

Lily Arthur Senate Inquiry "Commonwealth contribution to past adoption policies and practices"

Preamble to Submission

**I, Lily Josephine Arthur am a citizen of the Commonwealth of Australia
resident in New South Wales**

**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**



Holy Cross Magdalene Asylum

This is my submission

16th February 1967. At the age of 16 years and eleven months I was taken from my bed, arrested and imprisoned overnight at the South Brisbane Watchhouse. I appeared before the Children's Court the next day and was incarcerated for an indefinite period at Holy Cross Woolloowin Brisbane.

My "crime"? I was pregnant and was considered to be "exposed to moral danger" even though I had a home of my own and the father of my child was prepared to marry me with our parents consent.

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On arrival at Holy Cross I was locked up in the dormitory for four days without any contact with the other girls until bed time. I hid under the blankets and pretended to be asleep when they came up to bed. “I won’t talk to them, this is all part of the dream”.

If I spoke to them this would make what was happening to me real, I thought to myself.

Four days later I again appeared before the Children’s Court and was then committed to Holy Cross indefinitely. On my arrival back, (...) the head nun, handed me two straight white shifts and a pair of thongs that I was to wear, and told me that from now on my name was to be Leanne. I was told not to tell anybody in the home my real name nor was I to ask them theirs. After cutting my shoulder length hair, I was then taken down to the laundry where I was expected to work for the duration of the time I was to spend in the home.

A week or so later I was called into the office to sign papers to apply for my marriage to (...) He had gone to Sydney to get our parents permission to get married, and over the next few weeks I was living in a state of hope, every day thinking that this was going to be the day that he would come and we would be married and I would get out of the home.

Months later hope and anticipation led to complete despair, followed by the realisation that I was not going to be released from the home. I can’t explain exactly what happened but at some point something snapped inside my head and I went into a somewhat robotic state and “distanced” myself from the situation that was happening around me. My brain was receiving “messages” that if I was good and behaved myself everything would be okay.

Although we were not actually verbally threatened by the nuns, there was always an underlying fear of being sent to Karalla, a maximum security home. This deterred me from mixing with any of the state wards who were likely to cause trouble, the ones who were always sneaking around smoking, tattooing each other, fighting and sexually abusing the younger more vulnerable girls in the home.

There were quite a number of break outs whilst I was there, and the girls who had run away were always caught and brought back to the home or were transferred to Karalla. There were also girls who had been to Karalla who were sent back to Holy Cross who told of their treatment there, horrific tales of sleeping on the bare cell floor, with nothing but a bucket in the cell, and food so rotten that it was inedible.

I constantly had thoughts of climbing over the three high fences and running away but the thought of falling off them and hurting my baby scared me. One girl who tried going over the fence broke her leg and was in plaster for months after, so that was enough to deter me.

For the next seven months I did exactly what I was told. I cleaned, I worked 5 days a week in the laundry, I went to school. I wanted to show the nuns that I was a good girl and I was going to make a good mother for my baby.

As my stomach got bigger and my pregnancy became more pronounced, my mind was receiving confusing messages. Here I was at 17 locked up in this place, and unmarried mothers who resided at the rear of the home were about, if not younger than myself. I became resentful and angry that they were allowed to come and go, rest if they were sick, and were allowed to have visitors etc, and yet the reason I was locked up for, was because I was pregnant.

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The idea of discipline from the nuns was not so much to inflict individual punishment. If a number of girls were misbehaving then the whole group of us girls were punished. Visitors would not be allowed and they would make us go to mass every day for weeks on end. The nuns seemed to be hovering around us, their long black habits and white headdress reminding me of circling vultures, engaging in little conversation, unless to give orders, always praying, the long rosary beads constantly being fed through their fingers.

We in fact became each others jailers, watching over each other, and if there was any misbehavior the small rewards we received like the 30cent pocket money to buy sweets on Friday afternoon or the movie that night, was cancelled as well as the piece of cake we received on a Sunday afternoon. A swimming pool in the rear of the home was there to taunt us. Only on “special” occasions were we allowed to swim it to escape the hot Queensland weather.

Anyone who played up and deprived us of these things or upset anyone was dealt with in the dormitory late at night. I was a model “prisoner” older than all the girls and pregnant so I felt left out and felt like I never fitted in.

Many nights were spent listening to the muffled sounds of the younger girls being sexually assaulted with hair brushes etc. I was too scared to speak out fearing that I would too would be assaulted and my baby harmed.

Anything that was a reference to sex was taboo, even the love scenes in the movies we watched were dealt with by a hand being placed over the lens until it was over. I was conveniently put out of sight when the young boys from the local high school came to give dancing lessons to the girls on a Saturday afternoon making me feel “dirty” about my pregnant stomach, I being the only state ward that was pregnant.

Apart from working all day in the laundry the days were made even longer by being woken up at 5 in the morning to go to mass most days of the week. The long hours working with no rest through the day made me very tired and depressed. For eight months I stood most of the time folding sheets, or dragging tangled and wet sheets out of the wire trolleys to roll them up to be passed through the rollers that pressed them flat.

The only rest I got was when I was told to sit and fold pillow cases. I was doing what I could to prepare myself for my baby. On the rare occasion I got a visitor, I was given luxuries like shampoo and talcum powder. These were saved for my baby in my

locker on the back verandah. I had accumulated a little store of treasures for my baby and a work friend crocheted a little white matinee jacket and bonnet for the impending arrival. Every now and again I would look at it and imagine my little one wearing it.

It must have been a couple of weeks before I went in to labor when I discovered that my locker had been broken into and my treasure possessions were gone. I was devastated. Even though the other girls knew who had stolen my things they would not tell me. The code of silence was never broken not even by my friends.

During the seven months of my incarceration no one from the Children’s Service Department or the nuns spoke to me about my baby. I was treated as if I wasn’t even pregnant. In the last three months leading up to the birth there was no visitors, or letters. I felt as though the world

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had forgotten me. I was to learn later that my sister was not allowed to visit me for nearly four months before and after the birth of my child.

There was never any thought of not being with my baby and as the months passed the little person growing inside of me was my only connection to my sanity. My baby was the only thing in this place that was real, and right up until I gave birth I suffered severe heartburn and stomach upsets from the food we were given. There was no medication given to me to ease the constant burning pain. Somehow the pain became my friend and I manage to “put up” with the pain, looking back, I see that the pain was a reminder that my baby and I were together.

On the 1st of September 1967 at 6 am I had a “show” in mass that morning. I was promptly packed off by ambulance to the hospital where I was admitted to the labour ward. After lying in the ward for a number of hours without any labour pains a nurse came in and broke my water I felt humiliated that my body was being invaded by metal objects. I was terrified that they were going to put something up inside of me and pull the baby out. It wasn't long after that the pains started.

I was in abject fear. No one came in to see what was happening to me watching the hands on the clock go round and around. As the hours passed and the pains were getting stronger I went into a state of sheer terror as I lay on the bed alone in the labour ward. Not a word from a nurse or doctor to tell me what I was to go through.

Throughout the whole of my pregnancy I was not given a piece of paper, booklet, instruction of what the labour process involved. A terrified 17 year old going through the traumatic 16 hour labour process with no idea of what was to happen.

At the point of delivery, I was treated like a piece of meat throughout the whole ordeal, not spoken to unless being given orders by the nurse. I was tied to the side of the bed during the birth of my son. My left leg tied up in a stirrup and my right leg pulled behind me until it felt as though they were breaking my back whilst pinning me down to the mattress. The sweet sickly smell of the gas and the rubber mask shoved in my face was making me gag, and my reality drifted into a flashing, numbing, conscious, blacking out unreality.

At 9.59 pm my son was born and as I tried to turn over to see what was happening, the nurse again pinned my shoulder to the mattress holding me down until my baby was removed from the room. Struggling to see what happening I managed to catch a glimpse of a group of people leaving the room. God! were they watching me giving birth, looking at my body? I felt as though I had been pack raped! When I asked what I had, I was later told that I had given birth to a son.

Due to the external and internal damage I had I suffered giving birth, I had to have stitches and as the doctor sewed me up, he was jokingly remarking on his “herringbone stitch” and comparing his work to another doctor in the hospital. During this procedure not one word was said to me, it was as though I was not even in the room, a bag of garbage who was not worth acknowledging.

For the next 7 days I hardly remember anything. All I can remember is the urgency to contact (...) and let him know that I had the baby. He came to the hospital to see me twice and the whole thing is a blur. A flash comes of (...) me and his friend looking through the nursery window trying to work out which one of the babies was mine. Through strained short-sighted eyes I was repeatedly searching the rows of cribs trying to see which one of the babies was

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mine. (...) pointing to a black haired baby, “that must be him” we agreed. I was to find out later that my baby had blond hair.

My memories of the 8 days spent in the hospital were mostly of myself hiding under the bed clothes. I still had not been shown my baby and on the 8th day a woman from the department came and threatened me with incarceration at a maximum security home (Karalla House) and coerced me by telling me my son would be put into foster care for years until I could prove that I could look after him saying that he would hate me for taking me off the only people he had known drugged, tricked and lied to by an employee of the State (my guardian) into signing the adoption papers for my son.

Immediately on signing the papers she asked me if I would like to see my baby eight days after his birth, giving me a card to hold up at the nursery window. I was shown a baby but do not remember what it looked like. The sign over the cot saying “ (...) Not to be Shown”

When I have flashbacks I just see myself standing at the window in a daze. I know now I was drugged and that was the reason for my dissociation.

As soon as I had seen the baby I was told to pack my things and was sent straight back to the home. On arrival it was as though I had never been away, not a mention of the baby. I was then told by the nun that I was to go down to the laundry where I was to do some work until it was time for tea.

The next six weeks I spent in a dream like trance. I had not had any visitors for almost 4 months nor did I hear from my family. It was as though I had been forgotten by the world and I was going to stay in the home forever.

Not long after my return to the home I was rewarded. By not having the big stomach anymore I was sent up to the convent to do the house work and clean up after the nuns. (...) commending me in front of the girls at morning prayers saying, that I cleaned the bathrooms better than anyone who had cleaned there before.

Six weeks after the birth of my baby I was told by the nun that I was being sent back to my mother in Sydney. All I can remember is getting angry. I expected to be locked up until I turned 18, five months later. Two days before my release, I was sitting on the verandah after finishing work in the convent when (...) came along and ordered me to go into the laundry and finish the rest of the day working in there.

All I can remember was telling her to “get lost”, my first act of defiance in 9 months. She started whipping my leg with a feather duster as I ran along the verandah and into the laundry. I didn’t care if they kept me locked up forever; there was nothing left for me in the outside world again. I was released from the home six weeks following the loss of my son

A few months later whilst working in a lighting factory a woman with who I had become friendly announced she leaving the next day as she was adopting a baby, I very became upset and the birth of my son and his loss came flooding back to me. I don’t know why but I went home and got the matinee jacket and bonnet a friend has crochet for me and gave it to her, it was as though I was giving it to her for my own baby, the last physical connection with my baby was gone

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I spent the next 30 years living in a dream. Although I knew that I had had this experience, my memory of it was very hazy as though it had happened to someone else and not to me.

I never spoke of it to anyone, nor did I tell my daughter about it or the fact that she had a brother until she turned 19 some 23 years after the event.

When I finally found my son in 1997, I went through a period of happiness, depression, mood swings and flashbacks, trying to put together a picture in my mind that I could not understand.

I felt as though I was going to lose “the plot” entirely, my mind was in a state of utter turmoil with flashbacks, intense anger, depression, etc. I went to a psychologist and was told to see a psychiatrist. I then went to my GP who referred me to one. I had over 200 visits to the psychiatrist and come to the realization that regardless of how much treatment nothing can alter the damage caused by the theft of ones own child

Although I understand my “experience” more so than other mothers this is only due to the fact that I have been an adoption activist for the past 13 years and have received redress from the Queensland Government and the Sisters of Mercy who both paid \$20, 000 each for the abuse I suffered under their care, a pittance compared to litigants such as Cornelia Rau

Forty three years my mind is still in a state of trauma and anger. I am still trying to come to terms with my imprisonment and the premeditated theft of my only son.

Arthur V Queensland

In 2004 I took a landmark case against the State of Queensland my claim was dismissed by the Supreme Court the Judge John Byrne finding that the matter happened too long ago and that I had an “unreliable memory” due to the fact that I could not remember which day my sons father came to see me at the hospital, a contemptible judgment was delivered by the Judge that sent me into a suicidal state, simply for the fact that my husband and friend watched me for weeks after my court case I am here to write this submission

I, and any other citizen of a democratic country abused by a State of the Commonwealth would ask why a Federal government would allow any Judiciary to cover up the crimes of its States against citizens of the Commonwealth

The Crimes committed against me

I was unlawfully arrested having committed no crime under any criminal law and over the age of consent I should not have been committed under the care and control of the State.

I was placed into an infamous Magdalene Asylum known as the Holy Cross Industrial School for Girls

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All unlawful acts in relation to my arrest, incarceration, and the adoption of my son were under the direction of the State of Queensland its employees and its agents, breaching the Common Law of this country

It was revealed under sworn evidence by ' (...) an employee of the State during my court action [Lily Arthur v The State of Queensland] that the Department of Child Services was in fact a sub-department of the Department of Health and Home Affairs and (funded by the Commonwealth) as such owed me a "duty of care" by the State, was a legal responsibility not only from the time of my arrest but also though the time I spent in the Home, Hospital and beyond.

Some of the major crimes committed against me by the State included.

- *False Imprisonment
- *Assault
- * Kidnap
- * Forced labor
- * Fraud

I was placed into this institution where the State knew I was going to be put into a situation of slavery, being forced to work without payment, a breach of the **Queensland Children's Services Act 1965 sec 110. 111**

The State placed me into this institution where I was forced to perform hard dangerous work, not only in the laundry but also in the home buildings, for a period of seven months, without rest and up to the very day I went into hospital to give birth.

I was placed into an institution which the State knew I could not easily escape from, and if I did escape or caused problems, I would be punished and sent to Karalla House.

At the age of 16 years and 11 months, I was 11 months over the age of consent and living in a de-facto relationship with the father on my child with whom I had intentions to marry.

I was allowed under Commonwealth Marriage Act 1963 to legally marry at the age of 16 with parental permission, which I had.

My sons father (...) was not charged with carnal knowledge under the Queensland Crimes Act as there was no case to answer.

The material facts are that: If I not been unlawfully arrested and incarcerated by the State; I would have been married to (...) by the time my baby was born I would have been treated in the hospital like any other married woman.

* I would not have been forbidden to see my baby.

* I would not have had to wait 8 days to see my baby.

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* I would not have been put through the ordeal of only being allowed to see him through a glass window.

* I would not have been approached by (...) a worker with the Department of Child Services, who was by law not even allowed to approach.

Not only did (...) coerce, and threaten me with detention in Karalla House if I did not sign the adoption consent she also committed fraud in respect to the consent form in that

She fraudulently purported to be me and filled in the adoption consent, which was supposed to be completed by me. Thus denying me my legal right to determine the fate of my own child.

(...) fraudulently inserted my name as (...) which has never been my true name.

The State and its Department of Child Services in 1967 operated and allowed its workers in the taking of adoption consents to engage in practices without any procedures or guidelines from 1966.

* (...) fraudulently recorded my address as (...) New South Wales, when in fact I had never been to this address nor did I have any intention of ever living at this address.

* (...) knew that I was in fact incarcerated in (...) .

* (...) inserted the "religion" of my knowing that I was a Catholic and that I wanted my child to follow my faith.

* (...) did not give me written information of my rights to revocation, she only mentioned something about thirty days.

* I was not given written information in relation to my rights of revocation on the consent form. Also the fact that my rights in relation to the revocation to the adoption were not included in any documentation I signed as was required by law under the Adoption of Children Act 1965. (modeled under the ACT 1965 Adoption of Children Act)

At no time did I approach the Department of Child Services to arrange for the adoption of my child.

Nor did the Department contact me in regard to the future welfare of my baby even though it had me incarcerated for seven months previous to the birth of my child.

My pre-natal treatment was un-informed in that I was not given any information in respect to my health i.e. tablets, diet etc.

I was not given any information on what was to happen at the impending birth of my baby, nor information on exercises, breathing, drugs to be given to me, or breastfeeding.

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As a vulnerable 17 and a half year old who was experiencing the birth of her first child the treatment I received before the birth was nothing short of neglect.

I went into to the labor ward un-prepared and with no idea of what the labor process was to involve.

The delivery of my baby was nothing less that torture. Because I was not having any labor pains I was induced into labor by having a long steel object pushed inside of me to break the waters. At no time was I informed about what was happening to me and why.

*I was given drugs during the labor.

* I was tied down to the bed.

* I was held down by the nurse.

* I was not allowed to give birth in a position that I felt comfortable with.

* My screams to be allowed to move were ignored.

* I was torn inside and out and required sutures inside and out.

* I was taken to a ward with only unmarried mothers residing.

* My baby was taken from me straight after the birth.

* My baby was placed in a locked nursery.

At no point had I seen any social worker at the Royal Womens Hospital.

At no time did I notify the Royal Women's Hospital that I was going to surrender my child for adoption.

Nor did the Hospital know if my baby was for adoption before they unlawfully removed him from me, keeping him in a locked nursery and forbidding me from having contact with him, (see Report of Investigation asking the Department if "baby for adoption")

At no time did I give consent to this treatment and nowhere in the 1965 Queensland Adoption of Children Act does it say this treatment came under, or was any part of the Act

The Report of Investigation and the Birth Death of Illegitimate Child Form dated 4th September 1967 4 days after the theft of my son which was completed by the Registrar of Royal Womens Hospital and sent to the Director, Children's Services also records false information i.e.

* My name.

* My address in future and present. I had not lived at the address. Neither myself nor my mother knew I was going to be sent to the address recorded.

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* My mothers name is (...) not (...) as noted.

* False information on whether (...) would support the child when they had not bothered to find him and ask him.

Under Remarks on Report of Investigation

"Baby for Adoption?" Clearly implies that I had not given either the hospital nor the Department the impression that I intended my son to be adopted.

The hospital was not a licensed adoption agency under any statutory law and was not statutorily authorised to act as an agent for the Qld Adoption Branch of the Department of Children's Services. Therefore, it was not legally authorised to interfere in the relationship between me and my newborn son.

Had the employees, servants and agents of the State not breached common, criminal and ultra vires law I would not have been unlawfully approached by (...) in the first instance.

I would have had unrestricted contact with my baby as is afforded all mothers as the sole legal guardians of their children under common law.

I would therefore not have been subjected to the unlawful practice of having my baby stolen from me at birth and hidden from me during my post partum confinement period whilst under the fiduciary care of the State. (An unlawful practice described as "usual practice" by the Minister for Health)

Instead of bringing my baby to me as was my right by law, I was given a card with my name and was told I had to hold it up to the nursery window after I had been forced to sign a consent to adoption and eight days after his birth

Unlawfully and in breach of the Queensland 1965 Adoption of Children Act

I signed an adoption consent for a baby whom I had not seen from birth.

I signed an adoption consent for a baby whose sex was informed to me anecdotally.

I signed an adoption consent for a baby who may or may not have been alive or dead.

I assigned an adoption consent under duress and force from an employee of the State of Queensland

Also in relation to this my baby was registered on the 5th September by an employee of the State.

On the birth registration form it was I the mother who was to give the supposedly "true information" in respect of my baby as in the case of the adoption consent. I signed a birth registration for a baby I had not seen from birth.

I signed a birth registration for a baby for whose sex I was unsure of.

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I signed a birth registration for a baby who may or may not have been alive or dead.

It is noted on the form that the parents have 60 days to register the birth. My son's birth was registered by an agent of the State on the 5th September 1967.

My son registered in a hurry I could have registered him up to 60 days later when I was released from Holy Cross 49 days later this was done to ensure that his adoption was expedited.

Birth Registration form

I believe that the State knew he was going to be adopted before I did and that my son had to "legally exist through the birth registration" before they could take an adoption consent.

All the information in relation to my child was anecdotal from the persons who informed me.

I had not seen my child to confirm whether the details given to me were in fact correct. In this event I could have signed an adoption consent for and registered the birth of anyone's child.

Duty of care and honest advice to me from my Guardian would have been my legal rights such as:

* Alternatives to adoption, i.e. foster-care, state care and alternative care with a family for my child until I was released from Holy Cross.

* The risk of dire future regret if I surrendered my child for adoption.

* The financial benefits that I would have been entitled to if I did not marry the father of my child .i.e. State aid for 6 months then a Commonwealth Widows Pension (class B), maintenance from my son's father, and other benefits including child allowance etc.

Had I not been unlawfully arrested and incarcerated by the State of Qld I would have married and not have needed the department to provide advice concerning my rights to keep my child.

Persons who could have provided me with support and honest advice and comfort, included
(...) my sons father, my mother, family, independent legal representative, social services,

Neglect by My Guardian State of Queensland

The State did not advise my mother of my incarceration.

The State did not return me to my mother after my arrest.

The State did not inform my mother of the birth of my child.

The State and it's agents denied me access to the father of my child.

Under common law I was the sole legal guardian of my child and had every legal right to keep my child. Having been illegally incarcerated in Holy Cross and being made a ward of the state I had a right to have my child placed in state care or given to his father until I was released from care.

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As a prisoner of the State it was the duty of the State who appointed itself as my guardian to offer those options to me and provide those services and advice to me .

The Directors Report to Parliament 1967 re. Karalla House notes the age of children in care peaks at 16

I was placed into Holy Cross, an institution where my name was changed and my identity was taken from me, and where the agents of the State had control of my every movement, discipline and contact with those who could help me.

Immediately after signing the consent to the permanent loss of my baby the State placed me back into Holy Cross where again I was abused by being put back to work in the laundry on the very day I lost my child.

I was placed me back into an institution where for the duration of my incarceration I did not receive any counseling for the loss of my baby, where my experience and my baby was never mentioned.

I was placed me back into an institution where for the duration of the revocation period, I was incarcerated, isolated and had no means of revoking my consent.

The State adopted my baby out long before the 30 day revocation period.

The State sold my child to his adopters

Crimes committed against me in breach of the Common Law

1 False arrest

2 False Imprisonment

3 Denying me all knowledge of legal rights and options to adoption.

Ultra Vires Law. Breach of Duty of Care. Unconscionable Behaviour. Breach of Statutory Law. Element of Conspiracy to Defraud.

4. Failing to have regard to and in, the best interest of the plaintiff, a Ward of the State and the plaintiffs child.

Breach of Fiduciary duty of care.

5. Failing to provide me with professional counselling prior to confinement.

Breach of Duty of Care. Breach of Fiduciary Duty of Care.

6. Maltreatment and treating me in a cruel and demeaning manner.

Violation of Human Rights. Breach of Duty of Care. Breach of Fiduciary Duty of Care. Unconscionable Behaviour. Ultra Vires Law.

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7. Failing to make reasonable attempts to ensure that my treatment was equal to that of a married mother.

Violation of Human Rights. Discrimination on the Grounds of Marital Status. Breach of Duty of care.

8. Failing to have any proper regard for the natural law and prevailing domestic and international principals concerning the plaintiff’s advancement and protection of my human rights.

9. Introducing the inhumane practice of forbidding me contact with my child to prevent bonding, resulting in violent trauma to myself and my child.

Violation of Human Rights. Breach of Duty of Care. Unconscionable Behaviour.

10. Forbidding me either to see or touch my baby until I signed a consent.

Ultra Vires Law, Unconscionable Behaviour, Coercion, Violation of Human Rights, Violation of Statutory Rights, element of Conspiracy to Defraud.

11. Promoting adoption rather than warning the me of the of the potential harm such a course of action may cause me

Breach of Duty, Unconscionable Behaviour, Breach of Statutory Law. Sec 6.2 The Adoption of Children Act.

12. Forbidding the me to see my baby.

Ultra Vires Law. Unconscionable Behaviour. Coercion. Violation of Human Rights. Violation of Statutory Rights. Duress. Element of Conspiracy to Defraud.

13. Preventing lactation by using the synthetic hormones and depriving me of the means to feed my child

Common Assault. Trespass to the Person. Violation of Natural Law. Violation of Human Rights. Unconscionable Behaviour.

14. Sedating and medicating me during labour and throughout my confinement

Criminal offence under Crimes Act, Unconscionable Behaviour, Conspiracy to Defraud.

15. Hiding my child within the confines of the hospital and denying me free access to my baby although I was the sole Legal Guardian of my child.

Conspiracy to Defraud. Taking child with intent to steal. Violation of Statutory Law. Violation of Human Rights. Violation of Natural Law. Breach of Duty.

16. Shackling me to bed during labour with leather straps attached to stirrups. Physically restraining me from seeing my baby immediately after giving birth. *Common Assault, False Imprisonment, Unconscionable Behaviour, Ultra Vires Law, Violation of Human Rights.*

17. Using overt and covert methods of coercion to obtain consent to the adoption of my child.

Undue Influence. Coercion. Duress. Unconscionable Behaviour.

19. Inducing me to sign fraudulent document of consent to adoption and to induce me to sign a false name

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Fraud. Unconscionable Behaviour. Ultra Vires Law.

20. Taking unenforceable (and therefore invalid consent from a minor) consent only becoming valid at the age of majority which was 21 years of age, reducing in the early 1970s to 18 years.

Fraud. Unconscionable Behaviour. Ultra Vires Law.

21. Expecting unskilled minor to sign a legal document without an adult or legal advocate present and without them understanding the legal interpretation of the document they were signing.

Unconscionable Behaviour. Breach of Statutory Law Breach of Fiduciary Duty.

22. Not properly informing me of the thirty day revocation period.

Unconscionable Behaviour, Fraud, Intent to Deprive Owner Permanently, Breach of Fiduciary Duty of Care, Breach of Statutory Standard.

23. Marketing the plaintiff's healthy white newborn baby.

Ultra Vires Law, Unconscionable Behaviour, Violation of Human Rights.

24. Placing the plaintiff into an institution where she was abused and used as slave labour

Ultra Vires Law, Unconscionable Behaviour. Breach of Fiduciary Duty of Care, Violation of Human Rights.

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In Conclusion

The theft of my child and my incarceration so traumatized me I was unable to speak of it to anyone for decades.

I was treated like a criminal making me ashamed and stigmatized not only at being thrown into jail and imprisoned but also that I failed to protect and lost my own baby.

I was so ashamed by my experience that my daughter did not find out about my experience and that she had a brother until 1990 and at the age of 18

In 1990 after receiving the "objection to contact and information veto" in that denied me the knowledge of who and where my child was and the threat of being imprisoned again by the State of Queensland if I looked for my son, intimidated and frightened me, and left me in a constant state of fear where I was too afraid to deal with the issues of my imprisonment and theft of my son.

I was lied to from the moment of my arrest and told the age of consent for sex was 17 when it was in fact 16. I was made to believe for over 30 years that the State of Queensland was allowed to do whatever they could to me and that I was the one who was at fault.

It was in 2000 when I read the Qld Crimes Act that I found out that a man cannot be charged with Carnal Knowledge of a girl over the age of 16. That is when the realization of what they, (the State, police, court, nuns, hospital, Department of Families) did "hit me" and sent me into a state of mental anguish.

The State would not allow me to have any information in respect of my child and his adoption including his original birth certificate.

The State locked up the evidence of its crimes under adoption legislation, destroyed or lost most of my records, threatened me with fines and jail if I contacted or found out information about my son or if I contracted a third party to contact or find out information about my son.

I had to find my stolen child and ask him to remove his contact objection so that I could access my information.

On finding my son and notifying the Department of the contact I was warned by: (...) (an adoption section departmental worker) that I had breached sec 39 of the Queensland Adoption of Children Act.

The State to this day is still intimidating me and holds a threat of future imprisonment over me for the rest of my life. I am still at risk of being incarcerated and intimidated by the State of Queensland, if my son chooses to renew a contact and information objection under sec 39. He can do this until I and my daughter and her heirs die.

My right to keep my own child was an inalienable right under natural and common law and I should have been made aware of this, and not made to believe that I had no rights by the State and it's agents and I should not have been forced to surrender my child for adoption.

Lily Arthur Senate Inquiry “Commonwealth contribution to past adoption policies and practices”

My rights were to be treated in a non-discriminatory way and in accordance with Common Law principles.

I can only give a limited account of the damage that was done to me. After a decade in reunion with my son I cannot begin to fathom the damage he has suffered as well. This is an issue that also needs to be addressed.

I will finish this submission with the following

Entick v Carrington

Lord Camden

The great end, for which men entered into society, was to secure their property. That right is preserved sacred and incommunicable in all instances, where it has not been taken away or abridged by some public law for the good of the whole. The cases where this right of property is set aside by private law, are various. Distresses, executions, forfeitures, taxes etc are all of this description; wherein every man by common consent gives up that right, for the sake of justice and the general good. By the laws of England, every invasion of private property, be it ever so minute, is a trespass. No man can set his foot upon my ground without my license, but he is liable to an action, though the damage be nothing; which is proved by every declaration in trespass, where the defendant is called upon to answer for bruising the grass and even treading upon the soil. If he admits the fact, he is bound to show by way of justification, that some positive law has empowered or excused him. The justification is submitted to the judges, who are to look into the books; and if such a justification can be maintained by the text of the statute law, or by the principles of common law. If no excuse can be found or produced, the silence of the books is an authority against the defendant, and the plaintiff must have judgment. The judgment established the limits of executive power in English law, that an officer of the state could only act lawfully in a manner prescribed by statute or common law.

Hence Lord Camden ruled, as later became viewed as a general principle, that the state may do nothing but that which is expressly authorised by law, while the individual may do anything but that which is forbidden by law.