



• Greater Melbourne
• Geelong
• Gippsland

24 April 2020

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

By online submission

Dear Legal and Social Issues Committee,

Re: Inquiry into Responses to Historical Forced Adoptions in Victoria

CatholicCare welcomes the opportunity to make a submission to the Parliament of Victoria – Legislative Assembly – Legal and Society Issues Committee, regarding the Inquiry into Responses to Historical Forced Adoptions in Victoria.

CatholicCare is the current social service agency of the Catholic Archdiocese of Melbourne. In addition to its wide-ranging portfolio of social services, CatholicCare is also an approved adoption agency for the State of Victoria. Since 1935, Catholic social service provision, including adoptions, has operated under the aegis of the Catholic Archdiocese of Melbourne. The relevant agencies during this time are:

- 1935–1956: Catholic Social Services Bureau
- 1956–1991: Catholic Family Welfare Bureau
- 1991–2011: CentaCare Catholic Family Services
- 2011–now: CatholicCare

For ease, we simply refer in this submission to the work of the ‘Social Service Agencies’ in referencing the above organisations.

Adoptions have been a core program of the Social Service Agencies, working as government-approved adoption agencies, since their establishment in 1935. In collaboration with several organisations, predominantly St Joseph’s Babies and Youth Services (now MacKillop Family Services), the Social Service Agencies participated in the adoption process by performing assessments, requisite counselling and associated services. This work resulted in over 6000 adoption orders being made by the relevant Courts. It

is estimated that the majority of these adoption orders were made prior to the significant legislative reforms resulting in the major amendments in the Adoption Act 1984.

It is clear that some of the policies and practices of the time, as carried out by the Social Service Agencies and their partners, promoted the adoption of young, unwed mothers' babies by married couples. This was too often at the expense of these young women's own rights, wishes and dignity. These historical policies and practices were misguided and sometimes cruel. They have had and continue to have a profound and ongoing impact on the lives of women, their now-adult children, and other family members.

CatholicCare's Adoption Information Service

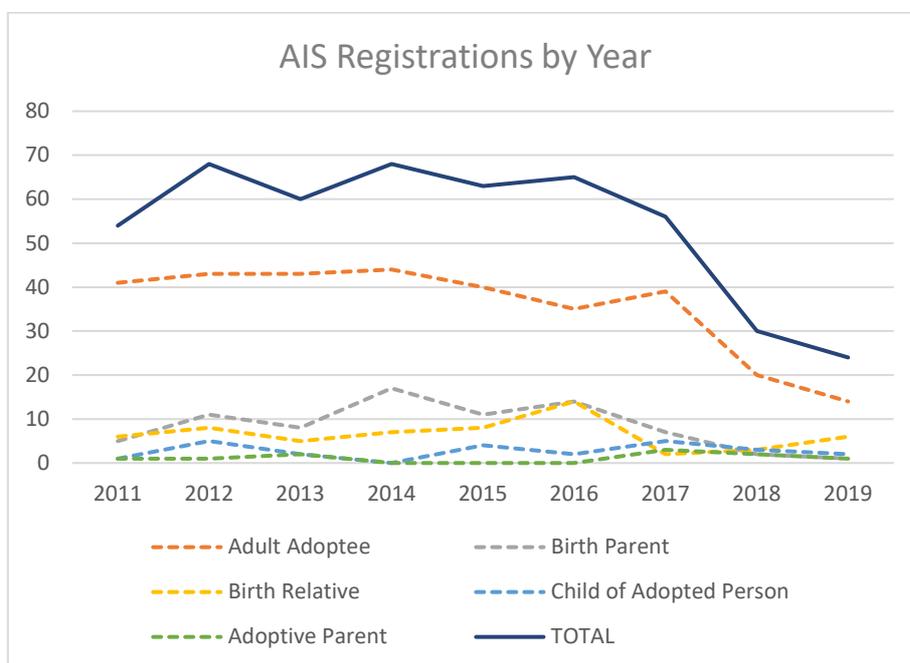
For those experiencing grief, loss, uncertainty and/or yearning as a result of historical 'closed' adoptions, access to adoption information can be vital to the process of healing. Birth mothers in particular have identified their need to know what occurred immediately prior to, during and immediately after the birth of the child. They also desire access to the documents that were presented to the Court as a requirement of the adoption process, in order to verify and correct—if necessary—the information therein. This information is frequently used for the search and contact process. In order to be able to handle both the positive and negative outcomes of this process, birth mothers need appropriate support and assistance.

In response to these needs, CatholicCare operates an Adoption Information Service available to birth parents, adoptees, and other family members as per the requirements of the Adoption Act of 1984 (§103). CatholicCare developed the Adoption Information Service as a jointly-administered program with St Joseph's Babies and Youth Services, and began releasing information and performing search and contact operations following passage of the Adoption Act of 1984. This service was initially funded by Community Services Victoria, then by the Department of Health and Human Services (DHHS). Currently, the service is run by CatholicCare and funded and administered by the Department of Justice and Community Services (DJCS). CatholicCare is a member of a network of government and non-government agencies that coordinate together in providing information and services for any Victorian adoption.

By providing this service, CatholicCare aims not only to fulfil its obligations as per the requirements of the Act, but to actively support clients on what is a deeply emotional journey of discovery, catharsis and healing. In addition to the release of information, CatholicCare offers search and outreach assistance, the facilitation of reunions, and trauma-informed counselling or, alternatively, referrals to external specialist counsellors. All of CatholicCare's work in this area is in accordance with the relevant government department's best practice guidelines and our own frequently-reviewed internal practice guidelines. It is a legal requirement of the Adoptions Act 1984 that the staff who perform Options Counselling, or who work in Adoption Information Service, are gazetted by the responsible government department (currently DJCS).

CatholicCare provides pre-legal and post-legal services, and birth mothers and adopted adults are supported by every means possible. This includes by identifying qualified adoption counsellors who can assist birth mothers with the trauma of having children placed for adoption, and other practice issues.

CatholicCare records the number of individuals who request information from our Adoption Information Service. This information is entered into the State’s Adoption Information Register.. For the interest of the Committee, annual figures are shown in the chart below.



Of interest is the sharp reduction in requests between 2017 and 2018. We naturally expect a decline in requests for adoption information as time progresses, since the vast majority of adoption orders resulting from the Social Service Agencies’ work as approved adoption agencies occurred prior to 1973—the year that social welfare supports for sole parents were introduced.

It is likely that most adult adoptees, birth mothers and other family members who are interested in receiving information have already contacted us and received all material that it has been possible to provide. However, the notably sharp decline in 2018 may also reflect the result of procedural changes arising from the transfer of the adoptions portfolio from DHHS to DJCS. The process of referrals and information exchange between adoption information services under the new DJCS-coordinated system may need further refinement.

Claims made regarding historical forced adoptions

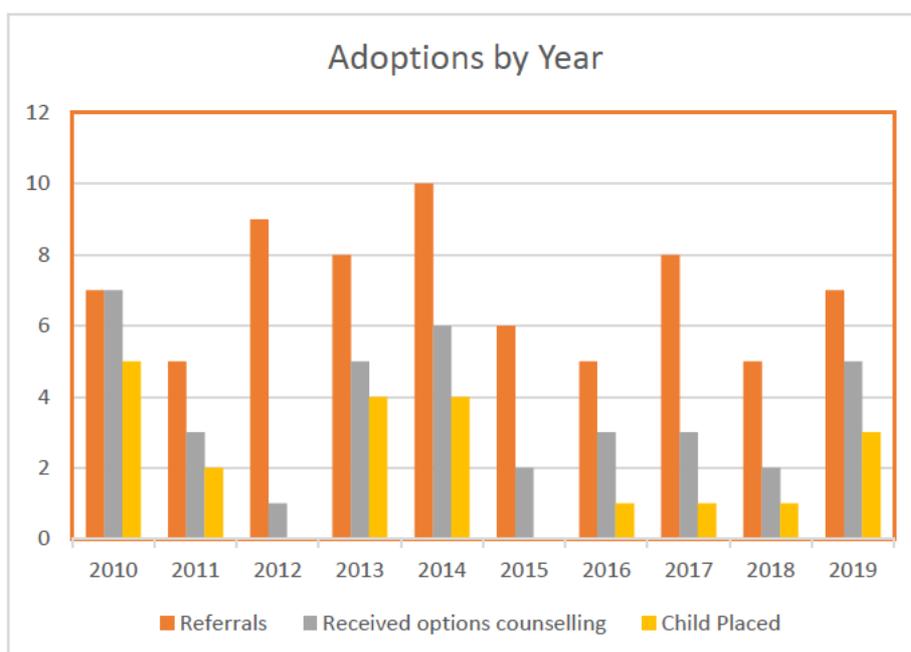
CatholicCare takes allegations of forced adoption practices extremely seriously and has endeavoured to respond with the utmost sensitivity to those who suffered as a result of historical policies and practices. Each initial request for information is handled in accordance with DHHS best practice guidelines. All available and allowable records are released in as timely a manner as was possible to the querents.

Where specific complaints are made, CatholicCare staff undertake a full investigation and review of the adoption files and provide a detailed response. CatholicCare is aware of eleven requests for information related to allegations of historical forced adoption. Of these, six claims have been finalised, 2 are ongoing CatholicCare did not have any details of the other three adoptions. In one case the complainant was offered, and accepted, mediation and counselling. This person was later referred to the Archdiocese and the National Redress Scheme for issues unrelated to adoption. The six formal claims alleged against the

Social Service Agencies and their partners were referred to the Archdiocese of Melbourne, which is the liable entity for the historical activities of the Social Service Agencies.

As an approved adoption agency for the State of Victoria, CatholicCare follows adoption practices strictly in accordance with the DJCS's Service Standards for Funded Agencies. CatholicCare has also developed its own practice guidelines to ensure that the work of our professional staff is family-focused and prioritises the welfare and best interests of the child in an holistic manner. These guidelines are informed by CatholicCare's trauma-informed approach to counselling, and the recently updated Adoption Service Standards for Funded Agencies (March 2020.) The guidelines are reviewed frequently to incorporate the latest best practices and learnings from within the adoptions field.

Each year, CatholicCare receives a small number of referrals for Options Counselling for individuals considering relinquishment(5 in 2019)or requiring wrap around support to keep the child. It facilitates an even smaller number of adoptions. However, a trend worth noting is that an increasing number of our clients are international students from culturally and linguistically diverse backgrounds. Given CatholicCare's culturally and linguistically diverse staff, it has fortunately been able to provide these individuals with culturally appropriate support—in their preferred language—to ensure our complete understanding of and compliance with the client's wishes regarding the child.



Recommendations

CatholicCare makes the following recommendations for consideration by the Committee:

1. That funding support by government for the provision of adoption information be continued in acknowledgement of its importance and significance for adoptees, natural parents and other family members affected by historical closed adoption orders.

2. That the process of referrals and information exchange between adoption information services under the new DJCS-coordinated system is further refined so that those seeking information can receive their records from the appropriate agency without delay.
3. That having regard to recent trends in relinquishments by international students from culturally and linguistically diverse backgrounds, agencies be supported to develop their capacity to provide linguistically and culturally appropriate counselling for relinquishments and adoptions.

This submission has been made with the approval of the CatholicCare (Advisory) Board and the Archdiocese of Melbourne. Please do not hesitate to contact me if the Committee would like further information on any of the above or if it would be helpful for CatholicCare to provide evidence at a public hearing. [REDACTED]

Yours sincerely,

Netty Horton
Chief Executive Officer
CatholicCare Archdiocese of Melbourne
[REDACTED]