for my first pregnancy. As my family increased, I worried that anything could remove me from caring for them. This made me constantly anxious that I would

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die, I was unaware this was related to the brutal separation from my first child until during counselling I mentioned it, thinking that all mothers must suffer that worry. The counsellor told me that was not so. I have since discussed this with another mother who also suffered this horrendous crime, she knew exactly what I was saying as she suffered the same. Once my kids were of an age, I felt they could manage without me and the fear of dying and leaving them in need vanished.

One really crucial point is that when anyone requests their parliamentary member to look into anything, they then handball to the 'appropriate minister', when there should be follow up from those who were initially approached. It is devastating to get replies many times that they have passed our inquiries to yet another minister... and then passed to the Attorney General. It seems to me it is just to look as though they are doing something with a planned outcome of nothing. I have no trust in the opinion of Jill Hennessy, the Attorney General after reading her comment in Hansard regarding "limited or no access to oral contraceptives or family planning". As though that historical fact allows the brutal abduction of my first perfect daughter? Illegal abortion was demanded of me by my mother. I refused. So, the Attorney Generals statement of "legal abortion not being available..." Abortion was available to me. I wanted to have my baby. "Financial support not available..." Well, there was. I had 2 members of my in-law family take their babies home pre mid-1950s. "There was little social acceptance of ex nuptial birth at that time..." who instigated that attitude? Was it to supply the bounty of babies for dollars? I would love to know how many financially unstable, infertile couples were selected as suitable parents. Abortion and contraception were unavailable pre mid-1950s. So why wasn't the women's hospital over extended with abandoned babies then? Because society had not yet been made to believe that single mothers were to supply the perfect solution for infertile married couples and the principles and practices to abduct babies by the thousands to hand out to the more deserving was yet to be introduced. Mothers didn't change. Throughout history mothers have loved and cared for their babies from unplanned pregnancies the fact is most pregnancies were unplanned until the introduction of contraception. I was told "this is not your baby you will have one of your own one day" and "if you love your baby, you will be selfish to keep it." God made mothers selfish to keep their babies safe, even at the threat of their own lives. After the abduction of a baby, if it was discovered to be unhealthy (so unsuitable to adopt), they were given back to their mother. Imagine hoping to have an unsuitable baby so you could keep it, does that convey mothers had a choice? You can't fight a crime when you are outnumbered by despicable criminals - those who had fiduciary obligation to care for me but chose an obligation to infertile couples, before duty to my child and me.

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This injury just goes on with years of tears, having to keep returning to the grief in the need to have crimes exposed and acknowledged. I was recently reading how people react to sexual abuse. It seems it takes about the same amount of time to raise your voice. 18 to 20 years to find your voice and stop the shame and blaming yourself, and to comprehend what happened. Mothers were told to not tell what happened to us, and to get on with our lives. This made me complicit in the crimes committed against me. These policies and practices cleverly planned to fill the waiting list for those waiting for my baby. I was outside the statutes of limitations before realising no one had the right to punish me for being a single mother. Where is my justice?

The government invited us on the 24th of December 2015 if we believed we had a case to 'bring it'. We would be judged case by case. Very convenient when they would not lift the statutes of limitations. I also strongly object to the watering down of truth. The government identifies this crime as 'forced adoption.' What information do you gain from that description? To me it does not convey the actual crime. If it was named what it was, we would all be further along to some peace. What happened to mothers and their precious newborns? ABDUCTION for ADOPTION. Before any apology, groups were invited into discussion with [REDACTED]. Our suggestion that it was abduction for adoption caused a sniggering response from him, that abduction would not be acceptable. He was asked why not when it is the truth. He slammed his fist to his table and yelled when we insisted on truth. I find it devastating that when we had the opportunity for truth, the governments focus was more about keeping perpetrators protected than bravely exposing the reality. I believe the very substantial memorial behind parliament is offensive in its lack of truth.

Often, I wake in the morning with the feeling of dread. I know it will pass. There is nothing I can do but wait for it to be gone. This is a constant companion as I must continually focus on the past. I know this is what I felt when I lived at Berry Street. Having to fight for recognition is deplorable and causes this suffering but I can't let it go while I breathe until it is a widely known truth of Victorian History. This Government continues to injure and traumatise me, in its unwillingness to expose what is documented truth. I should be in the time of my life enjoying my family and spending time out with my girls and holidaying with my husband. I cannot yet. If any of you owned the latest model Ferrari and it was stolen and damaged, the thieves said "yes, we took it bad luck get over it" ... Who among you could walk away and say ok? Then later on you had to watch your car blatantly owned by another. This was my first perfect little girl; no Ferrari could ever compare to her. Then you get your car back for a lend but the locks have changed so you can't even open the door. Time passes, you finally get in the seats have changed and you can't fit behind the wheel. The car is getting too much wear and tear constantly

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rearranging the locks and the seats and dash settings, for those with the privilege of access. We found our daughter (and sister) in 1984, more than 20 years after her birth. If she had just been born in 1984, I'm sure we would all be enjoying an easy comfortable loving relationship. But she was born in 1963 and she, as well as us, are still traumatised by the locks, seats and dash changes. She looks like us, we love her and she loves us. Do you reading this get this??? How can you help me? **By acknowledging this truth and by saturating it throughout this country.** Not by whitewashing it like that walk in the park you have displayed. Not by saying it was accepted policy of the day. Who made it acceptable? On May 22nd 1958, [REDACTED], the Chairperson of the Hospital and Charities Commission advised of the following new policy: "to all maternity homes and hospitals if they did not introduce new policies and practices government funding would be withdrawn in Victoria." These policies and practices were then introduced at the Women's Hospital in February 1960 by [REDACTED]. What were these new policies and practices? BRUTAL ABDUCTION FOR ADOPTION. It was as illegal then as it would be today. Then blaming mothers by stating the hospital was bursting at the seams with abandoned babies. My daughter was abducted from me because Mr & Mrs infertile wanted a little girl. So, who is out robbing banks because Mr & Mrs Poverty want some money? In the name of God tell the truth. Let the truth be exposed by removing the statutes of limitations. We have been waiting for our whole lives. Let us have some peace in our final years. We are sick of the inaction and hypocrisy. All we have asked is that the statutes of limitations be lifted so we and our children can reconcile with our truth. I fought my hardest to be the mother God intended me to be. I was forcefully physically dragged screaming from my baby. Yet I am identified as giving my child away. A very convenient lie to protect perpetrators. My child grew believing she was inconvenient and unwanted. How many are still living this lie because the government holds back on recognition of abuse and abduction in their own institutions? The government can apologise to Puffing Billy victims because a paedophile was acting without their knowledge. They can express their disgust and dismay and can accuse the unknown, at the time, paedophile. The truth is, Government supported abduction in their own funded institutions. So, the government gags at the paedophile and wants to separate and accuse. How does the government react to abduction? It does all in its power to cover it up, and continue to blame the victims.

WHAT DO I WANT?

REMOVAL OF STATUTES OF LIMITATIONS & ACTION ON ALL RECOMMENDATIONS FROM THE SENATE COMMITTEE REPORT 29/2/2012.

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I hope that this will be a public submission so I have written the 20 Recommendations for those who will not have access to the Senate Committee Report on former forced adoption policies and practices February 2012.

Recommendation 1.

The committee recommends that a national framework to address the consequences of former forced adoption be developed by the Commonwealth, states and territories through the Community and Disability Services Ministers Conference.

My comment.

It has been a journey of comprehending what was instigated against mothers. It should have never been addressed under forced adoption. That has just prolonged the lies. It should have been clear from the first recognition it was abduction for adoption. It is a framework of lies to focus on adoption and take the focus off the crime of abduction.

Recommendation 2.

The committee recommends that the Commonwealth Government issue a formal statement of apology that identifies the actions and policies that resulted in forced adoption and acknowledges, on behalf of the nation, the harm suffered by many parents whose children were forcibly removed and by the children who were separated from their parents.

My comment.

My daughter suffered forced adoption after her abduction. The actions and policies of abduction were crimes. Unmarried Mothers are the sole binding and legal guardians under law. No-one has rights ahead of hers.

Recommendation 3.

The committee recommends that state and territory governments and non-government institutions that administered adoptions should issue formal statements of apology that acknowledge practices that were illegal or unethical, as well as other practices that contributed to the harm suffered by many parents whose children were forcibly removed and by the children who were separated from their parents.

My comment.

See how the focus is on adoption, a distraction, Illegal or unethical surely means abduction. Perpetrators should acknowledge the truth.

Recommendation 4.

The committee recommends that apologies by the Commonwealth or by other governments and institutions should satisfy the five criteria for formal apologies set out by the Canadian Law Commission and previously noted by the Senate Community Affairs Committee

1. Acknowledgement of the wrong done or naming the offences-many victims want wrongdoers to acknowledge what they did and that it was wrong. They are, in effect, asking the wrongdoers to admit to them that they know they violated moral standards. Such admissions validate the injured parties' moral sensibilities, which were violated by the wrong done.
2. Accepting responsibility for the wrong that was done-the apologiser must demonstrate to the recipient that he or she accepts responsibility for what happened. By accepting responsibility, the apologiser helps restore the confidence or trust of the injured party.
3. The expression of sincere regret and profound remorse - the centrepiece of an apology is an expression of sorrow and regret. When the apologiser expresses sincere remorse for the wrong committed or permitted to happen, then the person receiving the apology is reassured both that the apologiser understands the extent of the injury that was committed and therefore will not allow it to happen again.
4. The assurance or promise that the wrong done will not recur-victims need to be assured that the injury they experienced will not happen to them, or anyone else, again. Where official, public apologies are made, victims also want affirmation from the officials responsible that the mistakes of the past are not repeated.
5. REPARATION THROUGH CONCRETE MEASURES-FOLLOWING SERIOUS WRONGDOING, MERE WORDS OF APOLOGY ARE NOT ENOUGH TO REPAIR DAMAGED RELATIONSHIPS. VERBAL APOLOGIES MUST BE ACCOMPANIED BY CONCRETE MEASURES, SUCH AS FINANCIAL COMPENSATION, COUNSELLING AND OTHER MEASURES. THESE MEASURES HELP TRANSLATE THE STATIC MESSAGE OF AN APOLOGY INTO AN ACTIVE PROCESS OF RECONCILIATION AND HEALING. OFFICIAL APOLOGIES, IN PARTICULAR, NEED TO BE ACCOMPANIED BY DIRECT AND IMMEDIATE ACTIONS.

My comment.

Naming the offence. It should never have been about adoption. I have not had my confidence restored until the truth is clearly accepted.

Sincere regret and remorse for cruel criminal abduction and abuse, which then caused our children to suffer forced adoption. I haven't experienced sincere remorse if the remorse was truly sincere this would be finished.

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I'm not confident it won't happen again. We are yet to experience any action nearly 8 years on from the recommendation of direct and immediate?

Recommendation 5.

The committee recommends that official apologies should include statements that take responsibility for past policy choices made by institutions' leaders and staff, and not be qualified by references to values or professional practice during the period in question.

My comment.

Apologies are empty without direct and immediate action.

Recommendation 6.

The committee recommends that formal apologies should always be accompanied by undertakings to take concrete actions that offer appropriate redress for past mistakes.

My comment.

Who took any notice of this? No one. Why?

Recommendation 7.

The committee recommends that a Commonwealth formal apology be presented in a range of forms, and be widely published.

My comment.

The commonwealth made sure they had something else more newsworthy that day. Julia Gillard lost her Prime Ministership. Many Mothers are unaware there was an apology.

Recommendation 8.

The committee recommends that the Commonwealth, states and territories urgently determine a process to establish affordable and regionally available specialised professional support and counselling service to address the specific needs of those affected by former forced adoption policies and practices.

My comment.

This has not been widely or easily accessible. Millions of dollars have been promised but mothers have found it too difficult to find. I have had tremendous support through Relationships Australia but it seems hard for others to get this. I was lucky to find someone willing to take me on, but am feeling the pressure now that support has its limits.

Recommendation 9.

The committee recommends that the Commonwealth fund peer-support groups that assist people affected by former forced adoption policies and practices to deliver services in the areas of:

- promoting public awareness of the issues;
- documenting evidence;
- assisting with information searches; and
- organising memorial events;
- And that this funding be provided according to transparent application criteria.

My comment

I found groups unsatisfactory, often promoting personal agendas more than the larger issues. We certainly all agree that public awareness is crucial for the exposure of history and so that those affected know their truth is being recognised.

Recommendation 10.

The committee recommends that financial contribution be sought from state and territory governments, institutions, and organisations that were involved in the practice of placing children of single mothers for adoption to support the funding of services described here in the two previous recommendations

My comment.

I do see activity with recommendation 9 & 10 which seems to comfort those involved. I feel though, that truth needs to be transparent. I don't believe it is when the Government displays that walk in the park memorial as truth. I find it an offensive cover up.

Recommendation 11.

The committee recommends that the Commonwealth should lead discussions with states and territories to consider the issues surrounding the establishment and funding of financial reparation schemes.

My comment

When? Why do we wait so long?

Recommendation 12.

The committee recommends that institutions and governments that had responsibility for adoption activities in the period from the 1950s to the 1970s establish grievance mechanisms that will allow the hearing of complaints and, where evidence is established of wrongdoing, ensure redress is

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available. Accessing grievance mechanisms should not be conditional on waiving any right to legal action.

My comment

How can we when the crime is named 'adoption activities' this is seriously offensive. Name it what it really was then remove the statutes of limitations that protect the perpetrators.

"In cases where illegality is alleged in the adoption process the prosecution of those responsible should not be hindered by statutes of limitations. The committee urges all States and Territories to examine the limitations of infringements of adoption legislation to ensure that they do not act as a barrier to litigation by individuals who were not made aware of their legal rights at the time that offences may have been committed. The committee does not want people who have been damaged by their experience of forced adoption to be damaged farther by having to endure a long and bruising legal journey that may ultimately be unsuccessful due to a legal technicality."

- Senate Committee Report, 'Former forced adoption policies and practices', pg. 245 (11.50)

Recommendation 13.

The committee recommends that all jurisdictions adopt integrated birth certificates, that these be issued to eligible people upon request, and that they be legal proof of identity of equal status to other birth certificates, and jurisdictions investigate harmonisation of births, deaths and marriages register access and the facilitation of a single national access point to those registers.

My comment

Everything truthful is healthy.

Recommendation 14.

The committee recommends that: all jurisdictions adopt a process for allowing the names of fathers to be added to original birth certificates of children who were subsequently adopted and for whom fathers' identities were not originally recorded; and provided that any prescribed conditions are met, the process be administrative and not require an order of a court.

My comment

I filled in my daughter's fathers' details and I am horrified that her birth certificate came with 'father unknown'. This was the usual procedure to prevent the trouble of gaining two illegal consents. And to condemn mothers as whores. Confirming the lies that we abandoned our babies. Also, to alleviate guilt for those receiving our babies.

Recommendation 15.

The committee recommends that the Community and Disability Services Ministers Conference agree on, and implement in their jurisdictions, new principles to govern post adoption information and contact for pre-reform era adoptions, and that these principles include that:

- All adult parties to an adoption be permitted identifying information.
- All parties have an ability to regularly contact, but there be an upper limit on how long restrictions on contact can be in place without renewal; and
- All jurisdictions provide an information and mediation service to assist parties to adoption who are seeking information and contact.

My comment

I found my daughter before these recommendations were outlined. I believe lumping this issue under adoption obscures the abduction fact. We need truth not a cover up.

Recommendation 16.

The committee recommends that the Commonwealth provide funding to extend the existing program for family tracing and support services to include adoption records and policies, with organisations such as Link-up Queensland and Jigsaw used as blueprint.

My comment

I think FIND in Victoria is doing well with this, but it is just so unbelievable and strange that we had a horrific abuse of our baby's abduction yet still no straight forward outcome. Our children if we have not already connected should be advised of their history.

Recommendation 17.

The committee recommends that the states and territories extend their Find and Connect information service to include adoption providers.

My comment

I think adoption providers should be explaining the era of abduction for adoption. All the adoption providers statements ignore how illegal adoption was provided?

Recommendation 18.

The committee recommends that non-government organisations with responsibility for former adoption service providers (such as private hospitals or maternity homes) establish projects to identify all records still in their possession, make information about those institutions and records available to

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state and territory Find and Connect services, and provide free access to individuals seeking their own records.

My comment

I don't know why this makes me angry. Why should mothers or our children now have to try to fix what others broke? It can never be fixed. I think those that broke it should take more responsibility in fixing it though, and be straight with the truth.

Recommendation 19.

The committee recommends that the Community and Disability Services Ministers Conference, in consultation with non-government organisations that had responsibility for adoption services and hospitals, agree on and commit to a statement of principles for access to personal information, that would include a commitment to cheaper and easier searches of, and access to organisational records.

My comment

This is inconsiderate. Babies were abducted which is what the apology is supposed to be acknowledging. There would be no need for an apology if otherwise, so any information should be *free* not cheaper.

Recommendation 20.

The committee recommends that the Commonwealth commission an exhibition documenting the experiences of those affected by former forced adoption policies and practices.

My comment

I didn't feel it conveyed the true extent of this horror.

Every time the abduction of our babies is identified with 'relinquishment', 'forced adoption', 'historical adoption', and even 'legal adoption' it distorts the truth. Abduction was brutal, horrendous, immoral, illegal, criminal abuse and I believe the government has then knowingly distorted the truth through saying sorry to those mentioned. It is not illegal to relinquish, so why would there be an apology to relinquishment? So that abduction slides past under the cover of these other painful but not illegal tragedies. All the hidden agendas put in place to thwart exposure. All the apologies needed to acknowledge was the criminal abduction of our children. The policies and practices to achieve abduction for adoption are covered over any time forced adoption is mentioned. Throwing the net wide to every man and his dog to also camouflage the truth. I'm sure purposefully. Our children were stolen, kidnapped, abducted, which then, as well as now was a crime!

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Please remove the statutes of limitations and allow our history its exposure and justice. Please act on these recommendations. We can't survive another 8 years waiting for truth and justice. It is brutal, outrageous discrimination against women who have suffered the most heinous conspired crime. The Victorian Government should take responsibility to mend families that the previous Victorian Governments conspired to destroy.

I also request the opportunity to be interviewed face to face by this committee. I am willing to submit to any scrutiny. My story has never changed.

Please remove the statutes of limitations.

Yours in hope of truth,

Lyn Kinghorn

I thankfully acknowledge my granddaughter, Ruby Wright, for her patient care and support towards the preparation of my submission. I am eternally grateful for the love and support of my long-suffering family.



CRIMES ACT 1958 - SECT 63

Child stealing

S. 63(1) amended by Nos 9576 s. 11(1), 49/1991 s. 119(1)

(Sch. 2 item 30(a)), 48/1997

s. 60(1)(Sch. 1 item 39(a)).

(1) Whosoever unlawfully either by force or fraud leads or takes away or decoys or entices away or detains any child under the age of sixteen years, with intent to deprive any parent or guardian or any other person having the lawful care or charge of such child of the possession of such child or with intent to steal any article upon or about the person of such child; and whosoever with any such intent receives or harbors any such child knowing the same to have been by force or fraud led taken decoyed enticed away or detained, shall be guilty of an indictable offence, and shall be liable to level 6 imprisonment (5 years maximum).

No person who has claimed any right to the possession of such child, or is the mother or has claimed to be the father of an illegitimate child, shall be liable to be prosecuted under this or the next succeeding subsection on account of the getting possession of such child or taking such child out of the possession of any person having the lawful care or charge thereof.

S. 63(2) amended by Nos 9576 s. 11(1), 49/1991 s. 119(1)

(Sch. 2 item 30(b)), 48/1997

s. 60(1)(Sch. 1 item 39(b)).

(2) Whosoever unlawfully takes decoys or entices away any child under the age of sixteen years out of the possession and against the will of the child's parent or guardian or of any other person having the lawful care or charge of the child shall be guilty of an indictable offence, and shall be liable to level 6 imprisonment (5 years maximum).

Pt 1 Div. 1 Subdiv. (9A) (Heading and s. 63A) inserted by No. 6731 s. 2(2).

http://classic.austlii.edu.au/au/legis/vic/consol_act/ca195882/s63.html