

# Adoption and Loss

## *The Hidden Grief*

### 21<sup>st</sup> CENTURY EDITION

#### *Introduction*

The publication of **Adoption and Loss – *The Hidden Grief*** in Australia in 2000 was a pivotal moment in the history of understanding and acknowledging the long term outcomes of adoption separation. The concepts presented for the first time in this book have been influential not only in Australia, but also in many other locations in which adoptions have taken place. They have been welcomed, endorsed and embraced by those whose lives have been affected by adoption separation and those who care for them, both personally and professionally. In 2000, there was limited access to professional post-adoption support counselling in Australia. At that time the specific features of the loss and grief associated with adoption separation were just beginning to be understood. The message contained in this book has had a significant impact in the last eighteen years.

In the seventh and eighth decades of the twentieth century, in many Western countries, babies born to unmarried women were often taken from their mothers for social reasons and given to married couples to raise. Such adoptions are much less common in the twenty-first century, although loss and grief issues are still experienced when children are adopted for any reason. There are also many family members who are still suffering the long term impact of adoption separation, no matter how many years have passed since the adoption took place.

**Adoption and Loss – *The Hidden Grief*** came to be written because, in 1996, as a social work student at Flinders University in South Australia, I wrote a 6000 word essay entitled *Grief Associated with the Loss of Children to Adoption*. I discovered while researching this topic that mothers who had lost children through adoption often reported that, not only did time not heal their pain at the loss of their children, but their anger and sense of loss actually *increased* with the passage of time.

This appeared to contradict everything I was being taught about grief resolution. I went on to explore the particular factors which were operating to inhibit grief resolution for those who had experienced adoption separation. Part Two of this book is based on that essay.

Since completing my social work degree, I have invested much time and energy in working to educate politicians, those employed in the helping professions and those whose lives have been affected by adoption separation, in many locations around the world, about the long term impact of disenfranchised grief in relation to adoption separation.

I have also worked to educate members of the community in general, who may have no personal experience of adoption, via my books and my presentations to groups such as the University of the Third Age, Rotary clubs, Probus clubs and YWCA groups, among others.

I presented a paper based on my essay at the Sixth Australian Adoption Conference in Brisbane, Australia in June, 1997. After my presentation, I was approached by one of the workshop presenters at the conference, who said that she was very moved by my paper and asked, *Where can I buy your book?* I replied that I had never written a book. She told me enthusiastically that I should. Many others who heard my presentation or read my paper expressed the same view. I completed the book in 1998 and submitted it to several publishers.

One publisher told me that it was ‘not possible’ to publish a book about adoption, which combined a personal narrative with an academic exploration of the issues from a professional perspective. When I asked why, the response was, ‘Because no one has ever done it before.’ I commented that I considered that a very good reason to do it. Few publishers showed any interest in publishing my book and those who did requested major alterations, to which I was not prepared to agree. As a result I decided to self-publish my work.

In the twenty years since I completed the original edition of this book, two very important events in relation to adoption have taken place; one which has particular significance for South Australia and the other which has been very significant for Australia as a whole. I have been privileged to contribute to both of these momentous events. Publishing this updated version of my book has given me the opportunity to include those recent developments, which I believe will be of great interest in all parts of the world where adoption is still practised.

My interest in the long term impact of adoption separation stems from the fact that I am the original mother of a son, who was born in Scotland in 1970 and adopted into another family. I called him Adam, his adoptive parents called him Stephen and he has recently officially named himself Ferg (although I have his permission to continue to call him Stephen). I am very grateful that he has made his own powerful and moving contribution to this book.

The first Adoption Act in Scotland was passed in 1930. Since the passing of that act, adults who have been adopted in Scotland have had the right to access their original birth certificates when they reach adulthood. Because of this, there is no pretence in the birth certificates of children adopted in Scotland. On my son’s legal birth certificate, issued in Scotland in 1970, the names of his adoptive parents come under the heading *Names of Adopters*. However, mothers who have been separated from their children by adoption in Scotland have never had a right to access any information about the children they lost to adoption.

In August, 1998 I presented a seminar in Edinburgh at the invitation of the British Association of Social Workers. At this seminar I called for a change to Scottish adoption legislation to allow original parents access to identifying information about their adult, adopted children.

Since 1982, I have lived in South Australia and have been involved with post-adoption issues and services there since 1988. The state of South Australia has had adoption legislation since the passing of the first Adoption Act in 1925. This was later replaced by the *Adoption of Children Act 1967*.

A major review of South Australia’s adoption legislation took place in 1987 and was particularly significant. At the time of the review, support groups such as ARMS (Australian Relinquishing Mothers Society), Jigsaw (a support organisation for adults who had been adopted as children and mothers and fathers who had been separated from their children by adoption) and PAG (the Parents of Adoptees Group) lobbied the government to change the Adoption Act to allow for identifying information to be released when the adopted person reached adulthood.

**The fact that there were original parents, adults who were adopted as children and adoptive parents, all working together to bring about this major change to adoption legislation was very powerful.**

This collaboration was very successful and I should like to express my admiration and appreciation for the politicians who listened to those with a personal experience of the impact of adoption separation and changed the adoption legislation accordingly.

The state of Victoria was the first jurisdiction in Australia to pass legislation, in 1984, to allow adults who had been adopted as children access to their original birth certificates when they reached adulthood. However, with the passing of the *Adoption Act (1988)*, South Australia became **the first jurisdiction in the English-speaking world**, where what are known as ‘sealed records’ previously existed (that is, where identifying information about the parties to adoption is kept secret) to pass legislation allowing **equal rights** to access identifying information to mothers who had been separated from their children by adoption and adults who had been adopted as children, when the adopted child reaches adulthood. Since that time, similar legislation has been passed throughout Australia.

The South Australian *Adoption Act (1988)* allowed for the release of adoption information under certain conditions. Firstly, no information would be released until an adopted person reached the age of eighteen, unless consent was given by both sets of parents.

Once the adopted person had reached the age of eighteen, that person, or, with their permission, their children, could obtain information relating to the adoption, including the names and addresses of the original parents at the time the adoption took place. At that time, the original mother, or, with her permission, her children, could also obtain information relating to the adoption, including the new identity of the adopted person and the names and address of the adoptive parents at the time of the adoption. Information could also be released to the children after an adopted person or an original mother had died. Original fathers were also able to access information under certain circumstances.

This information could then be used to search in publicly available records. Initially, those who did not wish for their information to be released were given the option to veto its release. I opposed the veto provision for many years and it was finally revoked in 2017.

No more vetoes can be lodged and the existing vetoes are being phased out. All applications for adoption information in South Australia are now processed by the Freedom of Information Team of the Department for Child Protection.

South Australia has set an example to the world. As this pioneering legislation has been operating successfully for **thirty years**, I see no excuse for legislation in other parts of the world where adoptions have taken place not to follow South Australia's inspiring lead. I have contacted many politicians in Scotland over the years, to try to convince them to follow the revolutionary example set by South Australia in 1988. I remain hopeful that those changes will come to pass in my lifetime.

Another significant element of the South Australian *Adoption Act (1988)* is the option for an integrated birth certificate to be issued. Since 1989 (when the *Adoption Act (1988)* came into effect), when a child is adopted, if the original parents and the adoptive parents agree, the details of the adoptive parents can be added to the child's original birth certificate and the original name given to the child, as well as the names of the child's original parents, will not be removed. This document becomes the child's legal birth certificate and it will state that the adopters are the child's legal parents.

The important event which has taken place in South Australia since this book was first published is a recent review of *The Adoption Act*, which took place in 2014 and 2015. The review process allowed members of the community another opportunity to express their views. I, along with many others, made a submission to this review. Those submissions were considered and this resulted in some significant changes to legislation.

The *Adoption (Review) Amendment Act 2016* allows any adult who was adopted in South Australia to apply at any time for an integrated birth certificate, which is that person's legal birth certificate. It contains the names of both the original parents and the adoptive parents.

The new Adoption Act has also made it possible for an adoption order to be discharged (ie reversed). An application can be made for the discharge of an adoption order by 'the adopted person to whom an adoption order relates or a birth parent of the adopted person or an adoptive parent of the adopted person or the Chief Executive'. The grounds for requesting the discharge of an adoption order can be because consent was obtained by fraud, duress or improper means, or because it would be in the best interests of the adopted person.

This means that anyone who has been adopted in South Australia can now reclaim their original name and heritage, which were legally altered by their adoption. Also, a mother who was separated from her child by adoption can also request that the adoption be discharged, if she believes that her consent was obtained by fraud, duress or improper means.

The important event for Australia was that the Australian Senate conducted an enquiry into past adoption experiences, which resulted in a formal apology.

The report of the Australian Senate Enquiry into the Commonwealth Contribution to Former Forced Adoption Policies and Practices was published in 2012. In order to compile the report, members of the Australian Senate had travelled around Australia and consulted with members of the community. They listened to many family members who had been separated by adoption and those who were close to them.

Following the publication of the report, the Australian Government issued a National Apology for Forced Adoptions in 2013, which included the application of federal funding to enhance the post-adoption services which were already available and to allow them to be available to more clients.

I should like to acknowledge the efforts and support of many Australian politicians, who heard and considered with empathy, the submissions from those family members and were responsible for ensuring that the apology was delivered and that it was accompanied by practical support.

I decided to update and republish my first book with the aim of making this information available to a wider audience, in the hope that they could also create opportunities to educate and inform politicians, who will then create positive and beneficial ways to address the long term issues for family members who have been separated by adoption in other parts of the world.

The other reason that I decided to publish this updated version of my first book was that the South Australian government has announced in the media, via an article in *The Advertiser* newspaper, on the 18<sup>th</sup> of August, 2018, that they are now implementing a policy of putting in place permanent guardianship orders (known as 'Other Person Guardianship Orders'), which have been available in South Australia since 1993, for children in foster care.

Guardianship is the arrangement that was used in the United Kingdom in the nineteenth century, before legal adoption was introduced, when a child was described as the 'ward' of a guardian. The Oxford Dictionary definition of a 'ward' is: 'a child or young person under the care and control of a guardian appointed by their parents or a court'. Unlike an adoption arrangement, there is no secrecy about the child's origins, no replacement birth certificate and no pretence. The child's heritage and history are respected, because he or she remains legally a member of the family of origin and the original parents of the child are still that child's legal parents. Guardianship is a child-centred outcome, based on honesty and respect.

*The Advertiser* article stated that the number of children being placed under guardianship orders in South Australia had been steadily increasing, since '...the (g)overnment wrote to eligible foster families and established a central unit to co-ordinate the guardianship process'.

As there are very few adoptions taking place for social reasons in the twenty-first century, it is likely that the current focus on Other Person Guardianship, for children who are unable to live safely with their families of origin, will lead to the phasing out of adoption in South Australia. This has been the goal towards which I have been working for the last twenty years. Children who are unfortunate enough to find themselves unsafe in their family homes deserve the best alternative that we, as a society, can provide for them. A guardianship order gives the child the safety and protection to which they are entitled, without discarding their identity and ancestry.

In the same way that South Australia set an example regarding access to adoption information which has been followed by the rest of Australia and will hopefully eventually be followed by other countries, South Australia is now setting an example by replacing adoption with the more child-centred option of permanent guardianship. Hopefully our enlightened approach will soon be emulated not only by other states and territories in Australia, but also in other countries around the world.

The experiences which I have had and the messages which I have received from readers have served to reinforce for me the views which I have expressed since this book was first published in 2000. I now look back with pride and satisfaction on the events of the last twenty years, which include, in Australia, state and federal government apologies for past adoption separations, as well as an increase in the provision of government funding for post-adoption support services and a decrease in the number of children being adopted.

There has also been progress in other parts of the world in relation to acknowledging the hurt caused by past adoption separations and, to some extent, learning from the mistakes of the past. There have been some significant apologies in Ireland and the Canadian Senate has produced a report entitled *The Shame is Ours - Forced Adoptions of the Babies of Unmarried Mothers in Post-war Canada* and recommended that the Government of Canada issue a formal apology on behalf of all Canadians, to the mothers and their children who were subjected to forced adoption practices in the years following World War II.

In the United Kingdom discussions have also taken place in parliament (thanks to the efforts of MAA – the Movement for an Adoption Apology) about the possibility of following Australia's lead and issuing a government apology for past adoptions. Strenuous efforts are also being made in New Zealand to bring this issue to the attention of government.

My principal aim in writing this book has been to increase awareness and understanding of the loss and the resultant grief experienced by the original mothers of adopted children and the impact of disenfranchised grief on their ability to mourn. I sometimes use the term 'original mother', to describe the woman who has given birth to a child, who was subsequently adopted into another family. It is more convenient than the more precise expression – 'mother who has been separated from her child by adoption'.

The original mother of an adopted child is that child's first mother, the mother who gave birth to the child and the mother from whom the child can trace his or her genetic origins.

What I hope I have made clear with this book is that many of those mothers, regardless of the circumstances surrounding the separation from their children, have suffered grievously from their loss.

I have also explained that their grief is the expected outcome of their experience and that once it has been acknowledged and understood, it can be addressed in an appropriate way and incorporated into their lives.

I have always acknowledged that many fathers who have been separated from their children by adoption have suffered from disenfranchised grief, in the same way that mothers have. In some cases the fathers were not made aware of the pregnancy, in others they were marginalised at the time of the birth. Even when they were able to be involved, their details were often not recorded. This means that if the adult child from whom the father was separated by adoption wants to locate the father, this is often difficult to achieve owing to the lack of identifying information on record.

I have not specifically explored issues for fathers at this time, as I believe that it is more appropriate for fathers themselves to do so. Fathers who have lost children to adoption (such as Gary Coles in Australia and Gary Clapton in Scotland) have produced some interesting and insightful material for those who wish to gain a deeper understanding of their adoption loss issues.

Since I presented my paper in 1997, I have been advised by many adopted people that my explanation of the nature of adoption-related loss and the concept of disenfranchised grief also helped them to understand their own grief at having been adopted. I have also indicated in this book that many adopted people grieve for the loss of their original identities and their original parents and families and that their grief also has been hidden and denied by society.

Other family members, including siblings and grandparents, are often similarly affected. I have also addressed the issue of reunion between family members who have been separated by adoption and the role of reunion in relation to the grieving process.

I believe that my book has relevance for anyone whose life has been affected by adoption separation and that what we have learned from the adoptions which have already taken place should lead us to a future where children who are unable to be raised by their original parents will be cared for by way of arrangements, such as guardianship orders, which are more child-focussed than adoption.

Since I first published this book, many people whose lives have been affected by adoption separation around the world have contacted me to thank me for helping them to understand their experiences.

In the conclusion to the first edition of this book, I stated clearly, *It is time for society to realise that adoption is ethically wrong and morally indefensible ... the way ahead must be a future without adoption.* I have maintained that position steadfastly since that time. It is very satisfying to see my aspiration finally becoming a reality.

This book is in three parts:

Part One, *Mistreated, mateless mother*, is *a* true story of adoption loss. It is my story and it is written from my perspective as the original mother of an adopted child. In it I tell of how I lost my first child through adoption and of the impact which that loss has had on my life.

Part One is followed by an article entitled *Sinking the Mother Ship*, which was written and published in **2012**.

Part Two, *The grief caused by adoption loss*, is what I believe to be *the* true story of adoption loss and its outcomes. It is based on my research as a social work student and my experience as a professional social worker and counsellor. Adoption has caused an enormous amount of grief to a great many people. I do not believe that you can experience an adoption separation without also experiencing the impact of grief. In this part of the book, I address the effects of adoption separation on those involved and the reasons why their grief is not easily resolved. I believe that these two parts of the book complement and validate each other.

Part Two is followed by an article entitled *The Australian Adoption Apology*, which was written and published in **2013**.

In Part Three, *In the 21st Century*, I bring up to date the issues raised in the first two parts. The first two chapters explore the impact of adoption loss in my life and the second two chapters explain why I believe that we will soon see an end to adoption and why this is an admirable goal for Australia and the rest of the world to pursue.

Part Three is followed by *Intercountry Adoption - Being part of the solution*, an article written and published in **2010**.

The book closes with the full text of the **National Apology for Forced Adoptions**, delivered in Canberra, Australia in 2013 by the Hon Julia Gillard, AC, Australia's first female Prime Minister.

I acknowledge with gratitude the efforts of all those family members who have been separated by adoption who have worked generously and honestly to improve understanding of the adoption separation experience and its impact and to support others who have had that experience. I also appreciate the professionals who have taken an interest in adoption separation outcomes and have provided valuable support and understanding.

I should also like to express my thanks to all those friends, colleagues and family members who have encouraged and assisted me to write my books and to educate the world about the long term outcomes of adoption separation. I have laboured to produce nine offspring in my life - five children and four books. I hope that they will all live on after I am gone as my 'after-life'.