Australian Government

Australian Institute of Family Studies

Senate Community Affairs References Committee

Inquiry into the Commonwealth Contribution to Former Forced Adoption Policies and Practices

Submission from
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Inquiry into the Commonwealth's Contribution to Former Forced Adoption Policies and Practices

Terms of reference

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

(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.

Introduction

In late 2009, the Australian Government Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) commissioned the Australian Institute of Family Studies to write a review of the research literature on past adoption practices in Australia.

The review did not explicitly examine the role of the Commonwealth Government or any other agencies in contributing to forced adoptions, but it did highlight a number of key themes and conclusions from the available research literature that may be of interest to this Inquiry. The review has also led to the development of a new research program to address some of the gaps in our understanding of past adoption practices.

Research literature review

The review found that there is not a reliable evidence base for understanding the extent and long-term effects of past practices, and the number of Australians who were affected. Although there is a wealth of primary material, there has been little systematic research on the experience of past adoption practices in Australia.

The report was released by FaHCSIA in April 2010 on their website: <www.fahcsia.gov.au/sa/families/pubs/past_adoption/Pages/default.aspx>.

Key literature review findings

The focus of the review was on gathering evidence from the research literature that can be used to assist with understanding the impact of past adoption practices, in order to develop appropriate responses to the needs of those who are affected. The conclusion of the report notes the following themes that are central to the literature:

- the wide range of people involved, and therefore the wide-ranging impacts and "ripple effects" of adoption, beyond mothers and the children who were adopted;
- the grief and loss associated with past adoption practices, but also the usefulness of understanding past adoption practices as "trauma", and seeing the impact through a "trauma lens";

- the ways in which past adoption practices drew together society's responses to illegitimacy, infertility and impoverishment;
- anecdotal evidence of the diversity of practices and lack of uniformity of experience;
- the role of choice and coercion, secrecy and silence, blame and responsibility, the views of broader society, and the attitudes and specific behaviours of organisations and individuals;
- the ongoing impacts of past adoption practices, including the process of reunion between mothers and their now-adult children, and the degree to which the reunion is seen as a "success" or not; and
- the need for information, counselling and support for those affected by past adoption practices.

Role of agencies in past adoptions

Although the review did not examine the roles of agencies involved in past adoptions, views about the moral correctness of past practices—including the contributions of individuals and institutions—are evident in the literature, and while this material is distinguished from research, its significance is still acknowledged. For example, while acknowledging the pain and suffering of those affected by these past practices, the Parliament of Tasmania Joint Select Committee (1999) aptly summed up what the body of literature also shows:

> In hindsight, it is believed that if knowledge of the emotional effects on people was available during the period concerned, then parents may not have pushed for adoption to take place and birthmothers may not have, willingly or unwillingly, relinquished their children. Witnesses and respondents [to the Inquiry], who include some adopted children, would not therefore be experiencing the pain and suffering which continues to influence their lives. (p. 11).

Commentators, experts, researchers and parliamentary committees have all accepted that past adoption practices were far from ideal, had the potential to do damage, and often did. What is often left unspoken is the issue of "responsibility". The question of who is to blame is implicit in discussions around the adequacy of adoption consent procedures in the past, including allegation of widespread immoral and illegal behaviours (such as failing to advise about rights of revocation and the administration of high levels of drugs that could affect decision-making ability). In addition to the choice and volition of the woman involved (however impeded or affected), the review of the available literature underscored the fact that significant questions remain not only about how these past events occurred, but also of the current needs of those affected. Taking the time to understand the full extent of the impact of past practices is needed in order to be able to tailor appropriate service responses to meet the needs of those affected.

The review showed that relinquishing a child to adoption has the potential for lifelong consequences. Although there is a wealth of historical records that could be examined, there is little systematic research on the experience of past adoption practices in Australia. In assessing the value of the research literature in understanding the context and impact of past adoption practices, it is important to acknowledge that we are viewing past behaviour and judging it by the standards of today, with the benefit of hindsight.

Developing a national framework

While it was also beyond the scope of the research review to consider 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, two salient points can be made.

First, the review highlighted that there are potentially significant ongoing needs of those affected by past practices. Second, the efficacy of various services or actions has not been empirically tested in relation to those affected by past practices—including mothers, fathers, adoptees and their families.

In relation to the first point, Winkler and van Keppel (1984) recommended, at the conclusion of their groundbreaking Australian empirical study, that two things were most needed for women subject to forced adoption practices:

- counselling and support; and
- increased information.

Fourteen years later, Lindsay (1998) identified these same needs—and more—that she saw as being essential for the healing process, and for which society—rather than individuals—is responsible:

- availability of ongoing counselling with highly skilled psychologists;
- provision of trauma counselling services pertaining to mothers and children traumatised by adoption separation;
- establishment of advertising campaigns encouraging mothers to speak out;
- provision of education programs for GPs and other health services providers; and
- avoidance of phrases and statements that are likely to re-traumatise (e.g., referring to "unwanted babies", "your decision", "birth mother", "think about how the adoptive parent feels").

Past adoption practices cannot be "undone", but one of the options for both mothers and children given up for adoption is the choice around reunion. Given the variability in responses provided in the case study literature, and the absence of any systematic empirical evidence, this is an area where further research would be of particular value. Services attempting to support those affected—including professional counsellors, agencies and support groups—would all benefit from a greater understanding of typical pathways through the reunion process, estimates of the number of reunions that have occurred, the perspectives of those involved, and factors that are associated with positive and negative reunion experiences.

Apart from issues relating to contact/reunion between parents and their children who were adopted, there are other ongoing issues for those affected by past adoption practices, including problems with:

- personal identity (e.g., the concept of "motherhood" and self-identity as a good mother);
- relationships with others, including partners and subsequent children;
- connectedness with others (problematic attachments); and
- ongoing anxiety, depression and trauma (Higgins, 2010).

These ongoing needs are consistent with the broader theoretical and empirical literature on other forms of trauma, such as the field of child abuse and neglect or adult sexual assault (Connor & Higgins, 2008; van der Kolk & McFarlane, 1996). As with other groups who have experienced pain and trauma, having society recognise what has occurred (i.e., naming it, and understanding how it occurred and its impact) is an important element in coping with and adjusting to the deep hurt they have experienced.

The National Research Study on the Service Response to Past Adoption Practices

On 4 June 2010, the Community and Disability Services Ministers' Conference (CDSMC) announced that Ministers had agreed to a joint national research study into past adoption practices, to be conducted by the Australian Institute of Family Studies. The focus of this study is on understanding current needs and obtaining information to support improved service responses for individuals affected by past adoption practices.

This is the largest study of past adoption practices ever conducted in this country.

Purpose of new national study

The aim of this research study is to utilise and build on the existing research and evidence about the extent and impact of past adoption practices with the aim of strengthening the evidence available to governments to address the current needs of individuals affected by past adoption practices, including the need for information, counselling and reunion services.

This study will complement the work of the History of Adoption Project at Monash University, which is focused on "explaining the historical factors driving the changing place, meaning and significance of adoption", particularly through its collection of oral histories.

Method

Information will be collected using an online survey, hard-copy surveys and in-depth interviews, and integrating results from across the different elements of the study. Interest in participating in the study can be registered via the AIFS website: <www.aifs.gov.au/pastadoptionpractices/index.php>.

In particular, the study will target a wide group of those affected by past practices, including mothers, fathers, adoptees, adoptive parents (and wider family members), and professionals involved in past practices (e.g., mid-wives, doctors, social workers).

What the study will provide

The study will:

- engage with affected individuals, representative bodies, service providers and relevant professionals—including psychologists, counsellors and social workers—to gather information from affected individuals through large-scale quantitative surveys and in-depth qualitative interviews;

- analyse information on the long-term impacts of past adoption practices as they relate to current support and service needs of affected individuals, including the need for information, counselling and reunion services;
- examine the extent to which affected individuals have previously sought support and services and the types of services and support that were sought;
- analyse the findings and present information from the study that could be used in the development of best-practice models or practice guidelines for the delivery of support and services for individuals affected by past adoption practices; and
- prepare a report for the Community and Disability Services Ministers Conference detailing the evidence collected.

The study is due for completion in 2012, with a final report to be provided to FaHCSIA in June 2012. It will detail the results and provide a sound evidence base from which information could be used in developing a national framework to assist states and territories to address the consequences of forced adoption policies for the mothers, their families and children involved.

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