ORIGINS SUBMISSION TO THE SENATE INQUIRY INTO COMMONWEALTH CONTRIBUTION TO FORMER FORCED ADOPTION POLICIES AND PRACTICES

This submission is dedicated to

Dian Wellfare (1951- 2008) Founder of Origins
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Dr Rickarby Psychiatrist
and not least the mothers and their children
who have not lived to see justice served

Origins Supporting People Separated by Adoption Incorporated

Terms of reference this submission will address

(a) The role, if any, of the Commonwealth Government, its policies and practices in contributing to forced adoptions.

Citizens affected by "Forced Adoption" allege that
the Commonwealth of Australia is responsible for the following actions of the States of the Commonwealth

by

failure of due diligence to protect Australian Citizens from breaches of the Constitution of Australia and the Common Law of the Commonwealth
by the State Governments and its agents as follows:

Under the Common Law "one cannot freely give consent to an unlawful act" which in effect was adoption 'consent' given under duress?

This Submission is included in the Blue Folder (no 3)

Unlawful Practices

The Commonwealth in its mandate of the protector of Australian citizens failed in its duty of diligence to enforce the Common Law by allowing Commonwealth funded and State and privately run facilities – such as public and private hospitals, departments and affiliated private welfare institutions – to engage in unlawful actions in relation to the procurement of invalid adoption consents and furthermore breaching the modeled Adoption Acts before adoption law could come into effect, in respect of:

- Unauthorised taking the baby without the consent of the mother:

  Kidnapping;

- Forbidding mothers either to see or touch their babies until they signed consent:

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

- Denying mothers all knowledge of their legal rights and options:

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

- Forbidding mothers to see and access their baby:

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

- Hiding child within the confines of the hospital etc and denying mothers free access to their babies although she was the sole Legal Guardian of their child:

  Conspiracy to Defraud, Criminal offence under s91. Taking child with intent to steal. Violation of Statutory Law. Violation of Human Rights. Violation of Natural Law.

Breach of Duty. S.80 Kidnapping.

Responsibilities

In that the Commonwealth was in an overarching position to investigate "forced adoptions", given that it was aware of and had knowledge of unlawful practices that constituted the theft of newborns and infants from their parents

The knowledge and information of such unlawful procedures committed in the public and private health system was freely distributed and exposed through the media and the law courts, thus ensuring such persons as government officials, would have been aware of this situation for decades.

The Commonwealth also collected information on adoption statistics, welfare recipients and adoption procedures, as well as had *a prior* knowledge of unlawful and harmful adoption practices from the 1950s (refer to attached timeline).

And that the Commonwealth was in an overarching position of authority over the States and Territories and as such created and facilitated uniform adoption legislation that saw State and Territory, Adoption of Children Acts modeled on the ACT 1965 Adoption of Children Act.

This model "Act" denied mothers any type of information or validation regarding the fact that they had ever given birth, or that their children taken at birth had been adopted, or that they had any legal rights under Common Law.

The secrecy provisions of the model "Act" not only gave rise to concealment of unlawful pre-adoption practices but also in effect denied mothers recourse through legal avenues in relation to prosecution of those responsible for the above unlawful practices.

In the primary role of legislator it was the responsibility of the Commonwealth to ensure that the ensuing 1965 "model Act" not only complied with the Common Law but also was not breached by the States and its adoption facilitators.

Not only having created the model Act the Commonwealth failed to question and investigate unlawful adoption procedures and practices in its role whilst overseeing annual conferences

from 1960 of State Directors and Administrators of Child Welfare where it was collaborating and building the framework for uniform adoption legislation with the States and Territories of Australia, New Zealand and New Guinea.
Conferences were held not only with the States and Territories of Australia but also with other nations such as New Zealand and Papua New Guinea. Discussions and reports were not only to monitor and ensure uniform adoption policies and procedures were followed by the States and Territories but also to gather adoption statistics and information of State Wards and children in care.

The Commonwealth also neglected to ensure that the financial benefits made available to mothers under the State Grants (Deserted Wives) Act to support their children were distributed in a non-discriminatory and visible manner.

We allege that the Commonwealth, through these meeting with State counterparts from 1960, would have seen the anomalies in the statistics in relation to adoptions and to welfare recipients who were entitled to welfare benefits under the States Grants (Deserted Wives Act) as well as noted that such benefits were not being accessed.

We believe that media and public awareness of the plight of single mothers and the lobbying of single mothers groups forced the Commonwealth in 1973 to take control of financial benefits to single mothers and to openly "advertise" the benefits they were able to access.

So in effect it fell to the responsibility of Commonwealth to investigate why so many women across the country supposedly "gave away their unwanted newborns en-masse to strangers" before 1973, in comparison to <u>after</u> the "announcement" in 1973 of financial benefits available to unmarried mothers following which adoption statistics started to decline due to the fact that mothers were 'exercising their rights' (Refer to Directors Reports to Queensland Parliament).

Having made public the benefits to the single mother, the Commonwealth could continue to turn a blind eye to persistent breaches of the Common Law by the States.

The knowledge of the harm to mothers and their lost children to unlawful adoptions were being exposed to the Human Rights Commission and Commonwealth Reviews, and testimonies of mothers were placed on the public record though subsequently ignored by the

Commonwealth.

Nearly thirty years have passed since the Australian Institute of Family Studies released the results of the "Winkler and Van Kepple research Report (The Effect on the Mother of Relinquishing a Child for Adoption), which exposed suicide and mental health damage to mothers. The report also noted the loss and grief of mothers as well as their claims that their child had been kidnapped. The appalling neglect of Australian mothers has since brought a sense of futility and shame to the many thousands of those afflicted by such human rights atrocities.

The continued knowledge of this inflicted trauma however did not stop the States from continuing their unlawful practices which, according to Social Worker Margaret McDonald, continued well up into the late 1980s.

Breaches of the 1965 Adoption of Children Act

- Taking consent from mothers prior to or upon birth and post dating the date the consent was taken to the legally required day five:

  Unconscionable Behaviour, Fraudulent Misrepresentation, Ultra Vires Law;

- Showing mothers the wrong baby after signing a consent to ensure no bonding takes place:

  Unconscionable Behaviour, Violation of Human Rights, Fraudulent Misrepresentation, Element of Conspiracy to Defraud;

- Using overt and covert methods of coercion to obtain consents to the adoption of child.

  Undue Influence, Coercion, Duress, Unconscionable Behaviour;

- Inducing mothers to sign incomplete documents of consent to adoption, to fill in further details later:

Fraud, Unconscionable Behaviour, Ultra Vires Law;

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

  Fraud, Unconscionable Behaviour, Ultra Vires Law;

- Expecting an unskilled minor to sign a legal document without an adult or legal advocate present and without her understanding the legal interpretation of the document she was signing:

  Unconscionable Behaviour, Breach of Statutory Law;

- Not informing the mother of the thirty day revocation period:

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

- Employing non-skilled and non-licenced staff to conduct legal transactions, prepare legal documents and interview unmarried mothers without knowing the law. (To shift the blame away from themselves, Social Workers are now declaring that as many as 80% of people working in the adoption industry were non-professionals)

  Ultra Vires Law, Breach of Duty of Care;

- Not advising young mothers of the permanent nature of adoption. Many young mothers had no idea that they would never see their baby again until they contacted the agency in order to claim their baby, or went to get their baby upon leaving the hospital after signing.

  Breach of Duty of Care;

- Prevent mothers their legal right of revocation within her legally permitted time by advising them their child had already been adopted when it had only been placed in an

interim placement that was not legally binding.

Element of Conspiracy to Defraud, Unconscionable Behaviour, Ultra Vires Law.

Harm and Damage

Failure to protect Australian citizens from disability and discriminatory actions committed against them by the unlawful actions of State breaches (sec 117) of the Constitution of Australia

By allowing the adoption industry to willfully create generations of Australian citizens to suffer mental, physical and emotional disability, and by allowing the many decades of research into the mental health damage to the adopted child recorded in international mental health journals, book etc throughout the Commonwealth – all acknowledging the trauma, difficulties, problems experienced by the adopted child – to be ignored (See Mental Health Submissions);

By allowing state government to freely and forcibly administer drugs to mothers, such as Diethyl Stilboestrol known to have carcinogenic implications not only for her but also her and future offspring (see attachments on drugs administered to mothers); and:

By allowing negligent promotion of adoption with promises that in effect could never be guaranteed, i.e., an ideal life for our children of which it was argued single mothers could never provide.[1] As Wellfare states:

> Upon reunion the astounding level of emotional neglect, violence against, psychological and sexual abuse of our children from infancy and beyond bears witness to that particular deceit" "In the best interest of the child" was the tool to pry newborns from their mothers based on little or no adoption research in Australia.

And by allowing Aboriginal children to adopted away from their cultural backgrounds, causing them trauma and great harm resulting in homelessness, cultural bewilderment and loss of family connections, the latter being most important to aboriginal tradition.

1 **See also attachment (U)** 1976 Adoption Legislation Report of the Review Committee, in which is acknowledged that the "Department" operated one of the largest "adoption" services in the world based on "very little research."

Welfare

Failure to ensure Commonwealth finances were not misappropriated by State governments in the delivery of welfare benefits to eligible recipients, including widows pensions, child endowment, maternity allowances, unemployment benefits, pharmaceutical benefits, sickness and hospital benefits, medical and dental services

Failure to ensure that mothers were advised of the financial benefits available to them, the Whitlam government's announcement of the Sole Mother's Benefit in 1973 spelt the decline of adoption practices, proving that proper information of financial benefits would have enabled mothers to exercise their right to keep their child through informed decision making.

Failing for over five decades to make known to unwed citizens the maternity allowance and welfare provisions (Australian Constitution Part V, Powers of the Parliament, Section xxiiA) to which they were entitled but which were denied them during the period in question. The Commonwealth of Australia has a constitutional duty to settle the matter (Australian Constitution Part V, Powers of the Parliament, Section xxv)

Movement of Children

Failure to ensure that children were not removed across State borders and disadvantaged by Amendments to adoption legislation;

Failure to ensure breaches by the States of immigration and emigration of Australian citizens;

- for failing to insure that the states did not breach the rights of Australian children exported to foreign countries in violation of the Common law rights and duties of their parents (Australian Constitution Part V, Powers of the Parliament, Sections xxvii & xix) (See attachments);
- for failure to ensure that overseas children brought into Australia were available for adoption (see attachments on Indian, Vietnamese and Thai children);

For failure to scrutinize and address breaches of the Commonwealth Consolidated Marriage Act Section 89 (Australian Constitution Part V, Powers of the Parliament, Section xxii)

And for failure to insure the prevalence of federal over State law:

- in its discrimination against the Common law rights and duties of fathers in relation to their illegitimate children (Section 109);

- See letter from Minister Hames claiming that the numbers of babies available for adoption declined due to "significant changes in both law and policy, in recognition of...the rights of parents to support and raise their children."

International Obligations

Failure to ensure breaches of the civil and human rights of Australian citizens by the States as ratified by the Commonwealth of Australia, including the following International Treaties on Human rights

At no other time is history has there been a systematic regime of such brutal and unlawful practices as perpetrated against an estimated 150 000 women than the peak years of adoption.

This was a time when state governments across the country were prepared to breach not only the laws of the Commonwealth but also their own laws, showing scant regard for the Commonwealth international and humanitarian obligations for the protection of human rights.

With the Second World War months behind it, the Federal Government turned its back on the practices of state governments as they re-enacted the Eugenic practices of those adopted in Nazi Europe. Even the ratifications of the following treaties on human rights did not deter a country that was hell-bent on eliminating the rights of mothers for decades; whilst the motherland turned a blind eye, the indicators were there if they chose to look (see Origins historical submission).

Social Cleansing Campaign or Genocide?

Failure by the Federal Governments to adhere to International Human Rights obligations, commencing with:

The Universal Declaration of Human Rights (signed 11/12/1948)

- Forbidding mothers to leave the hospital until their records were marked with the term "socially cleared" indicating that the signing of an adoption consent was the condition for discharge:

  False imprisonment Unconscionable Behaviour, Ultra Vires Law, Conspiracy, Duress, Fraudulent Misrepresentation;

- Transporting mothers by ambulance, whilst heavily sedated, to different hospitals without their babies and without their permission:

  False Imprisonment (common law offence), Element of Conspiracy to Defraud.

(See "Violations of women's human rights: birth mothers and adoption: Cathleen Sherry)

Convention on the Prevention and Punishment of the Crime of Genocide (signed 1948)

Origins as an organization acknowledges that Holocaust is synonymous with the unprecedented suffering of the Jews during WWII, however noting that Australian history has witnessed a period of discrimination against the 'unwed' mother and her 'illegitimate' child which is marked by features of Holocaust, including:

- Propaganda and hate speech;
- Denial of personhood (legal and individual);
- Segregation (classification)

- Efficiency;
- The extent of the operation;
- Cruelty;
- Children and adult prisoners;
- Medical experiments (See attachments).

This convention bans acts committed with the intent to destroy in whole or in part, a national, ethnic, racial or religious group. It declares genocide a crime under international law whether committed during war or peacetime, binding all signatories to take measures to prevent and punish any acts of genocide committed within their jurisdiction. The act bans killing of members of any racial, ethnic, national or religious group because of their membership in that group, causing serious bodily or mental harm to members of the group, inflicting on members of the group conditions of life intended to destroy them, imposing measures intended to prevent births within the group, and taking group members' children away from them and giving them to members of another group.

We propose this Convention was violated in the following manner:

- Unlawfully taking the children of unmarried mothers and placing them with married parents and concealing their crimes under secretive adoption legislation;
- Sterilizing mothers (See Attached Confidential Origins Questionnaire (Name Supplied);
- Rapid Adoption "Killing" off the relationship of the child with his mother by informing the mother her baby had died at birth when in fact she had been adopted (Rapid Adoption – see page 25 Origins Submission one):
- *Fraudulent Misrepresentation, Unconscionable Behaviour, Element of Conspiracy to Defraud, s91, Taking a child with intent to steal, s80 Kidnapping. Violation of Human Rights, Intent to Deprive mother Permanently.*
- Telling adopted child his/her mother had died forever depriving the child the

knowledge of his mother:

- Ø *Fraudulent Misrepresentation, Unconscionable Behaviour, Element of Conspiracy to Defraud, Violation of Human Rights, Intent to Deprive child Permanently.*

International Covenant on Civil and Political Rights (signed 18/12/72)

This covenant details the basic civil and political rights of individuals and nations. Among the rights of nations are:

- the right to self determination;
- the right to own, trade, and dispose of their property freely, and not be deprived of their means of subsistence.

Among the rights of individuals are:

- Ø the right to legal recourse when their rights have been violated, even if the violator was acting in an official capacity;
- Ø the right to life;
- Ø the right to liberty and freedom of movement;
- Ø the right to equality before the law;
- Ø the right to presumption of innocence till proven guilty;
- Ø the right to appeal a conviction;
- Ø the right to be recognized as a person before the law;
- Ø the right to privacy and protection of that privacy by law;
- Ø freedom of thought, conscience, and religion;
- Ø freedom of opinion and expression;
- Ø freedom of assembly and association.

The covenant forbids torture, inhumane or degrading treatment, slavery or involuntary

servitude, arbitrary arrest and detention, and debtor's prisons. It forbids propaganda advocating either war or hatred based on race, religion, national origin, or language.

It provides for the right of people to choose freely whom they will marry, to found a family, and requires that the duties and obligations of marriage and family be shared equally between partners. It guarantees the rights of children and prohibits discrimination based on race, sex, color, national origin, or language.

The covenant permits governments to temporarily suspend some of these rights in cases of civil emergency only, and lists those rights that may not be suspended for any reason. It also establishes the UN Human Rights Commission.

After almost two decades of negotiations and rewriting, the text of the Universal Covenant on Civil and Political Rights was agreed upon in 1966. In 1976, after being ratified by the required 35 states, it became international law.

Mothers and their children have the right to be recognized as a “person before the law” in that denying her and her child their human and legal rights reduces their status to “person non-gratis”.

- Failure to enforce her right to legal recourse when their rights have been violated, even if the violator was acting in an official capacity (see forced adoption cases Arthur V Queensland, Wellfare (W v NSW), Cooke v NSW and Ors, Taylor v Queensland)

- Failing to take into account her status of mother and the protector of her own offspring by promoting adoption rather than warning her of the potential harm such a course of action may cause her:

  Breach of Duty, Unconscionable Behaviour, Breach of Statutory Law;

- Failure to ensure fathers of illegitimate children access to their offspring in order to support their offspring:

- Failing to provide mothers with support prior to confinement so as to usurp their right of self determination in regard to whether or no to relinquish their parental rights:

  Breach of Duty of Care, Breach of Fiduciary Duty of Care;

- “Marketing” the healthy white newborn baby as a commodity and not treating the

baby as a human being with it own legal rights as vested in its parents:

Ultra Vires Law, Unconscionable Behaviour;

- Failing to have any proper regard for the natural law and prevailing domestic and international principals concerning the advancement and protection of human rights:

- Failing to protect the right to equality before the law in that the mother were owed a fiduciary duty of care by those upon whom she depended to protect her legal rights:

- Failing to allow freedom of movement by incarcerating mothers in institutions where they suffered abuses such as forced labor, lack of communication, brainwashing, depersonalization, forced medication, improper food and lack of medical attention:

- Failing to protect the privacy of mothers by allowing all and sundry to investigate, observe and monitor her incarceration, confinement and personal information indefinitely through various government departments, agencies etc.

Convention on the Elimination of All Forms of Discrimination against Women (signed 1982)

- Failing to make reasonable attempts to ensure that the treatment of the unmarried mother was equal to that of a married mother:

  Violation of Human Rights, Discrimination on the Grounds of Marital Status, Breach of Duty;

- Failing to have regard to and to act in the best interest of the mother and child by failing to take into account the mothers individual circumstances:

  Discrimination on the grounds of marital status, Breach of duty of care.

Convention against Torture (signed 10 /12/1982)

This convention bans torture under all circumstances and establishes the UN Committee against Torture. In particular, it defines torture, requires states to take effective legal and other measures to prevent torture, declares that no state of emergency, other external threats, nor orders from a superior officer or authority may be invoked to justify torture. It forbids countries to return a refugee to his country if there is reason to believe he/she will be tortured,

and requires host countries to consider the human rights record of the person's native country in making this decision.

The CAT requires states to make torture illegal and provide appropriate punishment for those who commit torture. It requires states to assert jurisdiction when torture is committed within their jurisdiction, either investigate and prosecute themselves, or upon proper request extradite suspects to face trial before another competent court. It also requires states to cooperate with any civil proceedings against accused torturers.

Each state is obliged to provide training to law enforcement and military on torture prevention, keep its interrogation methods under review, and promptly investigate any allegations that its officials have committed torture in the course of their official duties. It must ensure that individuals who allege that someone has committed torture against them are permitted to make and official complaint and have it investigated, and, if the complaint is proven, receive compensation, including full medical treatment and payments to survivors if the victim dies as a result of torture. It forbids states to admit into evidence during a trial any confession or statement made during or as a result of torture. It also forbids activities which do not rise to the level of torture, but which constitute cruel or degrading treatment.

The second part of the Convention establishes the Committee Against Torture, and sets out the rules on its membership and activities (see attachment on drugs and sterilization of mothers).

We allege that the Commonwealth is responsible for turning a blind eye to the following :

- Introducing the inhumane practice of forbidding mothers eye contact with their children to prevent bonding, resulting in violent trauma to both the psyche of mother and child:

  Violation of Human Rights, Breach of Duty of Care, Unconscionable Behaviour;

- Shackling mothers to bed heads during labor with either leather straps attached to chains or bandages. Physically restraining mothers from seeing their babies immediately after giving birth:

  Common Assault, False Imprisonment, Unconscionable Behaviour, Ultra Vires

Law, Violation of Human Rights;

- Violently interfering in the primal act of birthing procedure, snatching infants from the mother's womb before birth was complete while the mother was bound in stirrups and awaiting the expulsion of the placenta:

  Unconscionable Behaviour, Ultra Vires Law, Element of Conspiracy to Defraud, Violation of Human Rights;

- Placing obstacles in front of mothers to prevent a viewing of the baby at birth: *Unconscionable Behaviour, Breach of Duty of Care;*

- Preventing lactation by using the synthetic hormone Stilboestrol, known to be carcinogenic since 1971, or by the method of breast binding, all without written consent:

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

- Sedating mothers during labour with what were known as lytic cocktails (used medically to obliterate feelings). These cocktails consisted of Phenobarbitone, Pethidine, Sparine, and Largactyl. Post-Hypnotic memory altering barbiturates such as Phenobarbitol, Sodium Amytil, Methadone, Heroin and Chloral Hydrate were also the order of the day:
  Criminal offence under s38 of the Crimes Act, Unconscionable Behaviour, Conspiracy to Defraud;

- Maltreatment of the mother and treating her 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.*

Failure to Enforce the Rule of Law

- Ignorance of the law is no excuse;
- One cannot consent to an unlawful act (adoption consent taken under duress or

coercion); Recognition throughout the Commonwealth of the laws, the public Acts and records, and the judicial proceedings of the States (Section xxv of the Constitution);

- Matters referred to the Parliament of the Commonwealth by the Parliament or Parliaments of any State or States, so that the law shall extend only to States by whose Parliaments the matter is referred, or which afterwards adopt the law (Section xxxvii of the Constitution);
- Failure to insure the prevalence of federal over State law, in failure of the Commonwealth Government to intervene, despite *a priori* knowledge, in order to stop further discrimination against the Common law rights and duties of parents in relation to their children (Section 109 of the Constitution): see submission of (...) regarding the rights of fathers; see letter from Minister Hames claiming that the numbers of babies available for adoption declined due to "significant changes in both law and policy, in recognition of...the rights of parents to support and raise their children"[i];
- Failure to insure that the states did not breach the rights of Australian children exported to foreign countries in violation of the Common law rights and duties of their parents (Australian Constitution Part V, Powers of the Parliament, Sections xxvii & xix);
- Failure to make known to unwed citizens, their right to maternity allowance and welfare provisions (Australian Constitution Part V, Powers of the Parliament, Section xxiiA), which were denied them during the period in question. The Commonwealth of Australia has a constitutional duty to settle the matter (Australian Constitution Part V, Powers of the Parliament, Section xxv). Yet the misinformation is persists regarding:

The availability of Commonwealth benefits to help the unwed mother keep her child, prior to the announcement of the Whitlam Government Supporting Mother's Benefit. For example:

- the WA State Apology recognized that Dr Hames said that 'from the 1940s to the 1980s, the…welfare (system) of the day (was) unsupportive of pregnant unmarried women'[2];
- (...) interpreted the Apology's recognition of an unsupportive welfare systems (1940s-1980s) to a member of Origins Committee on the 7th October 2010, claiming that welfare

2 http://www.abc.net.au/news/stories/2010/10/19/3042360.htm

was unavailable to unwed mothers between the years subject to the Apology.

- the first edition of a Report of the Australian Institute of Family Studies into the impact of past adoption practices, stated that it was common for mothers to relinquish their children for adoption prior to the announcement of the Whitlam Government's Sole Mother's Benefit in 1973;
- a Victorian State government website implies the provision of the Sole Mother's Benefit as a reason for the decline in numbers of babies available for adoption;
- numerous articles continue to convey the same misleading information.

Ø Failing to investigate findings of the Human Rights Commission paper no. 5 in regard to past adoption practices:

> Adoption procedures have largely disregarded the rights of the parent considering relinquishment to be made aware of the alternative options to adoption, and to full and disinterested support in arriving at a decision. The many submissions received from natural mothers who relinquished children for adoption, describing their unresolved grief and sense of loss, bear testimony to the failure of bureaucratic procedures to protect their rights.

Ø Failure to investigate and act on the findings of the 1983 federally commissioned Winkler and Van Keppel study;

Ø Failure to enforce the ratifications of international human rights covenants to which the Commonwealth is signatory;

Ø Origins on behalf of its committee and members expresses a lack of confidence in the States and Territories of Australia to conduct their own inquiries into past adoption practices, given their implication in the actions against mothers and fathers which we now present to this Inquiry as grievances of Australian citizens.

In Conclusion

December 2010 marked a decade since the "Releasing the Past" Adoption Practices 1950-1998 NSW Legislative Council – the report the result of a two and a half year investigation into one of the greatest human rights atrocities recorded in New South Wales; in fact a world precedent was set by this investigation into past adoption. The outcome was not only a sham but also showed the continuing contempt for the rights of mothers and their lost children.

The tone for the "response" from the NSW Parliament was cast when the 'Report" was delivered at 4.00pm on the last sitting day of parliament December 2000 and the truth buried in a few paragraphs on page 99 (7.37) and page 104 (7.62-7.63). This blatant act of concealment to "bury" this ugly stain on the human rights record of this State not only continued to perpetuate the original abuse of the rights of Australian citizens but also protected those responsible for breaching the law on a grand scale – an act of contempt that did nothing to reconcile the damage caused to NSW mothers and their children apart from a few crumbs tossed, to look like the government was contrite. (see attachment Government Response to "Releasing the Past")

This show of contempt, indifference and failure to decently address the Report has festered in the hearts of mothers not only in NSW but also in other states – now reaching across the globe where those who have watched our determination for justice have made it a world wide movement of mothers and their children demanding to be heard.

The outcome of this Inquiry will also serve to show the rest of the world that we are mature enough to acknowledge this ugly part of our history, leave our story for the edification of future generations and give back "reverence" to motherhood regardless of a woman's marital, racial or physiological status.

The outcome will hopefully protect the rights of women whose wombs are now increasingly being plundered for commercial gain – a trend with foreseen ramifications relegating women to the status of "gestational carriers or walking incubators" and their children to the level of commodity. Having set the precedent with the national apologies to the Stolen Generations, Forgotten Australian and the Child Migrants, the world is now watching to see how we are going to respond to 'Forced Adoption'.

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are needed to see this picture.

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