

SENATE INQUIRY SUBMISSION

From: Helen Anne Moran

Address:

Sent: Monday 7th April 2008

To: Legal and Constitutional Committee (SEN)

Subject: Inquiry into the Stolen Generation Compensation Bill Senate Inquiry 2008

Dear Committee members,

I am a Stolen Generations survivor and I descend from the Wiradjuri and Wongaibon Nations of Central NSW. I was removed from my family in 1960, by the NSW Welfare Department and through the Court System that identified my siblings and I as neglected child. My Aboriginal Grandmother asked for custody of me and was refused, my Grandmother, Grandfather, Mother and father never saw me again, they are all Dead.

I was fostered by three different families in the first 18 months of my removal and remained with the third family until the age of sixteen. This family adopted my twin brother and I in 1970 after our natural mothers death.

I have several concerns regarding the Bill and definitions and interpretation and the need for further explanation and clarity in a number of areas.

What is the definition/interpretation for Institution is and also I would suggest that this be included in section 3 Interpretation.

What does institutionalisation refer to, is it only those children who were institutionalised in homes, or does it include fostering and adoption.

I ask this for two reasons, first, and I can't remember where exactly I have read this, I think it may have been in the Link-up report, but I have seen the term institutionalised defined to include those children who were fostered/adopted as well as those who were literally placed in institutions.

If it does only include those placed in institutions then this excludes all children who were placed in foster care or adopted. The implication being that those children fostered or adopted can only claim the common experience.

If the term institutionalised refers to Fostered children and not adopted how would this affect their claim in years ie (\$3000 per year for each year of institutionalisation) if they go from fostering to adoption or were adopted directly from removal, this would also limit those children's claim outside the common experience.

My concern here with the difference between adoption and fostering is that adoption removes the states responsibility of the child. Therefore they may well no longer be recognised as being institutionalised. The issue I believe is that fostering and adoption in regard to removal and placement and the effects on Indigenous children regarding their identity and cultural loss and capacity for restoration with family and community is no less affect, whether they be institutionalised in an institution or a foster placement or adoption process.

In regard to section 3 Interpretation I feel that the term Stolen Generation as it is used in contrast to Stolen Generation(s) should also be included, to understand why there are both and why the pluralisation is committed.

I thought it would be advantages to all to add the Aborigines Ordinance 1911 or 1918 or part there of as an appendix to the bill.

Section 4 (3) Does this include those who have applied for or succeeded in a Stolen Wages claim, that has been couched as a compensation / reparation scheme.

Stolen Generations Survivor, Helen Anne Moran