Senate Inquiry into Commonwealth Contribution to Forced adoption Policies and Practices

Preamble to Submission
I Elizabeth Edwards on behalf of my late and former husband William John Edwards, our daughter Kim Elizabeth Edwards abducted from me in the labor ward before the placenta was expelled and our other surviving 5 children being citizens of the Commonwealth of Australia and a resident of the State of Victoria
As citizens of the Commonwealth of Australia my family and 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 us protection from unlawful and harmful actions that threaten our right to life liberty and Justice from those who would deny us these rights within, and without, the boarders of Australia

I would graciously request that you respect our right to name our baby and not block out this name it is not her adopted name. "Kim Elizabeth Edwards" is the name we gave to our baby and because a solicitor, who was unknown to us registered our baby as "Unnamed Toohey" It would also show respect for our marriage and what should have been our legal right to raise our own infant. I married the father of our child 11 months before the adoption order was made. At no time did my late husband William give his consent for our then legitimated baby to be adopted. (See Commonwealth marriage act Sect 89 (1).

In 1997 William gave a Victorian Politian his written permission to be named by the media in any endeavors to bring about justice and truth in the following matter.

He registered his daughter with Births Deaths and Marriages (BDM) as on 2.6.1998 as Kim Edwards then Kim Elizabeth Edwards on 27th November 2001 (BDM) cancelled the registration with the words **ADOPTED**. He did this to reclaim his parental and legal right that should have been respected on the 21st November 1963

All documentation connected to claims made in this submission are readily available upon request.

- We the Edwards family reject the adoption of our daughter/Sister and accuse both the Victorian and the Commonwealth Governments on the grounds that both

- The Commonwealth Government and The State of Victoria were/are complicit with the abduction of our infant

- obstructing our civil rights to raise our own infant in a way we saw fit

- By hampering our emotional well being.

- breaching the Commonwealth crimes act:

- the breaching of the National health act:

- The breaching of the Commonwealth Marriage Act

- Also aiding and abetting a policeman and his wife in what I have been informed and understand was an infringement of duty that led to his obtaining the seized diary belonging to the matron of Vaucluse hospital (...) and using the diary to procure children for adoption

- Failure to ensure that both William and I understood that in 1963-1965 under the 1958 adoption act we were both the legal guardians of our baby daughter until an adoption order was signed I am not focusing on her adoption alone but the way in which the separation of our first baby occurred i.e., forced separation, abduction, and duress applied thus negating the right of choice of an uninformed mother for the best interest of our child I was not at any time, either before or after the birth, informed of my/our legal rights or the existence of any options or choices with regard to the future of our baby

- During the period of my maternity in 1963 I was indoctrinated with the advice that if I loved my baby I would give it to a married couple.
- On the (...) **November 1963** I gave birth to a female child at **Vaucluse Hospital**

Moreland, Victoria. This was a private hospital however it was subsidized by Hospital and Charities see National Health Act

- I was not legally old enough to sign for treatments and my parents did not arrive at the hospital until **1P.M. on the** (...) **of November**

- The attending Doctor (...) , of (...) ordered the administration of Nitrous oxide, high enough to render me unconscious, as the final stage of the birth was imminent. I believe this was done to prevent me from having any experience of the actual birth of our baby. To this point there were no complications which would require this process in the interests of my comfort or benefit.

- Within an hour of the birth I was transferred from the Maternity Hospital to a General Hospital section in another building. I believe this was done to remove me from my baby and any association with the birth experience

- The head Sister (...) (...) had been giving me Sodium amatol for approximately a month before I delivered my baby as I was becoming depressed with my circumstances

- After delivering my baby daughter and her being withheld from me I was in shock so I was not surprised when the nursing staff administered medication. I was advised that I needed sleeping tablets and I was also aware of being given Morphine aspirin for "afterbirth pain"
  Failing to inform me, I was unaware of the DES being given to suppress my lactation, although I did become aware of this after my return home on the 3rd day to be placed in the charge of my Mother. No one sought my permission for this drug and it shows the intent to prevent my bonding or having any relationship with our infant. Nobody alerted me to the seriousness and I was not aware of the side affects.

- I recall being in a docile state of being, but I became alarmed when informed that Bill (William) would go to jail for carnal knowledge this information was immediately followed with a visit from an old man who addressed my parents and said I must sign the document I can only recall signing one document. see attached.

- I firmly believe (...) (...) (...) of (...) Melbourne breached his legal rights by registering our baby as "unnamed baby Toohey" furthermore I question the signature as being mine on the application

- I was coerced not to name my baby's father, **William John Edwards** (...) **Victoria** being told that he would go to jail, for carnal knowledge if I did,. Mr Edwards acknowledged paternity, he was 19 and I was 18

at the time, and we were engaged with firm plans to marry **We did subsequently marry on** (...) **/6/ 1964**

- Within **24 hours** of the birth I was coerced by the Medical staff, who were supported by my parents, to sign a form relinquishing all rights to our daughter**.** I did not receive a copy of that form or any other form or any other records of the birth, nor was I informed of my right to rescind the adoption permission, or to name our baby

- When I did receive a copy of the birth certificate I was shocked to see our precious little baby officially recorded as unnamed Toohey so I requested the immediate return of my baby. When I signed the consent (under duress) see adoption of children's act 1958 William had not been informed of the birth of his daughter. We were both the legal guardians of our child until the adoption order was made on April 13th 1965 she was then 18 months of age, yet three weeks after her birth, when we requested our baby be returned to us we were told "it was too late".

- Neither William nor I had seen or touched our baby despite my requesting her in the labour ward, when Dr (...) (...) curtly responded to my request with the statement "society will forgive one mistake" in other words the confiscation of our baby was my punishment.

- PLEASE NOTE Two years later when in labour with our third child I was not permitted to sign an anaesthesia permission form, even though I was in a life threatening situation, nor was I allowed to incur debt because I was under the legal age to undertake any form of legal contract

- I have been informed our baby **was handed to her adoptive parents within 5 days** of her birth, which contravenes the required procedure of allowing thirty days, prescribed time for rescinding my permission.

- The respective parties were legally bound to discourage me from taking such a drastic step that would affect my child, me, the father and all of our subsequent children, emotionally and permanently. This counselling or any other counselling was not given to us. Instead the Matron offered the services of her solicitor (...) (...) to take the "Consent to adoption"

FOI records show that although the Court appointed (...) as Guardian ad Litem, on **28th May 1964** a signed report from him was not submitted when the adoption order was signed on the **13th April 1965 by Judge** (...) If the Guardian ad Litem had carried out the legally required responsibility that he was

paid to do, having been given a copy of the he 1957 adoption of children rules 21 and 22 and investigated what was in the best interest of our baby, he would have found us married.

Fr (...) already had a conflict of interest because he had baptised our baby as (...) on the **21st of December 1963**

He accepted the responsibly of acting as guardian ad Litem, and despite the regulations requiring him to present a report to the court, ensuring adoption to be in the best interest of our child, at no time did he contact us.

We were always available by then my Husband and I were living at (...) (...) and I was fully employed by Vaucluse hospital in both Coburg and Moreland premises as a nursing aide, a short distance from his parish house. (Fr (...) failed to present a report to the court as he was posted to the missions)

- It is my belief that the people involved had already decided that if we were kept in the dark about our legal rights and the whereabouts of our child a Judge would deem adoption to be in our baby's best interest
- We have verily been informed that our child is not illegitimate nor do we consider KIM ELIZABETH EDWARDS to be adopted because of the Commonwealth Marriage act Sec 89 (1). The Child who had been abducted from us and handed to a policeman (...) had applied and been transferred to Port Fairy until after the adoption order was signed for Unnamed Toohey infant of Elizabeth Toohey. Infant Toohey did not exist, because **Baby Edwards** was the legal daughter of Elizabeth and William Edwards from the (...) June 1964 the date of our marriage of 11 months. I believe this adoption was not according to the required practices at the time that the legal rights of myself and the father were ignored, that because of the duress applied, the consent to adoption was not legal, that Williams consent was required, and our subsequent marriage legitimating our baby, that the adoption is not valid and that therefore no consideration was given to the rights of the child
- I would like to register a strong objection to the issuing of a new indistinguishable birth certificate to our daughter, which states categorically that her adoptive parents are her biological parents
- It is possible that my hospital file would have been marked **BFA *baby for adoption* or A for adoption,** this was a code generated to alert the labor ward staff not to allow a single and vulnerable mother to see or hold her baby. However because of restrictions upon FOI applications I am unable to access my medical file. Both the Late William Edwards and I have been informed in writing the Matron, (...) took the records with her when she sold Vaucluse Hospital to (...) .
- The 1958 Act stated a consent to adoption to be invalid if taken under duress I was threatened that my fiancé of 12 months William Edwards would go to jail for carnal knowledge, this was not true! I was eighteen he nineteen years of age, our baby was just twenty-four hours old. This act also ensured the father's legal responsibility until the

signing of an adoption order. This did not happen

- As a single parent and the legal carer of our baby I was entitled to receive a Commonwealth sickness benefit that paid one shilling less than the widow's pension, never the less I did not apply for welfare because I worked full time as a nursing aide until the day before I gave birth. I returned to work full time three weeks after being discharged from hospital. Bill worked at all times and was prepared to pay maintence for the baby and myself.
- We married when our baby was 7 months old at Our Lady's Catholic Church Ringwood, the Commonwealth marriage act stated that our marriage legitimated our daughter. Bill was not consulted as to the welfare of our child and although we were engaged to be married 4 months before conception took place William was not even documented on our daughter's birth certificate.

- Like so many other Mothers I did not see my baby.

  I did not hold her kiss her or even smell her.

  I need to forgive these people, I need to be heard.

  I need to be listened to in an inquiry into civil crimes in past adoption practices because as a single mother I had the same right to my baby as any other Mother who presented in labor. (...) This was not the case.

  Our subsequent children need to have the answer to why they were denied the right to grow up with their sister. They need to know that the State of Victoria holds their parent's marriage vows as real and sacred as the adoptive parent's marriage. This has not happen.

I was engaged to Bill and we had purchased a block of land in Melton, so when the matron (...) (...) offered me a full time position as a nursing aide with above award wages including penalty rates two days after I arrived at Vaucluse hospital I accepted the position.

I was told that one day *"I would marry and have a baby of my own"*! In other words I must deny I had a maternity. Our daughter's adoptive parents were given a baby **to own**. Our daughter was socialized that the people she had been **allocated were her** parents. Her identity stolen from her she had to deny her genetic history and live a lie.

Adoption is a huge delusion affecting many people, and little if any research has been carried out on the affects of forced separation We need the truth to be recognized so that as a family her brothers and sister also need to heal

Our family's scars are not visible; the torture of wondering where your child is and the question "is our baby alive or dead"? ….was always present to my husband and me. I can assure all of you that I did dissociate from the actual experience always feeling guilty about something I could not grasp. My children have had to endure a very angry and depressed Mother.

When our youngest child (...) developed phenomena I thought we were going to loose him

this traumatized me and triggered my loss of our first baby and I had a breakdown that lasted many years. Our older children were in their early teens and they wanted to bring their friends home. However it was a very humiliating time for them, because I used to sit on my haunches in a trance bearing down, I was unaware that I was trying to finish my original labour and neither did anyone else understand.

I became more distanced from my husband he had already been made to feel he was not capable to be a competent provider or parent and we were too fragile to last the distance, although we attended marriage counseling.

During this period of time I was forced to have a serious surgical procedure. I have been advised that I woke during the operation and they had to administer a stronger anesthetic When placed in recovery apparently I experienced "flash back"to the painful labor of our first baby where I used colorful language to blame William for my predicament of being alone. I have no recollection of this however my family, other patients, and nurses told me they were confused because I was yelling because I thought I was in labour but William was very hurt and humiliated. We argued and he left me after I was discharged.

Two days after he left I received a letter from our daughter "KIM" this is the name we gave to her and again I would ask that the you respect our right to name our baby and not block out this name it is not her adopted name We agreed it would be cruel to have just separated when we met her for the first time so we stayed together for twelve months. We were both so very damaged by the experience of the sterility of the whole experience and what should have been the most perfect time in our lives.

My daughter (...) has not had a relationship with me for over 20 years I do not know her 3 children I do not know the reason for this we have not had words I can only assume she feels embarrassed about me and it stems back to her teen years when I was a humiliation to her because of my emotional condition.. Having said this I am immensely proud of our family Our children were educated in Catholic primary and secondary schools two have degrees another two have completed advanced tertiary studies all hold very responsible positions, all bar one are married and have families, education is a high priority with their children one grandson is an employee of the RAAF However it would be naïve to suggest they have been unaffected by our tragic set of circumstances.

In 1999 The Bracks government came to power with a policy of an inquiry into past adoption practices however after discrediting the Minister of Community services Christine Campbell who insisted truth should prevail they dumped an inquiry, instead the Victorian State government argued there had been an inquiry in 1976 this is not true. How could there be an inquiry into crimes in adoption? Natural Mothers and their child had not received any information until 1999. Instead there was a review of adoption not an inquiry. However these practices were not isolated to Victoria they have been well documented Australia wide. In 1999 an Inquiry was held in the

COMMITTEE ON SOCIAL ISSUES INQUIRY INTO ADOPTION PRACTICES 1950-1998:
"Releasing The Past the Final Report

Lasting three years it was the second longest inquiry recorded in NSW history and where Justice Richard Chisholm testified that to withhold a baby from its mother breached the Commonwealth Crimes Act.. (See page 140

I also urge you to recommend governments *reconsider adoption* until such time as comprehensive studies have unveiled the facts about adoption.
First and foremost adoption by its nature requires stealing a person's identity, including an existing genetic history:
Therefore original birth certificates should be reinstated and an adoption certificate issued both, being legal tender, and importantly with the option for an adoptive person to choose at no cost to themselves, what they feel is right for them.

Furthermore comprehensive studies need to be carried out upon impacts upon Mother's, Father's, subsequent families, and last, by no means least upon the adoptive person.
Research needs to be carried out and stats gained regarding premature deaths of both mothers and children lost to adoption.

Realistic counseling with a genuine aim for truth and healing be introduced in every state at no cost to the consumer.

Plaques erected in a prominent place in each State (not a cemetery) acknowledging our dark adoption history.

Free meeting places made available both in the metropolitan and country areas for self help groups to assist people who continue to suffer from the abuse adoption has unleashed upon them.
Often people argue high moral ground, I would stress these practices have nothing to do with parental support for a single mother, the morays, or availability of social service allowances, being available rather it is about crimes in hospital practices against families single or married and this included the criminal intent by withholding information conducive to a mother being supported in every possible way to making the right decision for her own infant's future.

The way people treated a single mother and continue to treat a mother who lost her baby to adoption practices is a disgrace.ie I am termed a birth mother what is a birth mother, birth father, birth sister, etc, by definition it shows a gross ignorance of English grammar, yet Pru Goward has introduced it as officially authorized terminology by changing the lexis on child care and social security applications for funding.

Mothers and their children were never feeble minded contrary to claims recorded in the literature of the day, rather, when it came to adoption many authorities from interdisciplinary steams of learning were/are arrogant and showed contempt for a single mother and her child.

I pray that you will heed the words Moses recorded on the Mount Sinai "Thou shall

not steal" again Jesus said "suffer the little children to come unto me" his own mother was a single mother who like us chose to do the will of God and love one another and for that they placed us on the cross of adoption. "do people really believe that God places a baby in the wrong womb because the mother is single? "Do people really believe God to be capable of making a mistake"?

No matter what the outcome of this inquiry it will not bring our baby back, we will never be totally emotionally cohesive people, however absolute truth and acknowledgment will assist us to have a measure of peace knowing the historical records have been set straight.

Respect needs to be restored beginning with unblocking names in an inquiry that endeavors to honestly establish truth.

All documentation associated with the above claims is available upon request.

This is my personal submission but as the convener of Origins Vic Inc I request an appointment to further discuss our issues of crimes in past adoption practices that occurred during the "peak adoption period"in Victorian history.