

**Submission to Victorian Social Issues Committee Inquiry into Historical Forced Adoptions.**

From Judy McHutchison

I am making a submission in my capacity as Mother, Adoption reform activist 1976-1990, and as someone who has undertaken academic research in this area, including the first documentation of the systemic adoption malpractice in NSW (1986). Whilst this submission is informed by my personal, activist and academic experience in NSW it also pertains to Victoria due to the standardisation of Adoption Acts in the mid 1960's and the Australia wide consistency of social work practice.

***Recommendations***

*Reparations*

The government's response to date had been inadequate particularly in regard to reparations. These are egregious wrongs, including breaches of duty of care, breaches of sections of the Adoption Act relating to duress and undue influence, possible breaches of the Crimes Act in removing the children at birth. Multiple breaches of human rights. The loss of their child in such a brutal manner has resulted in life long psychological impairment for many of the victims. As the Vanish team in their submission states there needs to be a sensitive redress scheme. This action would include the removal of the statute of limitations.

Reparations also for Mothers who were sexual abuse victims whilst in hospital. Mothers who were over 18 at the time of this abuse cannot access the redress scheme for institutionalized sexual abuse victims due to the age limitation. This is totally unacceptable. Such women suffer just as other sexual abuse victims suffer. At the time we were under 21 years of age, legally children and the hospitals clearly believed that they were entitled to be in "loco parentis".

Reparations also to those Mothers who were subjected to unnecessary medical procedures by medical staff inducing physical pain, bodily injury and psychological damage.

*Adoption discharges*

A simple scheme to annul adoptions for adoptees who wish to do so. Adopted people are human beings yet as babies they were treated as a transferable chattels.

*Social support*

Funding should go to individual survivors to access associated services of their own choosing. This should ideally be the issuing of a card (like a gold card) or else reimbursement of associated costs. It is retrograde, paternalistic and disrespectful for the government to dictate the services individuals can access or to establish a monopoly. There should be some continuance of funding to existing Victorian support groups including Vanish, ARMS and Regional Mothers but the main funding should go to individual mothers.

**Below is information in support of the recommendations.**

*Impact of child separation on mothers*

What greater trauma can any human being bear than the loss of a child. Most adults who have experienced such a life altering loss struggle their whole lives with the pain. Yet we who lost our children to adoption were nearly all adolescents. We did not even have an adult brain structure to process the trauma. Just as the birth of our child was not acknowledged the loss of our child was also not acknowledged. We were isolated for years with our suffering and this suffering undermined our psychological and physical health and diminishing our ability to achieve our career, social and intellectual potential. Our families and future children suffered too. Some Mothers were unable to have further children due to the trauma. Mothers who went on to have further children often experienced bonding problems with those children. Subsequent children often had mothers dealing with trauma and depression and these children also had to live with the painful reality that a sibling was missing, sometimes their only sibling – intergenerational trauma.

### *Culpability of authorities*

Australian governments from the 1950's permitted religious bodies and others to behave as child trafficking cartels. Unfortunately, when a young woman became pregnant the only services available to her were associated with these cartels, religious bodies or state welfare departments that had long lists of couples waiting for a baby. The cartels sought to acquire children whenever possible due to ideological reasons, overly identifying with the perceived needs of infertility couples, money that came with the fees, donations and government subsidies as well as the patronage from appreciative adopting parents. Surprisingly, whilst these cartels were desperate and competing for babies they all offered a uniform service to the Mother the complete separation from her child for life with no contact or information, not even willing to inform her if her child was dead or alive.

Earlier in the 20<sup>th</sup> century single mothers were proportionally more likely to keep their baby than in the 1960's. In earlier times, when children were adopted, they were usually older and residing in orphanages. The change came in the 1940's when the demand from infertile couples gained dominance. There were "not enough children available for adoption" and they wanted them younger. War orphans were brought to Australia to fill the demand. But they were found not to be wanted by those seeking adoption as they were older and believed to be suffering war trauma consequently these children were left to languish in orphanages. In the coming years adoption from orphanages virtually stopped as the nascent cartels came to target vulnerable single mothers and their newborns. As we know now, the wellbeing of many of the children left to languish in institutions may have been far better if they had been placed within a family.

Via the media, the cartels promoted a very selective narrative of "adoption" to the general public. Always presenting it in a way that warmed the heart strings, i.e., healthy, attractive, happy couples delighted with their new baby. Adoptive parents were presented as exceptional people not as they truly were a cross section of the general community. Other than the debacle of the Mace v Murray case the mother is hardly ever mentioned. There is no mention that the mother is excluded completely from her child's life, that even if she has a complete psychological breakdown as a result of the loss she will not be provided with any reassuring current information on her child. With its silence the propaganda implies that there is no mother or there is no issue with the mother. The spin on adoption hid its association with separation and unbearable loss. In nearly every instance press coverage kept well away from mentioning the mother. If the narrative was more realistic single mothers faced with an unplanned pregnancy would have been forewarned rather than being

blindsided. Long before they became pregnant, they had already imbued the propaganda that the cartels promoted in the media. So when confronted with adoption later in their pregnancy Mothers were not braced against it as they otherwise would have been. This narrative of adoption promoted by the cartels remains deeply entrenched in the Australian psych even today. "Adoption" is one of the most successful scams perpetrated on the Australian public.

### *Stigma*

Some Mothers were very sensitive to the stigma. Whilst the trolls and gossips have always been with us Mothers tended to stigmatise themselves far more than society stigmatised them. These were adolescents developing an identity. Most Mothers managed to keep their children. How did they fare? Unlike Mothers who lost their children to adoption, those who kept their babies do not present as a distinct group with high levels of psychological impairment. They merged with the general population went on to marry the father or marry someone else.

Whilst there certainly was stigma. Single mothers had the same legal protections as everyone else in society. In those days people were free to discriminate but how effective could discrimination be in a time of full employment. Clearly some mothers felt stigma causing stress and depression. An alternative to adoption, i.e., abandoning their child to an unknown fate, would have been to have supported the Mothers to deal with this stigma rather than exploiting it. It may sound far fetched to say Mothers should have been counselled to deal with the stigma. But this is what happened to me when I was trying to replace my lost child with a second child. The doctor who confirmed my pregnancy insisted I receive counselling from his "receptionist". This kind, well informed lady not only told me about the financial benefits available to me but told me not to worry about what other people think as you are no different to anyone else. I had already worked this out i.e., that society was very hypocritical. It should be noted that when I had my first child in 1967/68 at Crown Street Hospital and second child at St Margaret's Hospital in 1971, both major Sydney hospitals, no written information was given to me regarding any assistance in keeping my child and no information regarding adoption. There were thousands of women in my position. Why were there no pamphlets available?

If practitioners involved behaved reasonably and legally the number of adoptions would have remained a trickle and those that occurred would have been more flexible with attention to the well-being of the Mother (and the child) enabling an exchange of information and photos during the childhood and occasional contact. The NSW Act did not prohibit exchange of information or contact but remained silent on these matters. The Act did state that the child was the child of the adoptive parents "as if born to them" but this was to ensure the child's inheritance rights. In the 1980's when adoption agencies became uncomfortable with the bad publicity they were receiving from Mothers speaking out they were able to undertake "out-reaches" (contacting adoptive parents for information) allowing Mothers to chose the adoptive parents of their child and creating open adoptions all without legislation change.

### *Practitioners acted contrary to their own professional guidelines*

The so called professionals acted contrary to their own professional guidelines at the time. The NSW Minister for Child Welfare stated to the NSW Parliament (circa 1964) that mothers were told about the psychological effects of adoption. That a mother in hospital inquiring about adoption would be

visited and told about the availability of temporary foster care, and financial support through both maintenance from the father and state financial benefit for single mothers. Only if the mother still “insisted” would adoption papers be prepared. This was the official policy and this is what was in the professional social work manuals at the time. This is what was reported to the United Nations. Yet this author and none of the hundreds of Mothers who contacted the ARMS NSW support line during the 1980’s or the 70 Mothers who were involved in my Honours year research (1986) had been informed of these matters.

### *Illegal removals*

In the 1950’s Mothers were forced to breastfeed, or bottle feed their babies for months after the birth before their children were cruelly taken from them and handed over to an infertile couple. During the 1960’s hospital social workers stamped the medical files of vulnerable mothers with a code (UB- or BFA etc). This code direct the medical staff to take the baby from the mother at birth and prevent her seeing her child. It was most common not to seek the Mothers permission to do this nor to even inform her that this was to happen.

The cartels try to blame society. Yet society was kept ignorant of the details or they would never have tolerated it. The hospital social workers try to blame the hospital administrators for the removal of babies at birth, yet the hospital social workers were the ones that stamped the medical files BFA or UB- so that the babies would be snatched (illegally) at birth. Can a better recipe for post traumatic stress be devised than this i.e., a culmination of a long pregnancy and then labouring for hours only to have your baby snatched off the delivery table and a pillow stuck in your face or a sheet thrown your head?

Thank you for allowing me to make a submission.

### **Terms used in this submission**

**Cartel** A collusive association of independent enterprises formed to monopolize production and distribution of a product or service and control prices etc.

**Adoption** Is the legal process of a parent abandoning a child to an unknown fate. Whilst the Mother signed an adoption consent, the baby may not make it through the quality assessment. Children were placed in institutions when they failed the quality assessment. Some children whose quality assessment was inconclusive were termed deferred adoption and given to couples who already had children of their own. The same with dark skinned children. Only the babies deemed to be of the highest quality went to infertile couples.