

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

## Recommendations

- (b) the potential role of the Commonwealth in developing a national framework to assist states and territories to address the consequences for the mothers, their families and children who were subject to forced adoption policies.

## Active Action and Acknowledgements to include in the report to the House of Representatives on 30<sup>th</sup> June 2011

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### *A. Acknowledgment Actions*

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- a) Enact legislation through the Marriage Act, to have the word —“**illegitimate**” struck from the personal records for adopted and abducted persons in accordance with the — “*Status of Children Act 1974*” (retrospective legislation).
1. An option enacted by the adopted or abducted person “*in the best interests of the child*” to correct his/her records.
  2. Acknowledge that the word “*illegitimate*” was a terminology being;
    - i) A “**hateful word**”
    - ii) Acknowledge – the Commonwealth deemed the “illegitimate child” was classified as such<sup>i</sup> and

- a) If you had a *child out of wedlock*, the child was stamped with the label of 'bastard' and that was a deeply discrediting term
- b) Acknowledge – that the illegitimate child was not illegitimate as described on Hansard in 1959<sup>ii</sup>
- c) And acknowledge the Commonwealth had a Eugenics Bill in 1950<sup>iii</sup> and followed the guidelines of Nazi Germany
- iii) Acknowledge - the Commonwealth breached The Genocide Convention Act 1949 in Parts A, B, C and D
- iv) Acknowledge - An illegitimate child was not **“A Child of “sin”**
- v) Acknowledge - An illegitimate child it is often the **best possible** thing for the mother to be allowed to keep him.
- vi) Acknowledge - An illegitimate child was a child **“abducted”**
- vii) Acknowledge – the Adopted child **“Were seen to be inferior”**
- viii) Acknowledge – the Adopted child **“Were innocent” of crimes, as they were deemed to be criminals**
- ix) Acknowledge - An illegitimate child were treated in **“Nazism experimental programs”** to cleanse racial decay.
- x) Acknowledge - Illegitimate children were advocated to be used in **“Eugenic Programs” in genocide** to prevent procreation.
- xi) Acknowledge - An **“illegitimate child”** places him under a disability
- xii) Acknowledge - If you had a *child out of wedlock*, the child was stamped with the label of 'bastard' and that was a deeply **“discrediting”** term
- xiii) Acknowledge – Babies and children were systematically removed **unlawfully, experimented upon in illegal eugenics programs.**
- xiv) Acknowledge – Babies and children were **discriminated against** as a birth status.
- xv) Acknowledge – the Commonwealth **failed to protect** the **“illegitimate child”**

- xvi) Acknowledge – the Commonwealth failed in its **duty of care** to follow up and compensate victims of **childhood torture** as described on Hansard in the House of Representatives on 16<sup>th</sup> June 2008.
- xvii) Acknowledge – the Commonwealth funded and **advocated the castration and/or sterilization** of “*inferior stock*”
- xviii) Acknowledge – the Commonwealth **failed their duty and care** in ensuring these children were safe.

## **B. Active Actions**

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b) Allow the Adopted or Abducted person to enact a completed “**Original” Birth Certificate**” , - naming the biological father. As an option undertaken by the adopted and abducted person to correct the records - *Free of Charge*.

c) To afford **counselling services** and the like, through Centrelink a set fund (amount) be set up with an allocation set aside for counselling services made to victims to seek services outside of current NGO’s, administered through the Department of Health and Aging and/or VA and/or Centrelink as a funding service.

d) A **special access card**, be issued to access services, such as a Gold Card for free medical services and pharmaceuticals due to cause and effects of past adoption practices, including Eugenics Programs.

e) As there was a Royal Commission into Public Health in 1925 involving CSL and another Royal Commission in 1928, the Royal Commission on Child Endowment or Family Allowance, along with the Royal Commission into the CSL’s Serum Tragedy in 1928 - the Commonwealth and the citizens of the Nation should now be expected a necessitated

- 1) **Royal Commission** into Past Adoption Practices.
- 2) **Pursue the perpetrators** of these “Crimes Against Humanity”

f) The Commonwealth - to **enact the bipartisan motion** in agreement on Hansard 16th June 2008, follow up and compensate as agreed by both sides of the House.

g) **The Commonwealth to Compensate.** Refer the literature to review the "*Legal and Constitutional Affairs References Committee*" Review of Government Compensation Payments.

[http://www.forgottenaustralians.com/pdf/Senate\\_Compensation\\_report.pdf](http://www.forgottenaustralians.com/pdf/Senate_Compensation_report.pdf)

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<sup>i</sup> Attorney-General (Vic) v Commonwealth ("Marriage Act case") [1962] HCA 37; (1962) 107 CLR 529 (1 August 1962)

<sup>ii</sup> THE SENATE MARRIAGE BILL 1960

Second Reading SPEECH Wednesday, 17 August 1960 Pg 2

<sup>iii</sup> Eugenics Bill (Cth) 1950

General Solimán, directed a "lebensorn" (spring of life) organization, which Himmler founded in 1938, to provide for illegitimate children baby factories, where women produced illegitimate babies for the master race. Source – Cairns Post 17th February 1950