



Australian Government
Attorney-General's Department

11/24789

23 January 2012

Dr Ian Holland
Secretary
Senate Standing Committee on Community Affairs

[by email]

Dear Dr Holland

Senate Community Affairs References Committee Inquiry into Commonwealth contribution to former forced adoption policies and practices

This letter provides clarifications to the information provided to the Committee in my letter of 21 October 2011, which responded to the questions on notice provided by the Committee following the appearance of Dr Albin Smrdel and myself as witnesses for the Attorney-General's Department at the public hearing on 28 September 2011.

Question 8: The committee understands that during the process of developing uniform adoption laws in the early 1960s, states circulated summaries of their adoption laws, setting out the current position on the various issues (such as consents) that were under discussion. Can you confirm this?

As previously advised, the Department did not identify any actual summaries of adoption legislation in the records it examined in its preparation for the public hearing. However, we accept your advice that such documents may be contained in the files identified in your letter and that those files are accessible electronically and publicly on the website links you provided.

Question 9: Some submitters consider that the lack of pensions for unmarried mothers prior to the Whitlam government reforms was a factor contributing to forced adoption practices. What is the department's response to the suggestion of some submitters that if the Commonwealth had provided payments to mothers regardless of their marital status, fewer forced adoptions might have taken place?

We accept your advice that the Department of Education, Employment and Workplace Relations (DEEWR) holds portfolio responsibility for the relevant pension and benefits.

Yours sincerely

Kerri-Ann Smith
Acting Assistant Secretary
Marriage and Intercountry Adoption Branch