Stolen Generations Alliance

Australians for Healing, Truth and Justice.

30th March 2011

Department of the Senate
PO Box 6100
Parliament House
Canberra ACT 2600
Australia
Email: community.affairs.sen@aph.gov.au

Re: Senate Inquiry into Commonwealth Contribution to Former Forced Adoption Policies and Practices

Dear Sir/Madam,

On behalf of the Stolen Generations Alliance (SGA), the peak national advocacy body for Stolen Generations, we ask for consideration of the attached submission to the Senate Inquiry into Commonwealth Contribution to Former Forced Adoption Policies and Practices.

We believe that is highly important for Aboriginal and Torres Strait Islander peoples to have equitable representation in this Inquiry. We understand that although there have been previous national Inquiries such as the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families (Bringing Them Home Report: 1997) that none of these Inquiries focused on past adoption policies and practices, especially in regard the experiences of mothers whose children were removed or for those whose experiences of these policies and practices extended into the 1980's. Additionally many of those affected did not make submissions for many reasons including lack of knowledge about those Inquiries, fear of Inquiry processes and overwhelming and unresolved personal trauma.

We know that the subject matter of this Inquiry is deeply distressing for many of those affected and the process of preparing a submission about such traumatic life experiences will take time and, in many cases, require external support which could take time to access and organise. We also believe that reasonable inclusion of Aboriginal and Torres Strait Islander experiences will assist to highlight whether experiences of forced adoption policies and practices were different between Aboriginal and Torres Strait Islander peoples and non-Indigenous Australians and that this will have great significance to any recommendations generated by the Inquiry for proposed service delivery ·

As a preview to our submission we would like to make the following responses directly to the Inquiry's Terms of Reference:

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

The SGA strongly believes the Commonwealth Government owed a particular duty of care to Aboriginal and Torres Strait Islander peoples both before and after the 1967 referendum which granted recognition in the census and some additional legislative responsibilities for Aboriginal and Torres Strait Islander peoples by the Commonwealth Government. The Bringing Them Home Report (1997) found that the separation of Aboriginal and Torres Strait Islander children from their families continued at least until the1970's. It is also widely acknowledged that forced adoption practices continued across Australia at least until the 1980's.

The Commonwealth Government was clearly responsible for both policies and practices relating to Aboriginal and Torres Strait islander peoples during this period and therefore must accept responsibility for any policies and practices relating to the forced adoption of Aboriginal and Torres Strait Islander children.

The SGA believes it is especially important that Aboriginal and Torres Strait Islander children removed through forced adoption practices but outside of the terms of reference for the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families should be considered as a specific group in this current Inquiry sharing some aspects of their experiences with other adoptees but also experiencing specific race and culturally based prejudices by those responsible for the policies and practices that facilitated their adoptions.

There can be little doubt that for Aboriginal and Torres Strait Islander children and families these practices were was a continuation of the Stolen Generations regardless of the fact that some of the public rationales and justifications or exact policies had changed over time.

(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

The SGA firmly believes the Commonwealth Government should take the lead role in developing a framework to address the consequences of forced adoption policies and practices especially as some of the responses may relate to agencies or government departments that are the responsibility of the Commonwealth Government. Some of the responses needed as noted in the recommendation at the end of this submission may be very similar to those required by refugees or Vietnam veterans and should be offered universally across Australia.

The Commonwealth Government should take responsibility for policies and programs relating to those affected by forced adoption as they currently do for refugees and Vietnam and other war veterans. Additionally if the Commonwealth Government takes the lead role in addressing these issues there is less likelihood of jurisdictional differences for any number of reasons.

In addition the SGA believes the Commonwealth Government is better positioned than most of not all state and territory governments to ensure that Aboriginal and Torres Strait Islander needs are met as part of the overall response to this Inquiry including ensuring ongoing support for representation and advocacy bodies such as the SGA without whom there would be no organisations able to ensure the specific issues for Aboriginal and Torres Strait Islander children and families are raised in forums such as this.

The SGA is appreciative of the opportunity this Inquiry has provided to make a contribution to our continued learning as a nation into the impacts of past policies and practices, particularly for Aboriginal and Torres Strait Islander peoples raise issues. We would be keen to provide any further information or clarification of our submission the Senate Inquiry team requires. Please contact our National Coordinator, Gillian Brannigan, to make arrangements for any further discussions, meetings and please address any correspondence to the postal address provided below.

Yours respectfully,

Jim Morrison and Tina Louise
Stolen Generations Alliance Co-Chairs

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Stolen Generations Alliance

Australians for Truth, Justice and Healing.

Submission to the "Senate Inquiry into the Commonwealth Contribution to Former Forced Adoption Policies and Practices", March, 2011.

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Introduction

Background:

The Stolen Generations Alliance - Australians for Justice Truth and Healing (SGA) was formed as an independent, national not-for-profit representative and advocacy organisation in February 2007 and incorporated in April 2008.

SGA is the peak national Stolen Generations advocacy body made up of a network of State, Territory and regional affiliate groups represented by elected Delegates and appointed representatives.

Constitutional Aims:

The Stolen Generations Alliance is an alliance of organizations dealing with the effects of the policies of forcible removal of Aboriginal and Torres Islander children from their families. Its aims are:

a. To support the process of healing among Aboriginal and Torres Strait Islander peoples who were forcibly removed as children and their families, Aboriginal and Torres Strait Islander communities and other Australians;

b. To advocate for justice for those who were forcibly removed, and for their families and communities;

c. To educate all Australians about the history and continuing effects of policies of forced removal;

d. To offer a role to all Australians who wish to work for these aims, drawing on the best expertise of Aboriginal and Torres Strait Islander peoples and non-Indigenous Australians.

Management Committee:

The SGA Committee structure has been structured in the spirit of Reconciliation:

- An Aboriginal/Torres Strait Islander[1] and Non-Indigenous Delegate from each State and Territory.

The SGA Executive consists of Office Bearers and two ordinary voting delegates:

- Aboriginal\ and Non-Indigenous Co-Chairs
- Secretary, Treasurer, and 2 x Executive members.

Additional Identified Membership of the SGA consists of:

- Alternate Delegates and non-voting Members including Network Members, Affiliated Organisations, Honorary Members and Regional Representatives

SGA have developed specific Portfolios relevant to the objectives of SGA, operating as Sub-Committees:

- Truth, Justice and Healing.

There is an option to convene Temporary Sub-Committees to perform specific tasks in response to important issues as they arise, such as the SGA Sub-Committee into the Senate Inquiry into Past Forced Adoptions, responsible for preparing this submission.

Employment:

- SGA employs a National Coordinator, who is currently based in south-east Queensland.
- SGA Delegates, Members and affiliated organisations undertake their involvement on a voluntary basis.

SGA Approval of Application:

At the Stolen Generations Alliance General Meeting held on Monday 24th January 2011 at 7pm (EST) via Teleconference, **the following recommendations were unanimously passed:**

- That the SGA formalise a sub-committee to prepare a submission on behalf of the SGA to submit to the National Senate Inquiry for Past Forced Adoption Practices.
  - Moved by: Heather Shearer, SA Aboriginal Delegate.
  - Seconded by: Tina Louise, Non-Indigenous Co-Chair.

[1] **Please note:** The use of the term 'Aboriginal Peoples (or Delegates etc)' is inclusive of Torres Strait Islander Peoples. We would like to acknowledge that the majority of our contributors are Aboriginal and therefore our submission strongly reflects experiences specific to Aboriginal peoples while also acknowledging that these experiences have a great deal in common with the experiences of Torres Strait Islander peoples, especially those brought to the Australian mainland

- That the SGA prepare a media release announcing our intention to prepare and submit a submission to the National Senate Inquiry for Past Forced Adoption Practices to appropriate media agencies including: The Koori Mail, Indigenous Times, Heart Magazine.

  - Moved by: Heather Shearer, SA Aboriginal Delegate.
  - Seconded by: Howard Edwards, Victorian Aboriginal Delegate.

It was further decided that the Sub-Committee comprise of: Heather Shearer, SA Aboriginal Delegate; Lily Arthur, NSW Non-Indigenous Delegate and Leonie Pope, Qld Network Member.

Experiences of Adoption

Foundation of Credentials:

SGA members, delegates, committee members and network members are leaders and workers in their own communities who have been integral in and to the development of the Stolen Generations movement established over the last 30-40 years.

We have members that:

- Are themselves stolen from their families through the whole gamut of Chronologically Recorded Government Policies and Legislative Frameworks.
- Are descendants of those who were removed, who have inherited trauma, anger, frustration, pain and even denial.

and

- Are caring non-Indigenous Australian People, who recognize the injustice this history has inflicted into the life of the First Peoples of This Land and/or have worked through their own experience of a similar aspect of Aboriginal and Torres Strait Islander People's history and who have volunteered their skills, knowledge and support, to work with Aboriginal and Torres Strait Islander Peoples and specifically Stolen Generations, their descendants;

Mothers:

The removal process many Aboriginal women endured who had their children taken from them for adoption, include sorrowful stories of lies, deceit, bullying and blackmail.

- Many were young innocents, often Stolen Generation children themselves, institutionalized or caught up in the whirlwind of foster care placements, who (when no longer under the "care of the Aboriginal Protector / Religious Institution / State Departments / Commonwealth Department") sent out into the world and left to fend for themselves many without life skills, opportunity for work, or a home to go to.
- It is also known that many young Aboriginal women were abused by their carers, and became pregnant as a result of these abuses, resulting in their children being taken from them without any consideration.
- It is further known that many Aboriginal women who had relations with non-Aboriginal men, had their children taken from them at birth - a shame of the white-man who in many cases, did not want anything to do with the mothers after they became pregnant – or did so, but were not considered in any way in the resulting decision to remove the child.

- There are also the young Aboriginal women who were introduced to alcohol, who lost their way with no capacity to care for themselves. There were experiences of rape, seduction and prostitution, as some continued to lose themselves in an alcoholic blur that they were not strong enough to escape.

These women and others who lived an isolated life away from their families, culture and homeland are the ones who lost their children to adoption, not through their negligence, but through their inability to deal with the environment of their changing world.

- Others were considered too young, unmarried or desolate. Subsequently they were automatically deemed unable to care for their babies.

Fathers:

The removal process gave little consideration to fathers, whether they were living as man and wife; or not in an ongoing relationship, but could be identified.

It is known that:

- many Aboriginal fathers were told their children had died;
- many fathers did not want anything to do with the child, because of their own denial, shame or guilt;
- many fathers tried to find their children, but were dismissed by authorities;
- many fathers do not know that they had a child.

Children (...)
:

Aboriginal children growing up in “white” adoptive families had a myriad of experiences that often left them isolated, alone, subjected to abuses and racism and misunderstood. They were different, knew it, and grew up largely knowing that they did not fit into the environment that they were living in.

Children persistently asking questions that were forever unanswered or did not make sense, impacted on family dynamics and relationships would break down.

Many adoptive parents of Aboriginal children never received ongoing support from Adoption Authorities after the adoption was formalized through the Court, and it has been said that while adoptive parents may have tried their best, as much as the Aboriginal child loved them, adoptive parents didn’t know how to support their Aboriginal child when the Aboriginal child knew they were Aboriginal, not their biological child, and wanting to know why they weren’t with their “birth/real” mother.

Lies were told to many adoptive parents, who through their naivety, or ignorance versus their desire for a child, reinforced what they wanted to hear, - “That your birth mother gave you up for a better life.”

Ironically, it was inevitable with the public awareness of the true situation of the Aboriginal people in the mid-60’s came into the conscience of “white” Australia, that adoptive parents and the child would hear truths about their people.

For many adopted Aboriginal children, as they grew into youth and adulthood, questions would lead to a division that would send the child into a path of self-destruction fuelled by feelings of rejection, guilt and low self-esteem, as they tried to search for their mother, and their identity as an Aboriginal person, without knowing where to start.

Many fell into abusive situations and many did not survive.

Link-Up services began to emerge in the early 1980's and later, changes in Adoption legislation that allowed access to identifying information opened up opportunities that gave a pathway and hope.

Reunions with their Aboriginal families brought a lot of other issues that can largely never be resolved:

- perceptions and accusations of living a flash life with rich white people, and not caring for their family, adoptive and/or Aboriginal;
- Realization of a huge family that you belonged to;
- Caught between two worlds, and two families;
- Not understanding anything about Aboriginal culture, family and extended family networks, or their history;
- Guilt of so many people hurt by your existence;
- Not being understood;
- Loss of language, cultural knowledge, ownership of placement in family structure, and in some cases, acceptance.

The Current Situation:

The SGA acts on the knowledge that many of the needs and concerns of Stolen Generations and their descendants still need to be addressed. The SGA is exceedingly aware of the deep and ongoing levels of trauma which continue to have devastating impacts for Stolen Generations.

The SGA is aware of the need to address this intergenerational trauma and is concerned that some families are now experiencing their sixth generation of removal.

SGA shares three basic principles as the foundation for its work:

- Truth - Telling the true stories, educating, learning and understanding;
- Justice - Righting wrongs through reparations, redress and compensation;
- Healing - Reconnecting and restoring identity, acceptance and belonging.

Many of the needs and concerns of Stolen Generations and their families have not yet been addressed as presented in the following Reports:

- *"Royal Commission into Aboriginal Deaths in Custody"* Report, (1991);
- *"Bringing Them Home"* Report, (HREOC;97), and
- *"Forgotten Australian's"* Report from the Senate Inquiry into Children in Institutional Care, (Senate: Community Affairs Committee; 04).

However, there were many Aboriginal people who, because of the nature of their removal or how their children removed from them - through Adoption, were left wondering and feeling isolated from acknowledgement, that their experiences were and are still in large today, not qualified to an identity or recognition, to the Stolen Generations. This is untrue.

SGA has been supporting people dealing with Adoption experiences to submit an application into this Senate Inquiry. We have provided Information Kits and undertaken a media campaign to raise awareness. SGA urges you to accept these submissions with the knowledge that many applicants do not have documentary proof that their Adoption experience was not legally enacted. Aboriginal people have learned truths of the events of their experience from their surviving extended family members. The mistrust of Government from the first colonies in this country is very much a current reality, and therefore, Aboriginal people believe Aboriginal people more so than what the Government tells them.

Unfortunately, there are many people who have been affected by Adoption that are no longer alive. Many have died of old age, accidents, illness and sadly by their own hand, through suicide, alcohol and substance abuse, and generally giving up on life. In the old saying, "It is the children who are the ones who suffer the most". The children we are largely referring to from the Stolen Generations Alliance are now in the age range of 40 - 55 years old. Many are parents, grand-parents and great-grand-parents.

The surviving mothers, fathers and children are getting older, remained strong and dedicated their work towards finding truth, justice and healing for themselves, while developing this movement for all. With the lowering life expectancy age of Aboriginal People, time is crucial for their story to be told, heard, and action taken for the wrongs to be righted. It is equally important to state that where wrongs cannot be righted, reparations and compensation must be considered.

The Next Generations:

The Stolen Generations Alliance is working towards Truth, Justice and Healing in the generations of today, that will benefit the future generations to enable them to live a full and meaningful life without the burden of cover-ups, injustice and trauma. We want our future generations to have pride, dignity and integrity in knowing who they are, where they come from, and their inherent identity as a member of the world's oldest living culture, in their own country.

Many generations are and will continue to be affected by the Forced Removal Policies of the past, as we try to come to terms with our past, survive today and try to think of a positive future for tomorrow. We have chronic health problems, generational substance abuse and increasing over-representation in the Judicial System.

To continue with the implementation of recommendations of the above-mentioned Reports, the Stolen Generations Alliance is networking with other organisations such as the Marumali Healing Program, Aboriginal Link-Up Network, Aboriginal and Torres Strait Islander Healing Foundation, Reconciliation Australia and National Congress of Australia's First Peoples, while bringing our young people and future generations into the work towards: Truth, Justice and Healing.

Conclusion:

It is not known how many other mothers are out there still too traumatized to come forward to begin the search for their children. We don't know how many of those children remain unaware that they have been adopted and are of Aboriginal descent, or have been told their mother died, that she didn't want them, or that they gave them up for a better life.

From both sides, the stories are many.

The experience of the extended family members are often overlooked, not by intention, but shadowed by the emotions of the new family member coming into their lives.

There have been many reunions held, and many people are still searching. For many, their search had a bittersweet end when the other party had passed away, leaving behind brothers, sisters and extended family to welcome them back into the family, sometimes with uncertainty, disbelief and total confusion.

Whichever the situation, one thing is known - that Adoption was a continuation of the *"Assimilation Policy"* that sought the merging of the Aborigine into the white community to genetically phase Aboriginal people out of the human race altogether.

Many of our people who have been affected by Adoption may not submit an application, so it is on behalf of them, as well as those who have that SGA believes our submission is vitally important.

Recommendations:

The Stolen Generation Alliance recommends the following:

1. That Aboriginal children removed from their families and adopted as a result of past forced adoption practices be recognised within the definition of the now known term, the Stolen Generations;
2. That the Inquiry acknowledge that Aboriginal and Torres Strait Islander experiences of forced adoption are an important component of this Inquiry especially as it's terms of reference extend beyond the time constraints of the *National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families* and the *Bringing Them Home Report*;
3. That any recommendations, funding, programs, compensation or other responses resulting from this Inquiry include specific consideration of how to best meet the needs of Aboriginal and Torres Strait Islander peoples affected by forced adoption and that any mainstream responses include Aboriginal and Torres Strait Islander perspectives such as social and emotional wellbeing as core principles in their development and implementation;
4. That the Inquiry recommend additional funding support be provided to existing and emerging Stolen Generations service providers such as Link-Up services and representative bodies such as Stolen Generations Alliance to ensure they are able to incorporate the needs of those affected by forced adoption practices;
5. That the Australian Government waive fees for Adoptees who wish to revert their names to their inherent birth name through Births, Deaths & Marriage Registers;
6. That the Australian Government provide resettlement support similar to that provided for refuges for adoptees removed overseas and now wishing to repatriate to Australia and this support be extended to their children and other close family members as appropriate;
7. That the Australian Government do all in is power to seek that the repatriation of Australian adoptees incarcerated overseas to enable to complete their sentence in Australia;

8. That the Australian Government commission research into the intergenerational impacts of forced adoptions similar to the studies already undertaken on the impacts for the descendants of Vietnam Veterans with a view to providing appropriate support services for any identified needs resulting from this research;
9. That the Inquiry wholeheartedly and publicly reject term 'white stolen generations' as offensive terminology that completely ignores the historical and socio-cultural aspects specific to the development and eventual acceptance of the term 'Stolen Generations' as well as acknowledging that the use of this term encourages ignorance and disregard for the specific experiences of Aboriginal and Torres Strait Islander children in relation to separation from their families;
10. That the Australian Government commission a report that evaluates the monitoring and implementation of recommendations relating to Stolen Generations, including implementation by state and territory governments and other government and non-government agencies in regard to the following reports:
    - *"Royal Commission into Aboriginal Deaths in Custody"* Report, (1991);
    - *"Bringing Them Home"* Report, (HREOC;97);
    - *"Forgotten Australian's"* Report from the Senate Inquiry into Children in Institutional Care, (Senate: Community Affairs Committee; 04);

and that:

The Australian Government include in this report an evaluation of relevant state government's responses to the implementation of recommendations of the following inquiries and reports:

- *Forde Inquiry "Abuse of Children in Queensland Institutions"*
- *"Releasing the Past Adoption Practices 1950 - 1998"* NSW Legislative Council
- "*Adoption and Related Services 1950 - 1998 Inquiry"* Parliament of Tasmania
- *"A National approach to mental health - from crisis to community"* Select Committee on Mental Health Inquiry 2006 (pages 288 - 291) Refer to and apply recommendations 1, 3, 4, 13, 22, 28, 29, 37 and any other recommendation that would apply to forced adoption

7. That the Australian Government legislate against the removal of newborn Aboriginal and Torres Strait Islander children in hospitals by state departments
8. That the Australian Government legislate against the removal of adopted Aboriginal and Torres Strait Islander children from Australia

List of Attachments:

1. SGA response to "Impact of Past Adoption Practices" Summary of key issues from Australian Research – FINAL REPORT.
2. Origins Inc Newsletter.
3. Directors Report to the Queensland Parliament (excerpts) 1968,1969,1970,1971, 1972,1973

4. Media articles
   - Letter “Deciding between two mothers” - origins unknown;
   - “Should she adopt an Aboriginal” Supplement to Australian Women’s Weekly, Nov 16 1960;
   - “The drifter in two worlds” Barbara Richards: Woman’s Day March 31;
   - “The Aboriginal Cinderella” Isabel Carter Woman’s Day September 8 1958;
   - “Maids of Honor” May 6 1959 Australian Woman’s Weekly;
   - “Aboriginal children feel different” Yvette Steinhauer: Sydney Morning Herald 29 Feb 1989;
   - “How can anyone resist Linda” Woman’s Day 1 August 1968 Article Woman’s Day (date unknown)
   - “Tell the adopted child” Woman’s Day 1957;
   - “Baby Jill” the light of our lives The Australian Women’s Weekly 19 November 1975;
   - “$38 For a New Daughter” 15 Jan 1969
   - “Unwanted Children set problem” Sun Herald 1970
   - “Black adoption plan winds down” NT 2 June 1979
5. Eighth Annual Conference of Child Welfare Administrators Perth 1967

(5a). Summary of Proceedings of the Ninth Annual Conference of Administrators of Child Welfare Canberra ACT April 1968 SGA response to “Impact of Past Adoption Practices” Summary of key issues from Australian Research - FINAL REPORT.