

Submission to Environment and Public Affairs Committee

Inquiry into past forced adoptive policies and practices

May 2023

About Relationships Australia WA

Relationships Australia WA (RAWA) has provided support services for individuals, families, and communities across Western Australia for more than 70 years. Our vision is to be the best at supporting clients to thrive in their communities.

RAWA is a community-based, not-for-profit organisation with no religious affiliations. RAWA's diverse range of support services are for all members of the community, regardless of age, gender, sexual orientation, lifestyle choice, cultural background, religion, or economic circumstances.

Services include counselling, therapeutic case management, family dispute resolution/mediation, family and domestic violence support, mental health services and psychoeducational groupwork, delivered in metropolitan & regional areas in Western Australia.

RAWA also provides a range of specialist trauma-informed support services funded by the Department of Social Services (DSS) to support people who have complex needs. Specialist support services include:

- Find and Connect for Forgotten Australians and Former Child Migrants;
- Redress Support Services for people who have experienced sexual abuse as a child in any institution or group and are considering making an application to the National Redress Scheme;
- Counselling and support for people affected by the Disability Royal Commission;
- 4Families Family Mental Health Support Services delivering preventive and early interventions by addressing issues that affect the mental and emotional well-being of children and young people.

Specific to the Inquiry, RAWA's Forced Adoption Support Service (FASS) supports people affected by forced adoption, including mothers, fathers, adopted people, and their family members. The trauma-informed specialist service assists with record searching, referrals for long term support, information, and any other support required to meet individual needs. This is a free national service, funded by the Australian Government, Department of Social Services.

Introduction

Since the commencement of RAWA's Forced Adoption Support Service (FASS) in 2015, over 420 people affected by forced adoption have been supported. During this period, clients have engaged with the service on over 4,000 occasions.

RAWA has a comprehensive understanding of the lived experience and unique needs of people who have been affected by historical forced adoption policies and practices through the delivery of FASS as well as our experience in the delivery of other specialised services. The majority of people supported by FASS are mothers, as well as people who have been adopted. Within the population of people affected by forced adoption, there are distinct groups with unique needs and experiences.

This submission draws from the experiences, knowledge and views of the FASS clients we have been privileged to support, along with the specialised support team across RAWA.

Lived experiences of those affected by historical forced adoption practices

Trauma

People who are supported through FASS have experienced complex trauma, resulting in long-term physical, emotional, and psychological health impacts, including post-traumatic stress disorder, anxiety, depression, and a range of other conditions.

These experiences of trauma, have an ongoing impact throughout the lives of FASS clients, affecting their health, relationships, identities, and sense of belonging and connection to the communities in which they live. The impacts of trauma can be intergenerational, often causing attachment issues and abandonment in family relationships, resulting in relationship and family breakdown.

RAWA also supports clients across other services who have experienced multiple traumas – for example, people who were child migrants and State Wards who experienced institutional sexual abuse and were then forced to have their children adopted. These intersecting experiences of trauma compound the ongoing physical and mental health issues experienced by people impacted by forced adoption.

The 2012 Senate Inquiry into Forced Adoption noted that some people could not contribute to the Inquiry due to the trauma of reliving their past experiences. The Inquiry Report also noted that others had taken their own lives, because of the trauma of their experiences of past forced adoptive practices (Commonwealth Government, 2012).

Records

Processes and systems relating to records is one of the most critical issues raised by FASS clients.

The current wait time for accessing birth certificates and other records is approximately 6 months. This wait time in recent times has been over 12 months from the point of application to the receipt of records. This delay causes considerable stress for people who are already distressed and traumatised.

When requesting records, clients want to see all relevant court records, original birth certificates, and medical records. Instead, clients often get a summary, usually heavily redacted when they are received.

Being able to access full birth records can fill in gaps – for mothers and for adoptees. In some cases, people can't find out what time they were born, their birth weight, their medical history, or who was present at birth. This lack of information compounds emotional impacts that have already been caused by historical forced adoption practices.

Lack of access to medical records is a significant issue. In some instances, adopted people have serious and unexplained health issues and can't find out if this was due to medications given to mothers during birth and/or pregnancy. At least one medication previously given to young mothers

as a lactation suppressant after their babies were forcibly removed, is now known to increase the risk of the mothers and their children developing a range of cancers.

Awareness and Understanding

Knowledge and understanding of the impact of historical forced adoption policies and practices is limited across the general population, as well as within health, government, and social services. This means that the trauma associated with forced adoption, and how it presents for people affected, is not generally understood. FASS clients have stated there is an absence of trauma-informed practice across services due to a lack of understanding of the issue and the associated trauma.

People impacted by forced adoption might display anxious or challenging behaviour in certain situations, or delay or not access services or treatment due to past traumatic experiences. Some clients have discharged themselves from hospital against medical advice due to a lack of trauma-informed care, significantly impacting on their health outcomes.

This can be particularly prevalent when accessing medical and dental treatment, particularly for mothers who have experienced restraint, coercion, abuse, and/or sedation in health institutions during past pregnancy or birth.

Accessing services provided by religious organisations (e.g. faith-based hospitals) also presents challenges due to perceived past involvement in historical forced adoption practices. Medical and/or religious staff often facilitated forced adoption practices (e.g. signing adoption documents) and were therefore part of the original trauma of forced adoption. This can cause high levels of anxiety, panic attacks, dysregulation, and a sense of powerlessness for people who have been impacted by forced adoption, when they need to deal with medical and/or religious staff.

Specialist Support Services

The need for specialist support services for people impacted by forced adoption is critical. There is currently a lack of adequate psychological and specialist counselling services for people affected by past forced adoption policies and practices. Services that are available are often not adequately trauma-informed or forced adoption aware and are often not able to offer appropriate, comprehensive support due to high demand and funding limitations.

The population of people who have been impacted by forced adoption are aging and specialist support and advocacy with navigating and accessing aged care support is critically required. Aged care services also need to be trauma-informed and forced adoption aware to effectively support this vulnerable population.

Regional and Remote Services

Due to the current capacity of FASS, RAWA can only offer phone support to clients who live in regional and remote areas of WA. One of the challenges this presents relates to the release of records. Post Adoption Services generally send adoption records by mail, without the client or their support services being notified of this in advance. This means that people may have no support available when they receive their records by mail. The receipt of these records can be a particularly traumatic experience for those living in isolated regional and remote areas.

As people impacted by historical forced adoption practices may already have a lack of support due to fractured family and personal relationships, inadequate specialist service provision can compound their sense of isolation and disconnection. There is a need for outreach services and support for regional and remote areas, as well as facilitation of peer support services and activities.

The sheer size of Western Australia is a challenge and specialist service providers require the capacity to travel to effectively support people in regional and remote communities.

Aboriginal people and their families

RAWA's FASS currently has relatively low numbers of Aboriginal people engaged, particularly people who live in regional and remote areas, due to limited capacity and reach of the service.

However, Aboriginal people and families who have been impacted by forced adoption need significant specialist support as they are often also members of the Stolen Generations and are impacted by the dispossession, disconnection, and trauma of Stolen Generations policies and practices. Aboriginal people can also be experiencing the compounded impacts of colonisation and racism, and as a result can struggle to trust service providers.

Other population groups

People who have been affected by forced adoption are diverse, with a range of unique issues and needs. Services and systems must be designed to recognise and support this diverse range of population groups.

For older people who have been impacted by forced adoption, moving into institutions (such as aged care services) can be traumatic, particularly for mothers who were institutionalised while pregnant or if services are run by faith-based services involved in past forced adoption practices. Unfortunately, there is often a lack of other appropriate options for services or support for older people.

RAWA's FASS has had limited capacity to engage with fathers and, as a result, these men may not be accessing or receiving appropriate specialist support. This can impact on the emotional wellbeing of these men, as well as on their relationships.

Identity

Identity is often a complex aspect of their lives that adoptees particularly struggle with, and they may consider that their identity has been taken from them. Some people discover later in life that they have been adopted and increasingly, people are unintentionally discovering their adoption history through DNA testing or family history sites. This discovery can challenge adoptees' sense of identity and who they are or thought they were all their life.

Relationships

FASS clients often have fractured family relationships, due to the psychological impact and trauma of their experiences. The trauma, grief, loss, and criminality of forced adoption can impact on relationships with partners, friends, colleagues, and the general community. This impact can be compounded if those affected by historical forced adoption practices are not able to find or connect with their adopted children or families of origin.

A history of forced adoption can also impact people's experiences of parenting. FASS has supported people who are struggling to parent after being forced to give their child up for adoption, as well as providing support for their subsequent children. FASS also supports people who have been adopted and who are experiencing challenges in parenting their own children and/or grandchildren.

Post Adoption Services

Support for people who have been adopted in WA is provided by Post Adoption Services at the State Government's Department of Communities. Post Adoption Services can include support with accessing original birth certificates with adoption details; accessing adoption court documents; and accessing adoption records and files.

RAWA FASS clients have identified a range of challenges in how Post Adoption Services are currently provided. These include the significant delay in being able to access birth certificates and other records, the quality of records received, and the processes for how records are released.

Within RAWA's Find and Connect service, RAWA offers supported release for birth certificates and other records for Find and Connect clients. This arrangement allows the Department of Communities to send records directly to RAWA and/or provide notification that records are being released. Specialised support can then be provided to clients proactively as required. This is not the case for FASS clients. WA legislation doesn't currently allow this for forced adoption records. This means that clients do not generally get advance notification that records are being sent and can be on their own when they receive their records by mail.

Current measures and support

The effectiveness of FASS is limited only in its capacity to expand delivery and support due to funding. Current levels of funding for FASS limits the capacity of service operation to the equivalent of two days per week. This service provision is to support anyone affected by historical forced adoption practices across the whole of Western Australia. There is no other free specialist support service for those affected by forced adoption currently funded by DSS within Western Australia.

Additional funding is required to allow an increase in access to specialist services across Western Australia so people impacted by forced adoption can be offered specialist trauma-informed and forced adoption informed counselling, therapeutic case management services, record searching and additional support to engage with and navigate aged care and other services as required.

Recommendations

The recommendations outlined below have considered the rights of adopted people, families of origin, and adoptive parents to ensure the provision of essential support for all these people continues to grow into the future.

Records

As records search and release is one of the most significant and challenging needs for people impacted by forced adoption, there are a range of recommendations relating specifically to records.

- Clients should be able to have access to their full records not just a summary. For example, in other jurisdictions, clients can get copies of the original forms that were completed by their parents at the time of adoption.
- Mothers whose children were forcibly adopted, as well as children who were forcibly adopted, should be able to access their full medical records, including records relating to their pregnancy and/or birth.
- People who were born in Western Australia and then adopted, are required to pay to receive a copy of their original birth certificate. We recommend this fee is waived.
- It is not unusual that people either lose their adoption-related records due to the ongoing traumatic and disconnected circumstances of their lives, or that people destroy these records when they are feeling traumatised. If people lose any of their adoption-related records, they are required to start the records search process again and wait again to receive their documents. Replacement of these documents is often essential, as people require another copy of their adoption certificate to get their original birth certificate or to help contact their family of origin. We recommend this process is streamlined and expedited to ensure greater ease of access and a less traumatising system.
- Supported release of records should be available for people who have been impacted by historical forced adoption practices. This would involve the Department of Communities sending records directly to RAWA or another support agency and/or notifying a support agency that records are being released (if this is requested and consented to by the client).
- The process to apply for records needs to be simplified. This could mean that one government agency provides one form or package of forms, and one central point to apply and access all relevant information (birth certificates, medical records, etc). This would reduce the time and trauma experienced by people who are impacted by forced adoption, avoiding having to navigate different forms across multiple departments and systems.

Awareness and Understanding

The WA Association Representing Mothers Separated from children by adoption (ARMS) have been advocating for the development of a card which can be provided at services (e.g. medical, government) to inform the service provider that the card holder has experienced trauma due to historical forced adoption practices. This card could be presented, outlining their experience of trauma and provide a link and/or a QR code to a website with support and information for professionals.

Forgotten Australians have similarly been advocating for a card which would inform services of their experiences of significant trauma, to avoid having to reexplain their story or to justify their unique needs or circumstances.

For people who have been forcibly adopted or who have been institutionalised and experienced abuse, this card could support them in effectively accessing a range of services and treatment. Relationships Australia WA supports ARMS members in their advocacy for development of this card system.

Specialist Support and Services

A critical recommendation for service delivery is that free, effective and accessible specialist services, which are both forced adoption aware and trauma-informed, are available to assist individuals and families to enhance their wellbeing at different stages throughout their life course. This support would be available at times of significant need, such as the death of a parent (who they may or may not have reunited with) for an adoptee, or death of an adopted child for a mother or father (who they may or may not have reunited with).

As has already been highlighted, there is a lack of adequate, appropriate specialised services for people who have experienced forced adoption. There is therefore a need for existing services to be funded on an ongoing basis and for increased resourcing to meet the needs of specific populations (e.g. people in regional and remote areas, older people, Aboriginal people and communities, fathers, and other family members).

The increased need for specialist support includes ongoing case management and/or social work services. The range of people impacted by forced adoption require specialist support at different stages of their lives and experiences to help them navigate their challenges. The support needs of mothers will be different to people who have been adopted. People who are in the early stages of considering records search will have different needs for counselling or support than those who are processing this information later in life.

The Victorian Parliamentary Inquiry into Forced Adoption recommended that “people should be able to access support on an ongoing and flexible basis, including episodically in recognition that the negative effects of historical forced adoption are lifelong and can be triggered at different times” (Parliament of Victoria, 2021).

“Peer support is widely acknowledged as an essential element of effective mental health and emotional support for people with significant mental health issues, including those dealing with the negative effects of trauma. It is important that support groups are one component of the overall suite of available services to people” (Parliament of Victoria, 2021).

Peer support groups are recognised as vital for people who have been impacted by forced adoption. Being able to connect with others who have had the same experiences and who understand the complexities of those experiences, can be incredibly beneficial. Funding and resourcing for forced adoption specialist support services needs to be sufficient to support the facilitation of peer support groups, including access to groups and programs for specific populations (e.g. people in regional and remote areas, fathers).

Redress

Currently, those affected by forced adoption cannot receive the level of support that is provided to other people traumatised by institutions in our community, such as those affected by institutional child sexual abuse. It is simply inequitable to not have consistent redress nationally.

We recommend the implementation of a scheme for people affected by forced adoption which is comparable to the current National Redress Scheme.

The Victorian Parliamentary Inquiry into Forced Adoption called for the establishment of a redress scheme for mothers whose babies were forcibly removed from them because of historical adoption

policies and practices (Parliament of Victoria, 2021). The Victorian Inquiry Committee recommended that this should include a monetary payment; counselling and psychological support; and a direct personal response from the institution and/or organisation involved in the applicant's forced adoption. A fully funded legal advice and referral service has also been suggested, to ensure applicants receive free, independent guidance on redress and/or civil litigation.

Post Adoption Support

It is critical that support services for people who have been impacted by forced adoption is offered through non-faith-based organisations. This includes not only direct post-adoption support services but also ancillary services (e.g. financial counselling, emergency relief). Often, faith organisations are the only service provider funded, and people impacted by forced adoption may not want to access services, as these organisations may have been involved in past forced adoption practices.

There are challenges with the Department of Communities being the central point for post-adoption services, as the Department (previously the Child Welfare Department and the Department for Community Welfare) was involved in historical forced adoption policies and practices. Post-adoption support services would be best delivered by a non-government, non-faith-based organisation.

Limitations of Inquiry

The Western Australian Inquiry has significant limitations, most significantly the time available for submissions to be made. The WA Inquiry has been extended from an 8-week period for submissions to a 16-week period.

For many people, delving into the past can be re-traumatising in so many ways and many people require a considerable length of time to prepare themselves and to manage their own situation, including responding to stirring memories and experiencing flashbacks. An understanding of, and respect for, those who have experienced such trauma allows for a longer period for submissions.

Regional and remote people who may be isolated from services and need assistance or support with submissions also need consideration.

The Victorian Parliamentary Inquiry was conducted from November 2019 to July 2021 and included several regional and remote visits. The Victorian Inquiry Committee continued accepting submissions throughout the inquiry process, to avoid denying anyone the opportunity to make a submission, especially those who had not spoken about their experiences before. In doing this, the Committee doubled the number of submissions received (Parliament of Victoria, 2021).

Research

There is a gap in available contemporary literature and research into the lived experiences of those affected by historical forced adoption practices. This gap is particularly pertinent for specific groups within the overall population of people affected by forced adoption, including fathers.

Conclusion

RAWA welcomes the opportunity to make a submission to the Inquiry and, holds in high regard the privilege of sharing the experiences, knowledge and views of the FASS clients we have supported and continue to support.

References

Commonwealth Government. (2012). *Commonwealth Contribution to Former Forced Adoption Policies and Practices*. Senate Community Affairs References Committee, Commonwealth Government.

Parliament of Victoria. (2021). *Inquiry into responses to historical forced adoption in Victoria*. Legislative Assembly Legal and Social Issues Committee, Parliament of Victoria.

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