

Further Information to the submission from Origins Inc Supporting People Separated by Adoption to the Senate Inquiry into Pregnancy Counselling

The Review of the Adoption of Children Act 1965 was conducted by the NSW South Wales Law Reform Commission (Report 81). It commenced on 1 December 1992 and was completed on 31 December 1996. Report 81 was published in March 1997.

2. Part of the Review of the Adoption of Children Act 1965 had included a review into past consent taking procedures. The New Adoption Bill and its consequent Adoption Act 2000 made amendments to the adoption procedure to ensure that the abuses of past adoptions procedures, would never be repeated.

3. While both the Supreme Court and the New South Wales Court of Appeal were dismissing a claim in negligence from a mother who had lost a child to adoption , the NSW Law Reform Commission, a Department of the Attorney General, had simultaneously made recommendations for legal reasons, that in future, mothers considering adoption should be warned of the risk of PTSD in the drafting up of future information pamphlets on the option of adoption.

<http://www.lawlink.nsw.gov.au/lrc.nsf/pages/R81CHP5>

Chapter 5 - Consent to Adoption. page, 159

5.76 The birth parents' pamphlet should place more emphasis on the psychological effects the relinquishment can have on birth mothers both in the short term and, more particularly, the long term. Serious attention is now being given to the link between relinquishment and the development of post-traumatic stress disorder in birth mothers.⁵⁹ The range of psychological effects of relinquishment could be detailed specifically. The written information should direct birth parents to contact numbers for counselling and birth parent support groups, members of which have experienced relinquishment.

4. However, according to the Hon. A.D. Bridges (Minister for Child Welfare) the psychological consequences of relinquishment have always been known. In his presentation to Hansard on 8th December 1965, when drafting up the Adoption of Children Bill, the Hon. A.D. Bridges stated the following: The natural parent, regardless of their social or legal status, should have the opportunity to full consideration of all the factors involved, including the legal and psychological consequences of their decision to surrender or to retain their child before a decision is finally made.

Submitted by Lily Arthur Co-Ordinator Origins Inc SPSA
02 9604 7006