

**Department of Families, Housing,
Community Services and Indigenous Affairs**

**Submission to the
Senate Community Affairs Reference Committee
Inquiry on *Commonwealth's contribution to former forced
adoption policies and practices***

On 15 November 2010 the Senate referred the following matters to the Community Affairs References Committee for inquiry and report by 30 June 2011:

- (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.

This submission details the work the Department of Families, Housing and Community Services and Indigenous Affairs (FaHCSIA) is progressing, in partnership with the states and territories, to better understand the experiences of mothers, fathers and children affected by past adoption practices.

This work will strengthen the body of evidence available to governments to address the needs of people affected by past adoption practices. It will examine the difficulties people experience today, as a result of past adoption practices, and the services and support they may now need to help minimise their suffering and advance the healing process.

This work supports the Australian Government's ongoing dialogue with those affected by past adoption practices.

Initial Engagement

On 30 August 2009, the Australian Government announced its intention to offer a national apology to Forgotten Australians and former child migrants.¹ In conjunction with this, the Australian Government recognised the pain and suffering of mothers and children separated by inappropriate or unethical past adoption practices and committed to an ongoing dialogue.

¹ Macklin, J (Minister for Families, Housing, Community Services and Indigenous Affairs) *Australian Government to apologise to Forgotten Australians and Lost Innocents*, media release, 30 August 2009
http://www.jennymacklin.fahcsia.gov.au/mediareleases/2009/Pages/forgotten_australians_30aug09.aspx

The Australian Government also recognised that the feelings of grief and loss can last over a lifetime, and many people continue to suffer trauma and distress about the children or parents they were parted from and the lives they missed.²

The Australian Government's initial engagement with a number of support groups and individuals affected by past adoption practices highlighted a range of views about how best to assist in the healing process.³

Evidence Base

In 2009, FaHCSIA commissioned the Australian Institute of Family Studies (AIFS) to review existing literature and research about past adoption practices.⁴ The purpose of this review was to provide the Australian Government with a stronger evidence base to better understand the issues associated with past adoption practices.

FaHCSIA, in partnership with Dr Daryl Higgins from AIFS, hosted a teleconference on 24 November 2009 which provided an opportunity for key stakeholders to share with AIFS an understanding of available research and documentary evidence of past adoption practices. It was agreed that AIFS would gather information from a range of documentary sources to develop an evidence base for the report due in early 2010.

The initial report, *Impact of past adoption practices: Summary of key issues from Australian research* (the AIFS Literature Review) was completed on 30 March 2010.

The AIFS Literature Review found that:

- there is no reliable evidence base for knowing the true extent of past practices and the number of Australians who were affected;⁵
- there is little existing evidence on issues of consent and the contested nature of 'voluntary' relinquishment;⁶ and
- questions remain about how best to understand how these past events occurred given the context of past adoption practices, the barely articulated issue of blame and responsibility apparent in the literature and the tendency to view past behaviour and judge it by the standards of today.⁷

² Macklin, J (Minister for Families, Housing, Community Services and Indigenous Affairs) *Australian Government to apologise to Forgotten Australians and Lost Innocents*, media release, 30 August 2009

http://www.jennymacklin.fahcsia.gov.au/mediareleases/2009/Pages/forgotten_australians_30aug09.aspx

³ Origins NSW (calling for Senate Inquiry) <http://www.originsnsw.com/senatepetition.html>; Mothers of the White Stolen Generation (in support of Senate Inquiry) <http://whitestolengeneration.com/TheCampaignInquiry.htm>; The Apology Alliance (calling for National Apology) <http://www.ipetitions.com/petition/apologyalliance/>; ARMSVic (in support of a Victorian state apology) <http://www.armsvic.org.au/features>

⁴ Higgins, D (2010) *Impact of Past Adoption Practices: Summary of key issues from Australian Research*, pg 3.

⁵ As above, p 7.

⁶ Higgins, D (2010) *Impact of Past Adoption Practices: Summary of key issues from Australian Research*, p 15.

⁷ As above p 8.

Some key themes to arise of the AIFS Literature Review include:

- trauma of the separation of mother and child or the “unresolved trauma of adoption” is prevalent. This is characterised by unresolved grief and loss compounded by the silence and lack of resolution;⁸
- communication is a key aspect of recovery, and the silence and secrecy experienced by women affected by past adoption practices – both at the time of relinquishment and subsequently – prevents communication;⁹
- mothers need their children to know they were wanted;¹⁰ and
- the pain and distress of relinquishment does not just “go away over time”¹¹.

The AIFS Literature Review suggests that the needs of those affected by past adoption practices includes:

- access to ongoing counselling and support, which along with increased information, are considered to be the most integral needs to facilitating the healing process;
- part of the journey of recovery can include society recognising what has occurred – naming it, and understanding how it occurred, and how it has impacted and continues to impact; and
- services attempting to support those affected would benefit from a greater understanding of:
 - typical pathways through the reunion process;
 - estimates of the number of reunions that have occurred;
 - perspectives of those involved; and
 - factors which are associated with positive and negative reunions.¹²

FaHCSIA distributed the AIFS Literature Review to key stakeholder groups, and invited them to provide comments and provide feedback on the Review.

⁸ As above pp 16 - 17.

⁹ As above p 15.

¹⁰ As above p 13.

¹¹ As above p 17.

¹² As above pp 19 – 20.

On 1 April 2010, FaHCSIA together with Dr Higgins from AIFS, convened a second teleconference with key stakeholders in response to the submissions received regarding the Review. Following the teleconference, and revision of the submissions, Dr Higgins revisited the Review and made some minor changes. The final version of the AIFS Literature Review was released on 30 April 2010. A copy of the Review can be found at **Attachment A**, and publically on the FaHCSIA website: www.fahcsia.gov.au and then by clicking on Subject Areas → Families and Children → Programs and Services → Research.

Joint National Research Study on the Service Response to Past Adoption Practices

On 4 June 2010, the Community and Disability Services Ministers' Conference (CDSMC) discussed the AIFS Review, along with the possible next steps. At this meeting, Ministers agreed to a joint *National Research Study on the Service Response to Past Adoption Practices* to be conducted by AIFS over 18 months.

At this meeting, Ministers also agreed to the establishment of a CDSMAC Past Adoption Practices Working Group to finalise the terms of reference of the National Research Study and provide input throughout the study. It was also agreed that the terms of reference would be dealt with out-of-session and made public when agreed.¹³

Following the June 2010 CDSMC meeting, the CDSMAC Past Adoption Practices Working Group (the Working Group) was established. The Working Group is comprised of a representative from each jurisdiction and is chaired by the Commonwealth.

The agreed terms of reference for the Past Adoption Practices Working Group are:

- finalise the scope and terms of reference of the proposed National Research Study;
- establish a mechanism to achieve cross-jurisdictional cooperation for the overseeing and provision of input into the study;
- participate in three to four teleconferences throughout the duration of the study, as well a small number of face-to-face meetings; and
- nominate a representative to participate in the Technical Advisory Group which will be working simultaneously with this Working Group.

¹³ Macklin, J (Minister for Families, Housing, Community Services and Indigenous Affairs) *Community and Disability Services Minister's Conference, Adelaide*, Communiqué Statement, 4 June 2010
http://www.jennymacklin.fahcsia.gov.au/statements/Pages/jm_shorten_comm_disabministers_4june2010.aspx

The Working Group initially convened via teleconference on 1 July 2010 and members agreed to the draft terms of reference for the National Research Study.

The draft terms of reference were circulated to CDSMC Ministers in July 2010 and were agreed to by all jurisdictions in late 2010.

The agreed terms of reference for the joint National Research Study are at **Attachment B**.

The joint National Research Study is intended to strengthen the evidence base available to governments when developing policies and programs that support the current needs of individuals affected by past adoption practices and aid in the healing process.

The key contributions to the evidence base will not only be the identification of the support and service needs of affected individuals but also the presentation of information which could be used to develop best practice models of delivery or practice guidelines for supports and services for affected individuals.

This evidence will assist in the future development of services that respond to the needs of individuals affected by past adoption practices.

AIFS have established a website (www.aifs.gov.au/pastadoptionpractices) where additional information can be found on the National Research Study and people can register their interest to participate in the study.

The joint National Research Study will involve collecting information from:

- mothers and fathers who had a child who was adopted;
- children who were adopted;
- adoptive parents; and
- psychologists, counsellors and other professionals who work with people affected by past adoption practices.

A large-scale quantitative survey of each of these groups will occur, and be supplemented by in-depth qualitative interviews to allow more detailed information to be collected.

The survey will be advertised broadly and will invite those affected by past adoption practices to participate. Advertising methods will include:

- print and online newspapers;
- adoption agencies;
- health and mental health services;

- adoption counselling services;
- church newsletters and newspapers;
- child and family welfare non-government organisations;
- state-funded adoption support services; and
- adoption-related support groups.

Participants will have the choice to complete the survey online, or in a hard copy which is returned by mail, or by telephone. The in-depth interviews will ideally be conducted face-to-face, but could potentially be conducted over the telephone. For those wishing to participate in face-to-face interviews, they will be conducted in a range of locations where participants feel comfortable, such as their home, an agency or the local community centre.¹⁴

AIFS have commenced the first stages of the National Research Study. As part of this initial stage, AIFS established a Technical Advisory Group¹⁵ comprised of academic experts, representatives from the CDSMAC Working Group and service providers.

The role of the Technical Advisory Group is to provide specialist advice in relation to:

- project scope and methodology;
- identification of stakeholders and development of communication strategies for all stakeholders;
- recruitment of participants;
- development of data collection instruments, including suggestions for and locating measure to be used; and
- research the conclusions drawn from the data.

In addition to this, consultations will be held with stakeholders to seek guidance on key informants and factors such as a communication strategy for the National Research Study.

¹⁴ AIFS website for National Research Study on the Service Response to Past Adoption Practices
<http://www.aifs.gov.au/pastadoptionpractices/index.php>

¹⁵ Information appearing on AIFS website shortly <http://www.aifs.gov.au/pastadoptionpractices/index.php>

Next Steps

The joint *National Research Study on the Service Response to Past Adoption Practices* is scheduled to be completed in June 2012, with a final report to be provided to CDSMC.

The outcomes of the National Research Study, together with this Senate Inquiry on the Commonwealth's contribution to former forced adoption policies and practices will be considered to determine the next steps to best support people affected by past adoption practices.