

## Association for Adoptees

## Submission

Child Protection and Other Legislation Amendment Bill 2020  
Adoption.Association for Adoptees  
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To The, Committee Secretary  
Legal Affairs and Community Safety Committee  
Parliament House  
George Street  
Brisbane Qld 4000

This submission is in response to the proposed bill.

- Enhance the approach to permanency under the Child Protection ACT 1999.
- Clarify that adoption is an option for achieving permanency for children in care, as part of the suite of alternative long term care options available and
- Clarify that importance of and promote alternative permanency options for children under the long term guardianship order to the chief executive.

Association for Adoptees is a lobby and support group established for adoptees affected by domestic and overseas adoptions and was formerly known as WASH ( White Australian Stolen Heritage). We have played an integral role in setting up the senate inquiry into Former Forced Adoptions, State and Federal apologies, The Royal Brisbane Women's and Children's Hospital apology and memorial, Without Consent Exhibition, and memorial and anniversary events held at the Roma Street Gardens Brisbane. We also take part in the stakeholder meetings held with the Department of Child Safety, Youth and Women, Adoption and Permanent Care Services.

WASH was established prior to the Senate inquiry into Former Forced Adoptions, in response to the countless numbers of adoptees that reported abuse by adoptive parents and the failure of government to respond, recognise and address the immense trauma caused by such abuses.

Association for Adoptees was established after the Senate inquiry and state and federal apologies, broadening its scope of support to include all adoptees affected by adoption. We also conduct an online support group called #Adoptionredressnow, whereby any person such as mothers, fathers, adoptee's and other family members affected by adoption can discuss the importance of redress and compensation within the healing process.

Association for Adoptees, have a number of concerns to the proposed bill, especially in-light of the fact that many of our issues, needs and concerns have not yet been acknowledged, despite repeated requests made to all governments to do so. In addition we feel a number of recommendations from the senate report into former forced adoptions have also yet to be fulfilled and feel that rectifying these matters are paramount for our continued welfare.

### Current Adoption Models, Are They Acceptable?

We wish to strongly state, that the government should not consider adoption above other forms of care for achieving permanency for children. We do not believe it best suits children with long term care needs. We disagree with adoption within its current form where birth certificates are changed and a new one issued, and where children are permanently and legally separated from siblings, and other relatives. Adoption grief, loss and trauma is lifelong and generational and so far all governments have failed to provide adequate services for current victims to address the many problems adoptees face. Currently there is a chronic lack of services and very few adoption trauma trained counsellors available. Any move to towards adoption regardless of the model, or the number of children placed for adoption would still require an urgent increase in funding for services and extra training and education implementation to meet current needs.

We also hold grave concerns that there are no checks and safety measures in place 12 months after a child is placed for adoption. Adoption is not the same as raising your own biological child, it comes with its own set of problematic life challenges, emotional trauma's, and difficulties. All adopted children suffer from differing levels of trauma, grief and loss and their needs are decidedly different to biological children by the very nature of their adoption. As adopted children grow there will be a number of challenges and experiences that the adoptee and adoptive family will have to face, that biological families and their children will never face. It is not enough to remove children from harm only to create more layers of trauma through ill supported adoption placements. Tucking children away and assuming the book is closed, is grossly inadequate and irresponsible given that adoption impact is a life long issue. The support required must equal the impact that adoption poses upon the adoptee. If adoption is meant to be for life, then the support must be provided to meet the life long mental health and well-being of an adopted person.

We urge the government to put mechanisms in place to adequately respond to the whole spectrum of adoption over a life time, and not just to the front door of the adoptive parents home. So much more needs to occur after the adoption takes place. Adult adopted people with a lived experience over their life time, have reported that the losses attributed to adoption does not decrease in age but increases. We have experienced the full life long impact of adoption and understand fully how it is fraught with so many short comings and dangers. The failure to provide adequate services put many lives at risk and creates a life time of pain and suffering, and attributes to a number of deaths amongst adopted people..

### Lack of Services for Adopted people

Currently there are many short falls in education and training in the mental health field and this is reflective of the fact that adoptees are 4 more times likely to suicide than non adopted people and experience greater decline in physical and mental health, family relationship breakdown, substance abuse, domestic violence, abuse, and incarceration etc. There is little to no training and education on adoption trauma, leaving adoptees unsupported in many areas of their life.

**As stated within the permanency and stability for children in care; Adoption from care requires significant consideration because it forever changes the child's legal identity, including permanently cutting ties with the**

child's birth parents and siblings.

In light of the fact that a child is separated and ripped permanently from all their biological family members, it would only stand to reason that the child will suffer a great deal of trauma separation. If counselling and support is not offered for their entire childhood to cope with such trauma, how can the following statement be true.

**Department consultation draft statement: Maintaining that the main principle for the administration of the CP ACT is the safety, well-being and interests of the child, both through the childhood and for the rest of the child's life is paramount.**

### Responding To Adoptions That Go Wrong

Adoptees, have been refused involvement in every inquiry and royal commission into abuse. The Senate inquiry committee into former forced adoptions heard from a number of adoptees that they had suffered abuse within their adoptive parents home, yet the Queensland government has so far refused to acknowledge and apologise for such abuses. This has meant that there is a short fall in service delivery to those affected and those who could get help are not getting it.

WASH submission stated that; Adoptees are afraid to speak for fear of not being believed, because they know and understand that as a society a myth has successfully been perpetuated and still exists today. That myth is, "that all children adopted were/are deeply loved and cherished. When we speak with claims of abuse or mistreatment we challenge deeply ingrained concepts about a group of people we as a society have not dared to question before. Adopters are the nicest of people with only the kindest intentions. They are gallant heroes of orphaned children from unloving, neglectful, abusive parents. To actually break the code of silence and speak the truth of abusive or neglectful adoptive parents is one of the most daunting, terrifying and heartbreaking challenges an adopted child or adult could make. Adoptees risk everything by speaking out. They risk losing yet another family all over again and being torn apart by disclosing any ill treatment. Adoptees will often stay silent and endure years of abuse for fear of rejection and abandonment, ridicule and being branded ungrateful.

Adopted people reported a lack of adequate screening of adoptive parents and no follow up, that put many children placed for adoption at risk. These adoptees concluded, that when people in power give unfettered confidence in a group of people without accountability it can and does result in abuses occurring. Adult adoptees today are still suffering untold pain and trauma of unsafe past adoption practices which created and enforced adoption victim silence. We cannot express strongly enough the importance of ensuring the safety of future generations of children who we fear will be adversely affected, and disadvantaged if adopted under current models.

We feel children are better protected by the safety measures in permanent care arrangements, where there is oversight and continued support for the child's life. This arrangement better protects vulnerable children from any further harm. Permanency care arrangement's do not alter the child's birth certificate or separates them from their biological family for life and creates enhanced supports especially for children with disabilities. It does not sever them legally from siblings or grandparents who's continued relationship in their life is also integral to their emotional well-being. No Child needs, nor wants their entire identity wiped, or their biological family and heritage stripped from them to create a safe, loving and permanent home. Permanency care, guardianship and kinship care does not strip a biological child from family belonging, inheritance rights or cultural and religious importance.

## The illusion of Permanency and Stability

Once a child is placed for adoption it is almost impossible for that child as an adult to discharge their adoption. The laws around discharge are discriminatory and seems created to discourage and dis-empower adopted people from regaining their legal identity and returning to the family they were taken from. The adoption act states that a child over the age of 10 can contribute to their own adoption based upon their maturity and understanding. Yet, a mature adult adoptee is treated like a child when they are confronted with the unreasonable barriers to sever their adoption contract. A contract to which they were never party to or agreed upon. An adult adoptee must make an application for discharge before the "Supreme Court", however their adoption was made within the "Children's Court". If a child (under the current adoption act) can be given the right to agree to an adoption at such a young age, with limited understanding of the full implications. Then why is an adult, who fully grasps their actions through maturity and lived experience being treated as if they do not understand the implications to undo an adoption, and instructed via the courts that their biological and adoptive parents need to approve and or be involved. At 18 years of age, you can get married and go to war without parental consent; And to add more injury to insult, our adoptions were brought about by threats, force and fear plus many mothers were under age when consent was taken.

The fact that there are so many barriers around discharge of adoption, gives the impression that adoption is a better option, giving an unfair representation based on the stacked deck to conceal and hide the truth, by legal means, and unjust laws. So few adoptee's know or understand that discharge is even an option, the emotional and financial barriers that exist, the lack of legal understanding, and limited substantial supports, and refusal to discharge by bias magistrates, creates the illusion of adoption permanency. When a person is unable to choose their own free right to become un-adopted, regardless of circumstances and reasons, then that adoption becomes a reinforced, forced adoption. To the adoptee it is regarded no less than a forced marriage, devoid of love, and free will choice, held captive by unjust laws and a violation of human rights.

Adoption may tie a person legally to a family and give the impression of permanency, however adopted people often testify otherwise, as the psychological trauma of adoption creates a psychical and mental separation within the adoptive family, in a varied of ways. Adoptees often report never bonding to adoptive parents, feeling as if they do not belong, being misunderstood, never being heard, not fitting in, the black sheep, being ostracised and specifically excluded by family members and never accepted as blood family. This is often compounded if a child is born from another country, carries different genetic factors from the adoptive family and or are bi-racial.

Adoptees have reported being denied inheritance rights and locked out of family legal affairs within the adoptive family. Biological children of the adoptive parents have also excluded the adopted sibling, by diminishing or dismissing the adopted sibling relationship to the adoptive parent when they die, by not allowing involvement and decision making in funeral arrangements, or when placing parents in aged care or involvement in medical decisions on their behalf.

Other times adoptees are made to carry the whole burden for sick, frail and mentally unwell adoptive parents alone. The threatened loss of an adoptive parent, is often extremely overwhelming for the adoptee as they are confronted with the unresolved grief, loss and trauma of their biological parents. Biological children and family members can deliberately or inadvertently take advantage of an adoptees sense of over responsibility, and fear of rejection and abandonment in family dynamics. In addition, if a child played an active role in consent to their own adoption, they

may feel a disproportionate amount of guilt when a biological parent or sibling dies, feeling that they had abandoned them for a better life. All of these factors will play havoc on an adoptee's psychological well-being and erode their capacity to function at healthy levels, leaving them to constantly face the never ending fight to belong.

Adopted people often express how they had no say in their adoption, and feel that they cannot express their needs and feelings to adoptive parents, often giving the perception that they have no issue with their adoption. As a support lobby group we have been involved in many adoption reunions since 1982 and have an extensive understanding of the life lived by adopted people. Despite whether adopted people love their adoptive parents or not, the majority of them will secretly seek out their biological parents, siblings and other family members. Adoptees report the inability to discuss their need to search with the adoptive family, as they fear rejection, ridicule, emotional blackmail and being branded as ungrateful. The past adoption research study into past adoption experiences page 114 Divided loyalties: A relatively significant proportion of the study participants said that they have in fact waited until the death of their adoptive parents before they contemplated searching for their family of origin, either out of respect to their adoptive parents and/or because they did not want to upset them.

Past Adoption experiences: National Research Study 2012 page 121 : It is clear from the accounts of adopted individuals that they have rarely felt that their experiences have been validated or viewed as being of any real importance-that the effect that their adoption has had on their lives (both positive and negative) has not been included in the nations broader discourse around adoption. Many stated that they never felt that they could talk about their experience because no one ever recognised or acknowledged their loss (of identity, of family or history, etc) Adoptees in this study showed a higher than average likelihood of having a mental health disorder than the general population, and qualitative accounts of mental health and well being support these findings.

The NSW government inquiry into the barriers to local adoptions, refused to accept the submissions of adoptees affected by former forced adoptions or hear from any adoptee who had concerns about adoption. We believe the failure to accept the voice of adopted people in such a significant inquiry was a deliberate act, to ensure the desired outcome was already agreed upon by those with the specific agenda for adoption. We believe that all of these issues we have raised here exposes the deep concerns around the created illusion of permanency and stability that people believe adoption creates. We in no way can address all these issues related to this matter within this submission. Adoptee's hope that the Queensland government is not playing the same deck of cards, that we experienced within the NSW inquiry where they refused to allow our submissions to be considered and included.

Any idea of removing children from biological families should always be treated with the most stringent, rules, regulations and requirements, because you are dealing with a human being who is created from their own personal unique DNA ancestry. Every person is uniquely connected to his or her parents, siblings, grandparents, aunts and uncles, and cousins, via a complex web of DNA structures that are physical and psychological, reaching into generations. If we fail to respect this connection and do not treat it with the utmost care, attention and the respect it deserves, then we are committing a crime not just against the child removed, but also upon the generations of children to come.

The greatest pain and suffering that we have seen and endured as adopted people, is the fact that many end up being left with no family to belong to at all. The inability to belong to the adoptive family, and to successfully reunite with biological family have left adoptees facing a life alone. The illusion of permanency and stability is played out every day in the trauma filled life of adopted people, who's voice and truth is silenced and buried in every failure of government to acknowledge and hear us. The truth for many adopted people is there is no such thing as forever families, and this

is because adoption separation and trauma is not acknowledged, and supported through out our life. In addition, adoptive families do not receive on going services to help educate and skill them to maintain strong connections to adoptees and meet their life long complex needs. Most adoptive family breakdowns occur in adulthood, well outside the scope of oversight, intervention and support.

### Would Simple Adoption, Be So Simple

No child can grow up healthy and well-adjusted adult if we as a society, demonise, or devalue their biological family and heritage. The key should be how can we keep children safe without destroying their connection to family, identity, and heritage. Simple adoption may offer some of the benefits required to meet a child's need for permanency, that would retain their true identity (no change to birth certificates) and connection to family. However, we are greatly concerned about the lack of checks, balances and accountability if an adoption goes wrong or when the child faces certain challenges that are at risk of being over ridden by the needs and desires of the adults in their life.

We feel there is a strong need to continue support once a child is adopted, whereby an avenue is provided to the child with free access to a suitably qualified (adoption trauma) counsellor that holds no vested interest in the adoption. The counsellor would remain independent to the child and remains separate from any support to the adoptive parents. This specific support would give the child the ability to freely express and explore their feelings, needs and concerns. This support would remain until the child is 18 years of age and would provide them an independent avenue of support, outside of the adoptive parents and biological families influence. Through this support they could learn to navigate the ever changing life challenges they will face as an adopted person, which will give them a better foundation to better face life as adult adoptees. We feel that this component should be integrated into every and any adoption model. Providing a child centred adoption trauma specialists (similar to a court ordered child legal representative) is necessary and vitally important to maintain the safety and mental well being and rights of the child, throughout their childhood.

Adult adopted people affected by the closed adoption model, suffered a great deal as children and feel that this component if added to simple adoption, would provide an adopted child with an avenue to report, disclose and discuss any difficulties. Rather than a worker from the department intruding upon the adoptive family such as done in foster care placements, the child would attend a number of sessions with an adoption trained counsellor through out the year, away from the family residence. The child should also be given a phone number to contact the service in a crisis or for telephone or Skype counselling, depending on the age of the child and if suitable privacy is provided. It would be preferable for a child to have a minimum number of face to face counselling sessions per year and increased if the child indicates a greater need. Adoptive parents can attend sessions if and when the child requests it and for mediation purposes only.

### The Need for Data.

The fact that adoption is not identified or flagged in area's of suicide, mental health, drug and alcohol, abuse, or homeless etc, is a great concern to us as adopted people who access services for these issues are not provided with adoption trauma trained specialists. Adopted people feel strongly about establishing some form of data collection, that would reflect the effectiveness and benefit of adoption. Such mapping would help identify aspects of adoption that need to be addressed and would ensure the safety of adoption against other suitable permanency care models.

To establish whether adoption models are safer than any other form of care, we believe that data should be collected to flag any suicide attempts, incarceration, and mental health presentations by

adopted people. The data should include any deaths, by illness, suicide, accident and by murder. Currently no data is collected, to identify if adoption is contributing to the overall welfare of adopted people over their life time. Being an adoptee is not flagged, as all adopted people present as if born to the adoptive parents, this is because of the change of birth certificates. This is extremely concerning, because how can any one ascertain that adoption is safer, with better outcomes, when no one is able to refer to any records, data or statistics to validate such claims.

How can anyone ascertain if adoptions works well or not, if the department it's self does not even keep a record of adoption failures, discharges, abuses or deaths?

### The Wisdom of Past Experiences

Association for Adoptee implore you to consider our submission carefully on the grounds that as adopted people we are the lived experience of adoption. We carry within our lives the true voice of adoption and have navigated its unknown secrets, its miss-conceptions, its darkest halls, and its most difficult aspects. We know what it is to be a part of a family that is not biologically your own, and have endured government policies designed to help us but have instead harmed us. We have walked the journey of pain, trials, trauma and even triumph. Our greatest desire is that no child should ever have to carry the burdens we have been forced to endure through often well intentioned but ill conceived adoption practices. We never want to see any child harmed as we have been. Any welfare reform that encompasses the rights of children and family separation must invest in the wisdom and voices of those who have lived it and experienced it first hand.

Thanking You  
Association for Adoptees  
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