

ENVIRONMENT AND PUBLIC AFFAIRS COMMITTEE  
INQUIRY INTO PAST FORCED ADOPTIVE POLICIES AND PRACTICES  
PARLIAMENT HOUSE  
4 HARVEST TERRACE  
WEST PERTH WA 6005

# SUBMISSION

june  
(june smith) no titles please

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**PLEASE NOTE :-**

**I have been an advocate for around 25 years; for all Australian mothers who suffered personal inhumane and illegal abuse culminating in the abduction of their newborn babies during the late 1950s to early 1970s as per the Senate Inquiry of 2011/2012.**

**The committee can validate my words by typing 'june smith adoption' into their online 'search engine'**

**Thank you**

## INQUIRY INTO PAST FORCED ADOPTIVE POLICIES AND PRACTICES

Dear Committee Members

### PRE-AMBLE:-

During the late 1950s to the early 1970s, and for the first time in our living Australian history tens, upon tens, of thousands of young unwed mothers-to-be were forced into unmarried mothers' homes, which in reality were \*"detention centres"

(\*A type of prison where young people due to the displeasure of society could be kept for short periods of time)

These words are not written lightly nor to be deemed by you the committee members as sensationalistic or untrue, because how else can any human being with empathy, understanding and compassion view the actions of a society that damned young pregnant mothers-to-be to "detention centres" just because they were unmarried, subjecting these mothers to inhumane isolation, illegal abuse, including drugs and personal assault, and society's contemptible condemnation of them, culminating in the traumatic and very cruel abduction, of their newborn babies.

ACTIONS THAT BREACHED THE LAWS OF THIS COUNTRY INCLUDING WEST AUSTRALIA LAW,  
AND THE MOTHERS SACROSANCT LEGAL RIGHTS AS HER CHILD'S SOLE LEGAL GUARDIAN.

fact!

A West Australian mother wrote to me recently and told me that she remembered being admitted to one of these 'detention centres.' She wrote,

*"I remember sitting on a bed and gazing out the window, seeing that barbed wire was attached to the top of the outer fencing of the property, and thought -*

*"I am in prison for being pregnant"*

Australian society as a whole, by their lack of possessing humane respect and compassion for these mothers, condoned that mothers should be hidden away in 'detention centres,' away from society, where their changing bodies would not offend the eyes of, or upset "good christian" people and the ruling patriarchy.

When you interview these mother ask them what it was like for them to be isolated, shut away from society, family and friends, denied kindness and love, and instead were shamed by all those around her, her very basic human rights ignored, treated contemptibly, without

any respect or dignity, and cruelly de-cried as sub-human, unintelligent if not actually retarded, immoral, needing rehabilitation, misfits, having bad genes etc.\_

**THIS SADLY IS INDISPUTABLE FACT!**

**The committee of the Senate Inquiry of 2011/2012 stated :-**

***"The accounts of women, who were obviously eyewitnesses to their own mistreatment, must be taken seriously as evidence,"***

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I write this submission on behalf of West Australian mothers who it has been my privilege to know, but sadly hear the many stories of their traumatic abuse and the cruel taking of their babies.

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On the 19th October 2010 the West Australian government made a

**CONDITIONAL APOLOGY**

to the mothers that past governments had abused, but the words spoken in the apology by Premier Colin Barnett were the same equivocal words perpetrated over decades to veneer over the crimes that were enacted against mothers, by misrepresenting the truth of past West Australian Governments' own illegal actions.

Premier Barnett perpetrated an untrue rhetoric that -

***"...with the goal of achieving what was considered at the time to be in the best interests of the child"***

**HOWEVER -**

**THE UNITED NATIONS CHARTER (The status of the unmarried mother, law and practice)**

**"In the best interests of the child - is a court decision - and not a decision that can be made by any other authority"**

**On the 1st November 1945 Australia became one of the 51 founding members that ratified the UNITED NATIONS CHARTER.**

**UNITED NATIONS REPORT (FOLLOWING SEMINARS BETWEEN 1961-1964 IN FOUR REGIONS AROUND THE WORLD) - THE STATUS OF THE UNMARRIED MOTHER, LAW AND PRACTICE**

**The law of a large group of countries including Australia reflect a widely accepted doctrine: namely**

***" that the mother is the natural guardian of her child born out of wedlock. and as such has a prime facie legal right to custody and guardianship of the child superior to the right of the father or any other person"***

***"The child shall enjoy the benefits of social security. He shall be entitled to grow and develop in health; to this end special care and protections shall be provided both to him and to his mother"***

***"IN THE BEST INTERESTS OF THE CHILD" is a court decision - not a decision that can be made by any other authority"***

\*\*\*\*\*

Premier Colin Barnett spoke in W.A. Parliament on the day of his apology to mothers and said

-  
***"The stories that have been told here are literally reflective of thousands of young women who didn't have the ability to make a decision"??  
ridicule? insult? ambiguity?"***

The West Australian apology also included the "families" of mothers -

**WHICH ONE WOULD BELIEVE INCLUDED GRANDPARENTS =**

-  
**BUT the majority of grandparents, failed their duty of care to their daughter by denying her, and denying their impending grandchild, and refusing them a safe haven, instead they rejected their own daughter and impending grandchild to a detention centre, isolated, frightened and totally alone**

**AN APOLOGY WITH CONDITIONS ATTACHED IS A HOLLOW AND VERY INSINCERE APOLOGY INDEED.**

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**"FATHERS"**

Many "fathers" of children of unwed mother were rapists, and perpetrators of incest, the continuing acknowledgement of these perpetrators, by ALL governments, as "fathers" gives these criminals of rape, gang rape and incest the same credence as the mothers who were the victims of their crimes.

(I personally know one mother who was so badly raped (resulting in pregnancy) that her rapist was sentenced to ten years imprisonment)

The facts are that the majority of "fathers" turned tail and ran when confronted with their girlfriend's pregnancy, these cowardly men have never accepted responsibility for the child they helped create, nor have they ever apologized to the mothers they deserted.

Nor has any government or any part of society ever condemned the actions of those men who deserted their responsibility towards the child they helped create

INSTEAD

as they ran they were cosseted into the warmth and protection of a society who openly  
condemned young girls for  
"GETTING THEMSELVES PREGNANT"  
(after all boys will always be boys)

\*\*\*\*\*

THE CURRENT WEST AUSTRALIAN GOVERNMENT HAS A "DUTY OF CARE" RESPONSIBILITY AS  
A "SUCCESSIONAL" GOVERNMENT TO PUT RIGHT THE APPALLING PRACTICES AND MISDEEDS  
OF PAST GOVERNMENTS

Premier Colin Barnett stated in his apology to mothers that -

*[his]"Parliament acknowledges that previous Parliaments and governments were directly  
responsible for the application of some of the processes that impacted up unmarried  
mothers"*

The West Australian government has therefore taken their rightful responsibility as a  
successional government to right the wrongs and injustices of past West Australian  
Government Departments who arranged adoptions in that state.

"TO DENY VICTIMS JUSTICE IS ANOTHER ACT OF INJUSTICE"

\*\*\*\*\*

A Senate Inquiry in 2011/2012 validated that the majority of Australian mothers had their  
children removed in breach of state laws and against their inalienable legal rights as their  
child's mother.

THIS IS INDISPUTABLE FACT.

Rachel Siewart, a Senator at the time of the Senate Inquiry in 2011/2012, and a committee  
member of said inquiry, wrote to the Federal Solicitor-General's Office at the beginning of the  
Inquiry in 2011, informing him that their investigations into the taking of our babies was  
bringing to light that illegal actions took place at the time of this issue.

Rachel wanted to know on behalf of the committee, how the committee's duty of care came  
into being when dealing with claims from mothers which they, the committee, deemed to be  
illegal.

The Solicitor-General informed the committee that they were covered by parliamentary  
privilege and it was up to mothers themselves to seek legal advice outside of the inquiry"

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The West Australian Criminal Code Compilation Act (1913) entered into force on the 1  
January 1915, was an Act outlining those actions that are illegal and criminally liable under

Western Australian Law.

This Act allows the state to criminally prosecute people who commit the offence and administer punishment -

SECTION 343 CRIMINAL CODE - Child Stealing

- (2) *"Receives or Harbours the child, knowing it to have been taken or enticed away or detained; is guilty of a crime, and is liable to imprisonment for 20 years.*

West Australian mothers had their babies removed at birth or within days after birth, without the mother's legal written consent, against her will, and in breach of her sacrosanct sole legal rights as her child's mother having total responsibility for her child's welfare.

These actions therefore breached West Australia's -  
CRIMINAL CODE SECTION 343 of  
"child stealing"

\*\*\*\*\*

On the 21st March 2013 the then Prime Minister of Australia, Julia Gillard declared mothers past abuse as a "cruel and immoral practice." she added -

*"We deplore the shameful practices that denied you, the mothers, your fundamental rights and responsibilities to love and care for your children. You were not legally or socially acknowledged as their mothers. And you yourselves were deprived of care and support. To you the mothers who were betrayed by a system that gave you no choice and subjected you to manipulation, mistreatment and malpractice we apologise"*

*"We say sorry to you, the mothers who were denied knowledge of your rights, which meant you could not provide informed consent. You were given false assurances. You were forced to endure the coercion and brutality of practices that were unethical, dishonest and in many cases illegal"*

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Page 208, 9.62 of the Report of the Senate Inquiry

*"The committee is concerned about such arguments that practices 'were in keeping with social attitudes, available financial support, and medical and social work knowledge and beliefs of the time.' Institutions may be perceived as avoiding taking responsibility for their policies and the actions of the staff for whom they were responsible. Accordingly, considered the question of whether the policies of the period reflected uniformly-held values and best practice."*

Page 211, 9.74 from the Report of the Senate Inquiry -

*"Accordingly, the committee believes state government and institutions should take responsibility for past actions taken in their hospitals, maternity homes and adoption*

*agencies. The conduct of the period was not the product of some uncontested acceptance about separating unmarried mothers from their babies. It was the product of decisions made, almost certainly at the institutional level, that decided to accept certain professional opinions, and to disregard (to varying degrees) the professional guidance of social workers of the time, and sometimes the manuals of the period. Taking responsibility means taking responsibility for those decisions."*

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Upon admission to hospital the unwed mother had all the same legal rights (and more) as any other mother presenting at a hospital for delivery of her child.

This means that she was a patient in her own right and not under the care of her parents regardless of her age.

Her parents had no legal standing as to the welfare of their daughter, nor of their grandchild during her admission as presenting as a mother-to-be and in labour.

**THIS TOO IS INDISPUTABLE FACT.**

Yet hospitals breached the legal rights of the mother, including their own legal Fiduciary duty of Care to "*cause no harm to their patient*" by colluding with the mothers' parents to bring about the removal of a mother's baby whereby breaching West Australian Law - FACT.

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**"forced adoption" is = A BLATANT MISNOMER FOR "ILLEGAL ABDUCTION"**

The words "forced adoption," are perpetrated by all Australian Governments, including the West Australian Government and their agencies, religious organizations, and others with their own agenda

**The words forced adoption are purposely used by all governments to hide behind, and lessen the severity of the now known criminal act of "child stealing"**

**AND**

**To deliberately veneer over criminal acts of personal and illegal assault of their mothers**

**Mothers faced personal and ILLEGAL assault of breast binding, against their right to feed their child, or were administered carcinogenic stilbestrol to cease milk production, for many mothers, rendered unable to ever breast feed their subsequent children.**

**Stilbestrol is now only used on animals. FACT!**

**Mothers committed suicide - FACT**

**Many, many mothers NEVER had another child - FACT**

Babies were illegally removed in labour wards often before the expulsion of the placenta, and wheeled out on the lower shelf of a hospital trolley!!

OR

the mother had sheets illegally held up in front of her face to prevent her seeing her child at birth,

OR

her hands were illegally tied behind her head to the hospital bed to prevent her seeing her baby at birth, (photo of this illegal act exists, I have a copy)

OR

she was held down illegally by a nurse with the use of pillows, again to prevent her from seeing her child at birth.

OR

Babies that left the labour ward with their mothers, were criminally abducted within a few days of birth without the written consent of the mother, whilst their mother was a patient in hospital

Fiduciary care -

Breaches of all Australian Laws and a Breaches of hospital's legal Fiduciary Duty to their patient.

AND

Mothers were denied their right of LEGAL access to their child even when they begged and cried for their baby.

ALL THESE ATROCITIES VALIDATED BY A SENATE INQUIRY

THIS WAS THEN, AND STILL STANDS AS AN INTENTION TO CRIMINALLY ABDUCT BABIES.

AND IS LEGALLY INDISPUTABLE

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The Prime Minister of Australia Julia Gillard in her apology to mothers used words such as  
"mistreatment" "malpractice" "denied your legal rights"

The following are a few of the evidential eyewitness accounts of West Australian mothers -  
When in labour (whilst in the home) I sought help from staff, only to be told to go back to bed  
till the pain got worse. I was frightened but no one cared.

I had to walk from the home to the hospital unaided and in labour.

I was laying in labour on a trolley alone in a bathroom.

That the obstetrician of one hospital was deemed as "Saviour of women and their  
predicaments! (predicaments? Pregnancy a predicament?)

We were forced to watch films about adoption, when newborn babies were discussed as a  
commodity

I was not allowed to see my baby after birth. (totally illegal!)

Mothers were Administered drugs without consent, such as Pentobarbital -  
(a drug that causes confusion, leaving the patient open to manipulation).

After the birth of my baby I was transferred immediately back to the home without my baby



My hospital documents were marked with BFA = baby for adoption  
(Intention to commit the crime of "child stealing")

The "nurses yelled out to me from a distance (holding my daughter) "do you want to see her"  
knowing full well I was bereft, drugged, mutilated and sobbing.

After her birth no one came to talk to me. I was completely isolated and abandoned

I asked for them, on several occasions to ring my mother and tell her to come. My requests  
were dismissed saying they were too busy.

As a Department of the West Australian Government was also the Governments adoption  
agency, I fail to understand, on behalf of West Australian mothers, why the Department did  
not query the great jump in numbers of babies being made 'available' for adoption?

*"Governments and the health system permitted these and other inhumane and unethical  
practices to take place in their hospitals and in organizations that received government  
support and backing"* (25 October 2012)

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#### WHAT HAPPENED TO SOCIETY TO BRING ABOUT THIS ABHORRENT CHANGE FOR YOUNG MOTHERS AND THEIR CHILDREN ESPECIALLY DURING THE LATE 1950S TO EARLY 1970s?

In 1961 Dr. Vincent Clark is on record saying -

*"If the demand for adoptable babies continues to exceed supply....then it is quite possible  
that in the near future, unwed mothers will be "punished" by having their children taken from  
them right after birth."*

*"A policy like this would not be executed - nor labelled explicitly as "punishment." Rather, it  
would be implemented through such pressures and labels as "scientific findings" "the best  
interests of the child" "rehabilitation of the unwed mother" and "the stability of the family  
and society"*

A cruel and archaic system of punishment was enacted by governments, religious  
organizations and other contemptible unmentionables, to provide babies for the long list of  
infertile couples wanting a newborn baby to pass off as their own (children in orphanages  
were never selfishly considered.)

No Government, hospital, religious group, or welfare group, from those organizations who  
had willingly carried out our "punishment" has atoned for the scars we bear, for their betrayal  
of us mothers that forever destroyed our trust, for the shame they inflicted on us mothers  
when the shame was their's to bear, for the myths and lies they have, and still do perpetrate

about us, for their cruelty in presenting us mothers as an obscenity, for the trauma they caused us mothers, and the affect that that trauma has had on our lives and wellbeing - forever suffering the unbelievable and cruel abduction of our babies.

**\*"The process at the times has been described as 'applicant centred' aimed at helping a couple achieve a family, that the needs of the child, although considered, were not paramount and the needs of the relinquishing mother hardly every considered.** (James Jenkinson Consultant 2000)

W.A. Child Welfare Officers expressed views during discussions on model adoption legislation in 1960s that were very much pro-adoption (Senate Report 2012)

The W.A. Adoption of Children Act, formally made the adopted child:

"(F)or all purposes, civil and Criminal...to be deemed in law to be the child born in lawful wedlock of the adopting parents" (Senate Inquiry 2011/2012)

**NOTE: ONE WOULD HAVE TO ASK IN WHOSE BEST INTEREST IS THE CREATION OF THIS LIE**

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In 2011/2012 A Senate Inquiry made 20 recommendations in their Report. Those important to mothers were REDRESS and the LIFTING OF STATUES.  
THE WEST AUSTRALIAN GOVERNMENT HAS FOR MORE THAT A DECADE DENIED AND FAILED TO IMPLEMENT THESE TWO MOST IMPORTANT SENATE RECOMMENDATIONS FOR MOTHERS.

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#### **RECOMMENDATION 11**

**11.43** *"The Committee recommends that institutions and governments that had responsibility for adoption activities in the period from the 1950s to the 1970s establish grievance mechanisms that will allow the hearing of complaints and, where evidence is established of wrongdoing, ensure redress is available. Accessing grievance should not be conditional on waiving any right to legal action.*

The Report of the Senate Inquiry into former forced adoption  
**policies and practices, Page 245,**  
11,50 declares that:-

**"In cases where illegality is alleged in the adoption process the prosecution of those responsible should not be hindered by statutes of limitation.**  
**The committee urges all states and territories to examine the limitations for infringements of adoption legislation to ensure that they do not act as a barrier to litigation by individuals who were not made aware of their legal rights at the time that offences may have been**

*committed.*

*The committee does not want people who have been damaged by their experience of forced adoption to be damaged further by having to endure a long and bruising legal journey that may ultimately be unsuccessful due to a legal technicality"*

**Mothers have informed me that the W. A. Government has failed to provide any counselling for mothers.**

**One W. A. mother informed me that she paid for her own counselling and a so-called counsellor stated that she knows what it is like to lose a baby to adoption as she had had a miscarriage!**

**Not a counsellor's boot lace!**

**Mothers stated that the government has failed to implement concrete measures or grievance mechanisms to ensure justice and redress is available for mothers.**

**The Senate Report recommended that formal apologies should always be accompanied by undertakings to take concrete actions that offer redress for past mistakes.**

**BUT WAIT! THE WEST AUSTRALIAN GOVERNMENT DID NOT MAKE A FORMAL APOLOGY TO MOTHERS, THEY MADE A CONDITIONAL APOLOGY ON THE PROVISO THAT MOTHERS WOULD NOT SEEK COMPENSATION!!!**

**West Australian mothers funded with the help of Relationship Australia a memorial, that I know personally has brought tears to the eyes of those who view this depiction of the brutality, the cruelty of a mother weeping with one hand across her face and her other hand outstretched towards a tiny newborn baby in a giant curled fist representing the enormity of Australia's most despicable, illegal and atrocious act of abduction of babies from their young mothers.**

**THIS WORLD WIDE KNOWN MEMORIAL, I AM INFORMED, WAS NOT FUNDED IN ANY WAY BY THE WEST AUSTRALIAN GOVERNMENT.**

**\*\*\*\*\***

**I finish by quoting the words of an anonymous person who wrote to a newspaper about the removal of a baby born out of wedlock during a controversial court case. They are repeated in the Senate Report :-**

***"Sir, Whilst Mr Justice McLelland is a just and learned man, he could not possibly know what it means to a mother to have her baby taken from her.***

***.....It's hard enough to bear when it is done by God's will. It is against all natural laws for anyone else to do it"***

**\*\*\*\*\***

I could write reams more, but I needed to present to you, all that I can, as much as I can, and as best as I can, the damnation, the brutality, the humiliation, the lies, the ignorance , the myths, the falsehoods and the ever-lasting propaganda of mothers that they have faced from the knowing of their pregnancy until this day.

This abuse culminated into the very cruel, unbelievable and life-affecting torturous and illegal removal of their children, even while they were begging, pleading, weeping and screaming at others not to take their babies away.

This is their life, that they live everyday. This is what was done to so many mothers. Abused with illegal drugs to confuse and control, carcinogenic drugs to prevent breast feeding, often permanently, or tight breast binding in an effort to suppress these mothers' breast milk, humiliated in front of other patients (married), scorned, damned and denied their legal rights to raise our own children.

**THIS IS THEIR TRUTH.**

Please rewrite their West Australian history to expose their truth as the Senate Inquiry has already validated

**PLEASE TO NOT LET THEM DOWN**

june

(june smith) No titles please

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