

# SENATE ENQUIRY INTO FORCED ADOPTIONS

Submission by Gary Coles

## APOLOGY TO BIRTH FATHERS

*“Probably the most neglected aspect of adoption inquiry is the surrendering father’s story. From one who lives it let me say – we hurt. And we hurt every bit as much as anyone else in the equation ... I believe that up until now, we have been ignored probably more so than others affected by adoption. And all the while we are expected to carry on less damaged than all others in the equation. It is well past the time that those fathers who did care and continue to care were given their voice.”* Cameron Horn’s reply to the Australian Institute of Family Studies *Final report into impact of past adoption practices* (Higgins – March 2010)

Because of the marginalisation referred to above, historically birth fathers’ names appear infrequently on the birth certificate. This is not proof that these birth fathers were neglectful. Rather, the absence of the father’s name on the record supports the notion that many birth fathers may have been completely unaware of the pregnancy and of the birth of their child. Indeed, the incomplete birth record often represents the father’s exclusion by others from the adoption process, rather than how he felt at the time about the mother and their child.

The report by the New South Wales Legislative Council, released in 2000 and entitled *Releasing the Past: Adoption Practices 1950–1998: Final Report*, contains ample anecdotal evidence of the disempowerment of birth fathers. About the recording of the father’s name on the birth certificate and other records, the report notes: “The treatment of those fathers who took an interest was often poor and as most practitioners have acknowledged, very little consideration was given to their needs. Very little was done for fathers and they were rarely consulted” (p114). Both birth fathers and birth mothers told the committee preparing the report that their wishes to have the name of the father recorded on the original birth certificate had been ignored. In some cases, birth mothers had not been informed of the requirements to ensure the father’s name was recorded. This caused distress, when discovered many years later, for both of the birth parents and the searching adopted person.

One birth father speaks of the attempts he made to gain access to his newborn child and the mother at the hospital: “My recollection of events at this time and the feelings this evoked in me were confusion, powerlessness, complete denial of my rights and lack of any information” (New South Wales Legislative Council, 2000, p112).

During pregnancy, some social workers argued “that young women needed to be protected from ‘these men’ ” (New South Wales Legislative Council, 2000, p80), a sweeping prejudicial view that utterly denies the rights of the birth father. As noted by the committee: “Despite the good intentions of these young men, family members and professionals often treated them with disdain. Angry and resistant parents often prevented them from seeing their pregnant girlfriend” (p71). Other men, granted a concession of sorts, speak of being permitted to visit their pregnant girlfriend in maternity homes, but then of being discouraged by social workers and/or the girl’s family from participating in decisions about the future of the baby.

The committee concludes that “while the reaction of some men to the pregnancy was to deny responsibility, other men attempted to provide support and comfort but were thwarted by the

attitudes and actions of family members, doctors, social workers, nuns and other professionals” (New South Wales Legislative Council, 2000, p72). Further, the committee states: “The fathers were disregarded and very little was done to consult or involve them during the birth and the postnatal period ... this failure to acknowledge fathers was wrong and caused long-term harm to those involved. The failure to record the birth father’s name ... has also caused pain and suffering to them and to other people, including adoptees” (p119).

Cameron Horn (2010) noted that the submissions to the New South Wales inquiry not only “indicate adoption consent takers failed to avail mothers of any alternatives to surrendering their babies” but also that “adoption consent takers’ own testimonies prove conclusively that they failed to avail fathers of their rights regarding the proposed loss of their child to adoption.”

As a result of these practices, only 2% of original birth certificates issued in New South Wales prior to the 1980s include the birth father’s name. These actions reinforce the commonly held beliefs that, not only does the father not contribute to the heritage of his child, but also that he is not relevant to decisions made about the child’s future. In Victoria, prior to the introduction of the *Adoption Act 1984*, it was common for the birth father’s name to be recorded only in the circumstance where he was married to the mother of their child. This accounted for very few adoptions.

There are anecdotal data from Australia and overseas that social workers and lawyers sometimes deliberately avoided involving the birth father, because by not including his consent, the adoption was simplified. As a consequence of this practice, only the birth mother is recorded on the birth certificate, which implies, through a ‘not recorded’ for the birth father that she chose not to give his name. There are instances of ‘not known’ being entered, as a convenience not a fact. Seen from the perspective of the searching adult adopted person, not only was the birth father too uncaring to register his name, but also, by extension, he does not want to meet and to know his son or daughter. This is often a misrepresentation of the facts (Coles, 2010).

Harkness (1991) raises the possibility of a snowball effect occurring. She writes: “While a birth mother may have censored information about herself or about the baby’s father (usually out of fear that her baby might not be acceptable), the social worker in turn chose to record only the information that he or she felt was important and this is what would be passed on to the adoptive parents. Adoptive parents then chose what information to pass on to the adopted child and so the censoring process continued” (p12). It is unlikely that the reputation of the birth father was enhanced by this orchestrated suppression. In some cases he is likely to have disappeared from the narrative altogether.

This sequence of interference may leave the lingering impression that the father did not care enough about his child to insist that his name be recorded on the original birth certificate. This perception may be picked up later by the searching adopted person, when they discover a birth certificate with but one birth parent name, that of the mother. It is no wonder then that so many adopted persons are apprehensive about finding their birth father. He is unknown, in all senses. In many circumstances, where the birth father’s name is not recorded on the original birth certificate, it is the birth mother who controls both the revelation of his identity and the possibility of a reunion between father and child. Again, the birth father is disempowered.

The above evidence confirms that many birth fathers have been treated harshly by past adoption practices. The legacy for these men is enduring pain and a peripheral role in post-adoption narratives. It is appropriate that the disenfranchisement of birth fathers be acknowledged in a formal apology made by the federal parliament.

#### **Additional References:**

Coles, Gary. *The Invisible Men of Adoption*, Mermerus Books, Australia, 2010  
Harkness, Libby. *Looking for Lisa*, Random House, Australia, 1991