

Senate Inquiry into “Commonwealth contribution to former forced adoption policies and practices.”

Preamble to Submission

I (...) am a citizen of the Commonwealth of Australia
resident in Qld.

As a citizen of the Commonwealth of Australia I have an inalienable
right to protection under the Australian Constitution and the Common
Law of this country

As an Australian citizen, the Commonwealth affords me protection
from the unlawful and harmful actions that threaten my right to life,
liberty and justice from those who would deny me these rights, within
and without, the borders of Australia.

“How Many Times can a System Fail a Person.”

Facts about my adoption.

1. I was born in an ambulance in Main St, Kangaroo Point, Brisbane.
2. My Natural Mother was admitted and held in Lowson House Royal Brisbane Hospital for a period of 6 weeks.
3. The consent was signed approx 5 days after my birth. My mother was being held a patient of lowson house (The mental health facility at Royal Brisbane Hospital) for 6 weeks and was not of sound legal mind and was administered Electro shock therapy.
4. There is no doctors-certification of sound mind or fitness, as required under the adoption of child act 1964 Qld.
5. My Date of birth is undetermined due to the existence of a statutory declaration signed by my mother and the consent taker stating that my date of birth was the 26th of march 1973 not the 27th of march.
6. My adoptive parents were not at any time on the “waiting list” for adoptive children.
7. My adoptive parents were associated with the Director General of Children’s services (1973) The Director General’s daughter “T” was a brides maid at my Adoptive parents wedding.
8. My adoptive mother was in constant contact with the office of the Director General

in February and March in 1973. The phone calls were regarding “getting a baby boy.”

9. A dinner was held with the then head of Adoptions (1973) with my adoptive parents at their residence in Brisbane on the 1st of April 1973 , where I am told a discussion was held about receiving a “very handsome boy.” I am also told a “very cheeky bottle of red” was consumed that evening. The next day I was collected and adopted.
10. No checks were done by the Department of Children’s services into the suitability of my adoptive parents in caring for a child.
(...)

Accessing my Adoption Information and the Governments use of Misinformation and Misdirection.

11. On the 27th of March 1991 , the day I turned 18 I visited the Department of Family Services to receive my information re: “my Natural Family.” During this visit I was threatened by the then team leader of the “PAS” unit (Post adoption Services) that if I attempted to contact or attempt to find my family I would be fined \$6000.00 and go to jail for a period of no less than 2 yr. In that visit to the “PAS” unit it is recorded that I stated” I would challenge that in court.” It is also recorded in my file (34036) that I was quote ,“extremely intelligent and articulate and seemed very sad about the objection quite”.
12. The Department continuously used my Illegitimacy as an excuse to not release information even though I was protected from discrimination of this nature by the status of children act 1977(retrospective law.) It was stated that I would cause shame because of the status of my birth to my birth family.
13. I spent the next 20yrs fighting the government for my information.
14. From 1991 I have appeared or contributed to over 103 media pieces.
15. When I had meetings with Departmental staff they used to walk in or already be present with my file. This would always be in view and possibly only 2 or 3 feet away. Some staff even went to the extremes of patting it and letting me know in uncertain terms I wasn't going to ever view the file. This was a form of torture to me, as that file contained all the information I had ever wanted to know.

16. From 2003 I was tortured with misinformation and verbal abuse by the department of Child Safety.

Limited verbal examples of :

1. (Policy advisor) "it's not my fault your birth mother didn't want you."
2. (Team Leader) "This is a cover up, what is being done is wrong, it should have been dealt with long ago."
3. (Policy) "Those objections certainly don't sound like the ones I saw."
4. (District Director) "We will go up there to see your mother."
5. (Policy) "I can't, I have a mortgage, we have been told not to, this should not have happened."
6. (Manager) "I always thought there was something wrong with those objections."
7. (Team Leader) "Forget the fraud; there is something way bigger in your file."
8. (PA) - "He is sorry for what he has done but please don't give up."
9. (Policy advisor) – "just what I'd expect from a rapists son, you just won't go away."

Time and time again, the Department failed to answer the most basic of questions about what was happening and why I was being treated in such a manner. Each release of information had discrepancies and the department would continuously use the most elaborate excuses as to why something could not be done or give me examples of why something in "my" case could not be done.

17. The expenditure of my own personal funds in legal fees of over \$200,000 dollars.

18. The objection (or known in other states as veto to contact and information) was not valid and was an unlawful document as it was signed and placed while my natural mother was in the care of a mental health facility at the sunshine coast.

19. The objection to no contact and information also quite clearly stated that my natural mother wanted to have contact with me.

20. The objection to no contact and information had quite clearly been tampered with at some time. There were multiple people's handwriting on the first objection, and it is covered in white out. And alterations to the document are not initialled by either the author or the JP.

21. I was only ever dealt with by the most senior of staff of Child Safety. Unlike all other adopted persons I was singled out and treated quite differently for some reason unbeknownst to me.

22. The department was so concerned that I would discover what had happened to my file that they even developed a communications plan (2008) for all staff to follow when dealing with me. This was not because I was a dangerous client or had threatened them with violence or even swore at them. It was written to stop any information being passed over to me, as some staff were sympathetic to my cause and plight and would be of assistance to me when needed.

23. On the Tuesday night when my natural mother first contacted me, I said to her I was unable to have any contact with her until the contact and information objections she had placed were removed, as I was not willing to be an example for the Government to use and go to jail. She stated and continues to state that she has no knowledge of said objections and does not remember ever placing them.
24. After my mother contacted me, at my behest she contacted the adoption unit and spoke first to a junior officer who informed her that I had placed an objection against her. When my natural mother then rang and spoke to a senior person within the PAS unit she was told firstly there was a possibility that I had placed an objection against her. I had known this senior PAS person since the day she started in the unit (3yrs previously) and she was more than aware as team leader I had never placed an objection against my natural mother.
25. When I met my natural mother, she told me she had attempted to find me through the "PAS" unit only to be told numerous times that she was unable to receive any information on me. When I questioned staff at the department of Child Safety regarding this they said that any information regarding her contacting the department was missing, which they admitted was strange. They acknowledged that she must have had contact with the department in the past.
26. Also to be noted my natural mother was of the knowledge that I had gone to a private school. She could have only garnered this information through contact with the adoption unit.
27. Continuously throughout my efforts to access information the Department of Child Safety used strenuously narrow interpretations of law. This enabled them to deny me any form of natural justice. The Supreme Court has since 1995 in Qld made more and more rulings based upon the intention of the law not the narrow or conservative views of some government department. The intention of this law can only be based upon the debate in Parliament in which, it was quite clear that the adopted children's' needs were to be the primary consideration.
1. An example of this conservative law:
 1. I submitted an FOI case in 2008 for my own name and details surrounding my name. One of the arguments the Department used was that it was not that I was born it was that my mother gave birth.
 2. Under the Adoption of children's act 1964, the director general was able to petition the court for release of information if it was in the "interests of health of any person." Unfortunately the department only defined health as physical not mental health. Common law understanding of health is mental and physical well-being of the individual.
28. In 2008 I submitted an Freedom of Information request for self identifying information, the first of its type, as I specifically asked for just information regarding my own identity, not that of my mother or father. After almost 12 months, this was rejected on the grounds that I was not born, but that my mother had given birth. Later I helped another adopted person with this same case; I changed my name on the application to theirs. They received all the information in their file, including their full birth name.

29. When I found out in 2008 that I was to become a father I was extremely concerned that I was unable to find out any health information at all. I was concerned because of what I had been told about the manner of my own birth and that I was 8 weeks premature. I tried contacting the Royal Woman's hospital only to be told I would need my mother's permission to get any information regarding my birth. When I stated that ;I was not able to contact her because

1. I didn't know who she was.
2. I would go to jail for 2 yrs.

I was told that I would have to get her permission. I attempted to get the adoption unit to get some sort of information from the hospital.

After 3 months of waiting I was given no health information and only received the time I was born and method of transport. I thought this was highly suspect, and investigated further only to find after to speaking to the head of legal services and the head of maternity at the hospital that there is no record of me even being at the hospital. I then had to watch my partner and my son go through sheer hell and I had to watch my son cry for the first time and die in front of my eyes. It was only through the staffs *coptesthetic* efforts that my son survived. This could have been completely avoided by the adoption unit just picking up a phone and calling my mother. My son is now 19 months old and still suffering from the long term affects of being born prematurely.

30. After meeting my natural mother and reading the contents of the objections, I rang my contact at the "PAS" unit to find out why they never gave me my information or rang my mother, when on the objection it quiet clearly stated she wanted contact with me. She replied that staff over the years was too afraid to act. When I asked why, she refused to give comment.

Long Term Impacts

(Caused directly by my removal from my mother and my adoption.)

- ñ 1 Suicide attempt 27th March 1991.
- ñ 2 Divorces
- ñ Complete Nervous Breakdown
- ñ Diagnosis of extreme depression, anxiety and post traumatic stress disorder.
- ñ Long Term memory issues.
- ñ Loss of my Businesses Group causing extreme financial hardship.
- ñ Years of counselling and treatment ongoing and associated costs.
- ñ Continue to struggle with issues surrounding my identity.
- ñ Still denied the knowledge of my birth father.

Conclusion

My adoption was **illegal**

- The consent was **unlawfully** obtained.

The objection to no contact and information was **not lawful** and was **illegal**.

The Threat of 2yrs jail and \$6000.00 fine was **unlawful** and **illegal**.

I was deliberately **lied to and or misled** by Director Generals and Senior Staff of the Department of Child Safety, regarding recorded facts of my adoption.

Personal Statement

I will forever more refuse to take part in a so called democracy that has treated me and my people in such a manner. It sickens and hurts me deeply that my life was used a commodity to fulfil a sadistic woman's wishes. I had no childhood due to a government favour made and had my adult hood stolen from me wrongfully by the Queensland State Government.

The manner in which staff of Child Safety acted is a matter of malfeasance in that they acted with the intention to cause harm through their statements and releases of misinformation. The staff of this department have acted with gross negligence and had little to no regard to the quality of human life. I have attempted to be an upstanding member of the community throughout my life (Australia day award recipient 1992 – for community services), only to be punished by my own government, why because of their own criminal actions. My wish is for an investigation to take place into the unlawful actions that took place regarding not only my adoption, but in the removal of my right to access any of my information or my family and into the manner that I have been treated.

I wish to give a verbal submission at the hearings in Brisbane and would be more than willing to answer the questions the committee sees fit to ask. I also request that my name be withheld for the interests of my natural mother.

Note:

All Facts or statements given in this submission are documented or and recorded on digital media.

I do not hereby give the committee permission to publish my name , address or contact details.

(...)