

Department of the Senate P.O. Box 6100
Parliament House, Canberra, ACT 2600 Australia.

26 May 2011
Dear Senators,

I have previously submitted a submission number 123. At the time I was very emotional and under a great deal of stress as I recalled past events and feel I did not provide enough information, documents and evidence to support my claim of an illegal adoption. I would like this submission listed under my name and listed as a separate submission.

My daughter was born at Mater Hospital Crow's Nest on 1 Oct 1967. I given the drug "Pethilorfan" This drug was normally used for forceps deliveries and as I had a short labour and normal birth it was not necessary. I believe it was given to me to block out a memory of the birth. As I have no memory of the birth I can only say it worked - but why did they need to do this?

"A satisfactory technique to be a slow intravenous injection of pethilorfan, 100 mg., together with chlorpromazine, 12.5 mg., given before commencing a pudendal block. The delivery is greatly facilitated by the resultant muscle-relaxation and euphoria. The amnesic effect observed by Captain Smith and his colleagues is most marked in that the mother is co-operative throughout the delivery, falls asleep after the third stage, but remembers little or nothing of the procedure."

British Medical Journal Dec 9 1961 p1573

At the time of signing the adoption papers I was listed as being "quite emotionally disturbed". This is the first clue that things are not right with this adoption. On my notes made by the Social Worker, I was considering placing my child for adoption, though the Social Worker notes:

"She is a girl of depth who may well produce other feelings at the time of confinement"

At the time of taking my consent, the Social Worker reports.

"Patients consent taken on 2.11.1967 she was quite emotionally disturbed and confessed to two other pregnancies - one a miscarriage and the other a male who was adopted. Patient has considerable guilt and is self punitive to a degree. Her feelings were dealt with as sympathetically as possible. "

I would like to point out that I would never have told her I had a miscarriage because I had a stillborn baby at 32 weeks. The result of being raped by a long time boyfriend. I was 18 years old and a virgin. The Social Worker even belittled this.

"Patient telephone several times to see if the baby had been adopted. "

Later - "Patient called after the clinic - She was rather upset that Baby had finally gone

and had not been able to see her again. She expressed further guilt and feelings of hopelessness and unworthiness as to her prospects of marriage. She seemed to be feeling depressed about the realities of her position and work and otherwise.”

At the time of the phone calls it was clear that I didn't want to lose my baby and the Social worker could have advised me about what financial assistance there was along with foster care until I was on my feet. She could have also advised me about revoking my consent but not at any time did this person help me in anyway. All she was interested in was getting my baby. I would like to add further information, which she has not detailed.

I tried everything in my power to keep my daughter but came up against a brick wall because I was never informed of any aids or financial assistance to help me keep her. I repeatedly phoned the father of my baby, hoping that he would help me, without response.

The Social worker made comment that I couldn't see my baby AGAIN - I never saw my baby because it was forbidden. I asked repeatedly but was told “No”. It would have been the Social Worker who enforced this rule. The fact that I was forbidden to see my baby meant that my baby was marked for adoption before it was even born; therefore, the decision was out of my hands. The fact that I was not allowed to see and hold my baby makes this clear. The nursery notes dated the day of birth shows “Babe for adoption” This would be a sign for the nursery staff.

I was in a ward with five other girls; none of us were allowed to see our babies. One kept telling us that she was keeping her baby and couldn't understand why she was not allowed see it.

The Social worker noted that she had contacted the local priest to see if I could join the Catholic Youth club. This was such a ridiculous thing to do and showed her complete lack of understanding of how I felt at losing my baby. For many, many months after the birth of my baby I cried myself to sleep every night, my hair started to fall out and each night I prayed to die. Joining a youth group would not have stopped this.

Illegal Adoption.

I would like to include the following evidence and documents as further evidence of illegal practices.

Looking back on my papers and the research I have done I will now explain how illegal this adoption was.

My Ante Natal Papers were marked - Known to Almoner

Apart from the Labour Ward Sheet my other medical records during my time in hospital were destroyed.

My baby's chart was noted “babe for adoption”, dated the day she was born. This was an assumption on their part that a final decision had been made before the birth of the baby. I was “quite emotionally disturbed when signing”;

My signature was taken under duress as I had not seen my baby after the birth or at any time before signing the documents.

I was forbidden to see my baby before or after the papers were signed.

I was not offered any assistance of any kind;

I did not sign Form 9, which informed me of how to revoke consent and that I relinquished all rights to my child.

I support this claim with letters from Centacare, the solicitors handling the adoption and the Supreme Court of NSW along with a copy of Form 9 from the Catholic Adoption Agency

I signed Form 7 which was General Consent for Adoption and Form 11 which was a request to make arrangement with view to adoption.

None of the Forms I signed state the following

I have no further claim on the child and have no right to see or get in touch with the child.

I have relinquished all rights as the parent of the child

I have no legal redress under any act in Parliament

My child was not registered in the name I requested, but was registered as my own name. This greatly distressed me as I knew the name I had called her. Both names appear on the adoptions papers - [redacted] also known as [redacted]

According to the New South Wales Adoption of Children Act 1965 as amended) the mother was to sign Form 7 – General Consent and then Form 9 - to make arrangements for adoption of the child – This form included the following

I have no further claim on the child and have no right to see or get in touch with the child.

I have relinquished all rights as the parent of the child

I have no legal redress under any act in Parliament

I have also been informed and fully understand that I my revoke my consent....

Where the person witnessing the execution of the instrument of consent that was a general consent to the adoption of a child was not an officer of a private adoption agency or an officer of the Department, the person executing the instrument shall, within seven days after the execution, give the instrument together with the request in Form 9 and a notice in Form 11 to the Director or principal officer of a private adoption agency.

DEFECTIVE CONSENT

31.1. (d) The person giving or purporting to give the consent or not, at the time the instrument of consent was signed, in a fit condition to give the consent or understand the nature of the consent.

In relation to consents the Adoption of Children Act included the following procedural requirements.

- . Consent must be given by each person who is guardian of the child
- . Consent should not be obtained by fraud, duress or other improper means
- . The consent document should not have been materially altered
- . The person giving the consent was at the time of signing the consent in a fit condition to give the consent and understood the nature of the consent.

The Catholic Adoption Agency did not abide by any of the above.

In 2009 Margaret McDonald who was the principal acting officer of the Catholic Adoption Agency spoke about Adoption on the ABC Program titled, "Hindsight". During the program, Margaret McDonald claimed that: 'The emphasis in taking the consent was that the mother had a clear understanding of the document that she was signing.' She also maintained that: 'She (the mother) had to sign the Form 9, and on the Form 9 it would say, 'On the adoption of my child, I have no right to see or get in touch with the child, I am no longer a parent in this...'

In the NSW Inquiry, Releasing the Past, Adoption Practices 1950 – 1998. Margaret McDonald reported

"While her agency would not have withheld information about options, they did not routinely inform mothers"

"The simple truth was that discussion of options was outside our frame of reference, unless the mother herself indicated uncertainty about her decision"

Ms McDonald told the Committee that the obligation to inform the mothers about the revocation rights became an "almost sacrosanct pillar of practice"

She said "I was also very careful to explain to them the facilities for revoking the consent, giving them the telephone number and address of where they had to go and working out the dates before which they had to be that. No one went away without this knowledge"

How could I possibly have a clear understanding of the document when I didn't sign it? How could I make an informed decision when I been forbidden to see my baby and was "quite emotionally disturbed" My signature was taken under duress. To be forbidden to see and hold my child was illegal. I was her legal guardian and from what I can see and find I never signed those rights away.

Mothers were to be given a copy of the form they signed but I never received this.

By 1956 the book titled Children In Need by Donald, commissioned and endorsed by the then deputy Premier of New South Wales The Honourable R.J. Heffron, Deputy Premier and Minister for Education in New South Wales, to outline the prodigies and advances made by the Department of Child Welfare in the care of deprived children of New South Wales, explains very clearly the responsibilities of the district officer toward the unmarried mother. These regulations explain that:

"A mother giving consent must be fully aware of the import of her action and, must be emotionally and mentally able to appreciate all the implications of such consent. A consent should not be taken if there is any suggestion of indecisiveness or that she has not given sufficient consideration to the matter". "To avoid any misunderstanding or any suggestion that the mother was misled or uninformed, District Officers are instructed to explain fully to the mother, before taking the consent, the facilities which are available to help her keep the child. These include homes licensed under the Child Welfare Act for the private care of children apart from natural parents, financial assistance to unmarried mothers under section 27 of the Child Welfare Act, admission to State control until the

mother is in a position to care for her child, and assistance to affiliate the child and obtain a maintenance order against the putative father." And
The new Adoption of Children Act 1965 then added offences clauses into legislation against coercion, duress, and undue influence to prevent exploitation of mother and child by unscrupulous baby traders the

When I applied for the prescribed information in 1995, they only sent papers relating to details of the adoptive parents. I rang them again and they sent a bit more. I had spoken to other women and they had received their personal information so I rang again. This time I was told they did not send my personal notes because they might upset me. I believe this was invasion of my privacy because they were my notes, not theirs and therefore they should not have been reading them. I will also add that the woman dealing with this issue had been a Consent taker. I then received my personal notes along with Form 7 and Form 11 which I had signed.

Due to much ill health because of the adoption issues and meeting my son and talking to my daughter for the first time, I had a breakdown and spent many months having counselling and then spent a long time in St John of God Hospital at Burwood. While medication did help me to manage, there was no one who really understood what I was experiencing. The trauma of losing my children was being played out in such a way that I could not work and it took many years to be able to function so that I could once again approach the matter of my daughter's adoption.

As you can see from the correspondence, I wrote a lot of letters and made a lot of phone calls and in the end discovered that

I applied to the Supreme Court; they sent all papers relating to the adoption. There was no Form 9 so I wrote again, this time they advised that there was no document showing how to revoke consent. They advised me to write to the Adopters Solicitors. I did this and they said all papers relating to the adoption were sent to Centacare. Centacare replied that they didn't have adoption papers for 1967. I then travelled from Bathurst to Sydney to discuss this problem with Centacare and obtained a copy of all papers they had on file. They had my personal notes along with Form 7 and 11. but no Form 9. I later obtained an unsigned copy of Form 9 so that I could understand why I was suppose to have signed. Their website states the following:-

"The Adoption records held at Centacare Adoption Services goes back to 1967."

It will not bring my daughter back but it will give me the peace of knowing that she was taken from me illegally. Never at any time did Centacare treat me as anything but an unmarried mother who had to cry and beg to get information out of them. I felt like I was nothing, and no one of any importance. I took me right back to when I lost my children.

Thank you for taking the time to read my submission,

Yours faithfully,