

TRANSCRIPT

LEGISLATIVE ASSEMBLY LEGAL AND SOCIAL ISSUES COMMITTEE

Inquiry into Responses to Historical Forced Adoptions in Victoria

Melbourne—Monday, 22 March 2021

MEMBERS

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Mr James Newbury—Deputy Chair

Ms Christine Couzens

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WITNESSES

Dr Trevor Leslie Jordan, President, Jigsaw Queensland.

The CHAIR: Good afternoon. My name is Natalie Suleyman, the Chair of the committee. Before I begin, I would like to acknowledge the traditional owners of the land on which we are meeting today. I pay my respects to the elders past and present and the Aboriginal elders of other communities who may be here today. I also wish to acknowledge that yesterday, 21 March, was the eighth anniversary of the National Apology for Forced Adoptions delivered by the then Prime Minister Julia Gillard.

I declare open the public hearings for the Legal and Social Issues Committee Inquiry into Responses to Historical Forced Adoptions in Victoria. I would also like to introduce our committee members: Meng Heang Tak, MP, the Member for Clarinda, and also Michaela Settle, MP, the Member for Buninyong, who is online as well.

I welcome here today Trevor Leslie Jordan, the President of Jigsaw Queensland. All evidence given today is being recorded by Hansard. You will be provided with a proof version of the transcript for you to check as soon as it is available. Any verified transcripts, PowerPoint presentations and handouts will be placed on the committee's website as soon as they are available, unless you have requested confidentiality. The committee is very much interested in hearing about the experiences of forced adoption, in particular the services, and most importantly some of the outcomes that you wish to see from this inquiry. I now invite you to proceed with a brief opening statement to the committee, which will then be followed by questions from committee members. Thank you very much, and I do apologise; I was a bit croaky. Thank you, Trevor.

Dr JORDAN: Thank you. It is a pleasure to be here. Thanks for inviting Jigsaw Queensland to add to their submission. Some general things were in the submission that support people affected by past forced adoption. It is like a stool that needs three legs or things go wobbly, and one of those legs is government services and access to information in a timely fashion and the legal frameworks to ensure that the past does not happen again. The other is professional services, both collective organisations and individual professionals who are informed about the impacts of forced adoption. And peer support and advocacy groups are the other leg, because we should not ever forget that we would not have had the inquiries that we have had at state and federal levels without the contributions of the people who were directly affected in the past—the mothers and the fathers and the adopted sons and daughters—who brought this to the attention of the community and asked for a response.

The other aspect that I would like to talk about is that the kind of services provided as a response need to be accessible, affordable and adoption specific. Accessible to my mind means there has to be a choice for people looking for a response, not a single place to go to, because the nature of the effect of forced adoption on the different stakeholders is that there is a fragmented sense of need in there, and one organisation cannot meet that need. There has to be an ensemble approach of some choice so that if people do not get on with a particular service provider or response then they need to be able to access an alternative. Affordable means multilevel, so it is everything from peer support through to high-level health support. And of course people need to be informed about the trauma effects of past adoption.

What has happened in Queensland, which I think is of interest, is we have had the same experience that was noted in the Senate report—the antagonism and conflict between the groups of people affected by past forced adoption was disappointing enough to be noted in that report, which is a very rare thing. But it goes with the territory of trauma effect really. Over the years there has not been a response, and people gravitate towards like-minded people and there is a diverse set of needs amongst the community of people affected by past forced adoption. So the tendency is for some people to try and universalise their experience and need and say to government or services, 'This is what we need', whereas someone else might have a different need, and some of those needs vary from just informational need—accessing information about their family of origin—through to specialised services to cope with the ongoing effects.

So I guess that disappointment—we experience that in Queensland and the government experience it. It is wearying for the people in departments and the ministers involved. They want to respond, but people are coming in with different needs and quite high demands. So the government here in Queensland decided to adopt a community development response and have an experienced community development worker work with individuals and groups affected by past forced adoption to identify how it was they wanted to engage with the government, whether they preferred individual meetings or whether they were willing to meet with other groups as well, how they wanted to engage and what their needs were and what their experiences were, and out of that came the idea that people obviously still wanted to be able to engage with the government and communicate their needs. But people are realistic—that unless every now and then people with these diverse needs do not get in same room and hear each other's point of view, then there is not going to be a kind of an

equilibrium achieved and a balancing of rights and perspectives that would be useful for policymakers. So out of that has come quarterly meetings of stakeholders with the government department.

The other thing that came out of that was to address the issue of conflict and, through the community development process, to build trust and a set of ground rules, because what happens in meetings is people can through their trauma be triggered. So working with some representatives from the various groups, ground rules were established for how to conduct meetings but also how to address the triggering. One detail that was adopted there, for example, was the use of a traffic light system where we literally have cards, because people cannot always articulate that they are heading into territory that is making them feel very emotional. So we have a traffic light system which we employ in those meetings. Generally if the green card is out in front of you, it means everything is hunky-dory. A red card would mean stop; it would be a flag to someone to stop what they are saying pretty quickly. There is also an amber light to say, 'We're getting into territory here that's not helpful to me and can we just ramp it back?'. The meetings are conducted on that basis. I must say there are occasions when we have had to use those traffic lights. I myself have had to put down a red traffic light—I am an adopted person myself—when someone was getting into my space and personal history, which they had no particular right to be doing. Through that I could just say, 'Look, please stop'. But I am pleased to say most of the time we do not need that system, because just being aware of that system and building the trust in the groups and having the ground rules, it is very rarely that it happens. It is something we developed to try and address this kind of fracturing that can happen. Working together is the main thing. I think the department has benefited from being part of that ongoing trust and system and ground rules.

The other thing is that the groups demanded—not demanded—we said we do like to access whoever is the minister at the time and make sure that they are aware of the personal journeys of the people involved in past forced adoption. The ministers do not obviously attend all of those meetings, but it is crucial when there is a change in minister that the people on the department team know that it is important that they hear the personal journeys of people and come to those meetings. That builds a notion amongst the group that the government of the day is at least informed about the specific issues in the area. I will leave it at that.

There are also some things to do with unfinished business we have here as well as down there—issues of birth certificates, discharging adoptions. We are very much involved in those groups in discussing the future of adoption. The Queensland government here is very interested to, when it formulates and reviews its adoption legislation, make sure that people affected by past forced adoption have their say, because the key phrase is not to repeat the past.

The CHAIR: Thank you very much. We will allow some questions at this point. I will probably start off just with a couple of questions. In your submission you state that you are trying to find a number of, I suppose, community development workers. Would you be able to explain the role of the development worker employed by the Department of Child Safety, Youth and Women?

Dr JORDAN: They were contracted by the department, and their job and brief was—quite open at the beginning—just to get as much feedback as possible from stakeholders. Now, some of those stakeholders are members of groups that have been long existing and have often been organised, in a way, to lobby government, but there are a large number of stakeholders who are clients—for example, our state government's post-adoption services and Jigsaw et cetera—who are not members of those groups but whose opinion needed to be accessed as well because they are often forgotten. It is often the loudest and most organised groups that the government of the day gets to hear. Particularly when post-adoption services are being provided, opportunity has to be given for them. So that person went around, made themselves available, them and an assistant, both in person and by phone—Queensland is a large state of course—and sought people out and then offered the opportunity for them to provide feedback on a number of these issues: how they wanted to engage, what their experience was, what could be better, whether they were happy just individually dealing with the government or whether they wanted to work together with others. It was done in a model where really the response then was fed back.

Then they are actively engaged with the department as a kind of a respondent to that, so in the early meetings of meeting together as a group, the representative of the department was just one participant with those groups in establishing ground rules. And I think the people in the department as well by this stage, because of the energy and stuff around getting the apology, had a deep desire to try and get on a little bit better with each other, because it is wearing, it does wear people down, and if this is not done, then there is a rollover in people in the government positions. It is not helpful to people affected by past forced adoption to have to explain the issues

again to some new person. So it helps that there be some continuity in the relationship between the team, the stakeholders and the government.

I must say at the other level, in terms of service provision in Queensland as well, we do the same. We meet quarterly, the different service providers, Jigsaw independently and the forced adoption support service we run. The Benevolent Society runs a post-adoption support that is funded by the Queensland government out of its apology and changes in legislation. There is Link-Up. There are the Find & Connect groups. We meet together quarterly as service providers as well to make sure that we are all on the same page and we are cooperating not competing. That is another important thing—that the service providers have to cooperate and not compete as well.

The CHAIR: Just an additional question: is that person still employed or was it a short-term contract?

Dr JORDAN: Yes, it was an outside contract. They are a very experienced person, and when they said who it was I was quite pleased because I kind of knew them from other examples of what they had done. They were new to this territory, which is probably good. They had no experience of that adoption space, but they were very experienced in community development, particularly at the grassroots level—not community developments that are imposed kind of thing, but very experienced, and also working with people who are vulnerable.

The CHAIR: My last question is: Queensland has a centralised record system whereas Victoria has both government and non-government agencies managing those records. In your opinion, should Victoria seek to centralise its record management and what would the benefits be?

Dr JORDAN: Well, absolutely. I mean, one of the things is, of course, we would like a national database as well, but because the way things historically have been collected we appreciate that that has got technical difficulties and that each state kind of keeps information in different types of indexes. But, yes, I think it would be a benefit. I mean, it is just a historical issue in Queensland I think because there were some—to use the vernacular—dodgy practices decades ago by some of the other providers. The Queensland government just took control of adoption and only the government arranged adoptions after a certain period of time.

But, yes, we would be totally in favour of that. Because information and accessing information about the past and one's relatives is the gateway for people who then find out that these other things have happened. For example, a lot of our clients initially might come for information, particularly if they are adopted persons; they do not know if it is a forced adoption or not because they have got no connection with the experience. Obviously the parent involved has an understanding of whether it was a forced adoption or not. So it is very important that the information, and timely access to information, is the gateway for people to other services that they may or may not need. And it is their choice of whether they need further help or not, but the provision of information is key to establishing a relationship where they can get the emotional support as well.

The CHAIR: Thank you. I will move over now to Michaela.

Ms SETTLE: Thank you, Chair. Thank you, Trevor, for your presentation and all that you do. It is fascinating to listen to, particularly around the community development workers, because obviously through the inquiry we have come to understand all of the different groups and managing those different needs, so that is a really fascinating element of your program. I am quite interested in the funding arrangements. We heard that the FASS funding provided by the commonwealth is directly funded to you, which is very different to here in Victoria where it went to a generalised agency, Relationships Australia. I would just be really interested to hear how it works for you and what are your thoughts on the model we should or should not adopt in Victoria.

Dr JORDAN: Well, there are a couple of issues there. One, yes, our forced adoption support service is funded by the federal government. Jigsaw also receives a small amount of funding, but appreciatively, for offering the peer support service, completely different necessarily from forced adoption because it is for anyone affected by adoption. In Queensland the state government response, sort of its probably apology, has piggybacked on it having already established a post-adoption support service through the Benevolent Society as a response to when they changed the legislation. We strongly argue that with any change in legislation that creates not an upset but a change in the balance of rights between people, services should be provided for support for people to understand those changes in legislation. That has worked pretty well. That is the main

state government support, and they—obviously because of people’s experience—support the people affected by past forced adoption as well. So that is the main structure of support.

Within the FASS program, it was strongly put that some funding had to be directly given to peer support and advocacy groups as well as the support services, partly because you do not want to de-energise the connections and relationships that have worked well for them. Once again, realistically they are the ones who got us to this point, but at the same time we have found in a number of those groups the cohort is ageing and capacity is the issue. So we can provide funding, but the capacity for them to deliver even in an incorporated association structure, or something similar for accountability—we assist with that if required, but the cohort is ageing and sometimes they need some extra help.

The other issue I guess or model, apart from that capacity issue, is that a lot of people now are creating groups online rather than face to face. That is more difficult to identify, whether they have a capacity to deliver. So if you give them support, what can they realistically do other than the way they do it now, which is online, and yet they are some of the most vocal. In the current environment of social media they are often some of the most vocal critics and supporters and whatever. So that is something hard, I think, in terms of the way governments have traditionally funded and supported this.

But the model is to have choice so if someone for whatever reason does not get on with Jigsaw or our forced adoption service they can go to post-adoption support, and it helps. But I think it is a difficult kind of thing. If it is seen as somewhat cooperative and if the services are working together and not competing as well, there is no sense of wasting any money or funding. Certainly a state the size of Victoria in terms of population would need more than one service, I think. I mean, we are in the field here as the only non-Relationships Australia provider because of our 43-year history of not only being a peer-based organisation run by people affected by adoption but having developed those capacities in response to our own histories and problems with dealing with people affected by adoption and ourselves. We developed the capacity organisation and whatever, and so that is why we are funded. And that has made our job easier, because we are the name that people think of even if they do not know anything about us. I guess in Victoria there are groups like VANISH—it is a high-profile name. They have been there for a long time. As I say, there needs to be choice and that needs to be supported in some sort of way so that people have choices.

Ms SETTLE: Thank you for that, and I guess that goes to the heart of it. Relationships Australia—obviously I am a regional MP, so it means that there are services in the regions, but as you say, there is also the information or the understanding you have generally as a specific organisation, which adds a whole lot to it in terms of the funding body.

Dr JORDAN: I will just say there, because you mentioned regionalism and Queensland is a big state, that our model we use with our funding is phone-based. It is telephone-based, and we have a minimum requirement to handle a couple of calls at any one time—9.00 to 5.00—and that is the standard we set. I think the community here has appreciated that; that if they ring up, they get an answer and they get help straightaway. Having a face-to-face meeting is very helpful, but that is a core target for us—that people can ring up and they can talk to someone and not be put on hold, if possible.

Ms SETTLE: And you have found that that phone-based provision people are happy with? They are satisfied with a phone-based provision? Is that a peculiarity of Queensland communities—

Dr JORDAN: I think they are happy; they are happy generally with that. I mean, Queensland regions—it is a long way to Rockhampton, Townsville and Cairns. Cairns is like from here to Melbourne, so people are used to it here.

Ms SETTLE: Thank you.

The CHAIR: Thank you, Michaela. We will move on to Heang now. Thank you.

Mr TAK: Thank you, Chair. Thank you, Trevor for your presentation. Perhaps if we could come back to service providers. I have heard you also focus on that in terms of choice, so I would just like to continue on Michaela’s questions. When it comes to choice, can you explain a little bit more the choices that are available to people in Queensland when it comes to choosing a different organisation?

Dr JORDAN: Yes. Well, I guess there are a number of pathways and choices. One of the first is Jigsaw Queensland, and as I say, we have been around for 43 years and people know that we have often helped someone in their family. We have got the brand recognition. Obviously the government is the first choice, because often it starts as ‘How do I access my information?’. Sometimes people contact directly, but other times they will ring us and other service providers to say, ‘How do I get my information?’, and that is the first thing you need—a non-government group to do that. Also you have to have a choice of non-government people to support people because using the vernacular, ‘it was the government that done ’em over in the past’, so it is not going to be their first choice, and they will need someone to stand with them in that process.

So Jigsaw is on the radar and then Post Adoption Support Queensland, which is the state government post-adoption service, and that is for anyone affected by adoption. They are available as well, and they do the same sorts of things—information and support. They do counselling and advocacy work as well. But they are servicing current adoptive families as well as their needs arise, so it is a broader thing. Some people do not like that. Some people affected by past forced adoption do not want anything to do with anyone who is helping anyone in current adoption, so you have got to recognise that.

Then we have Link-Up of course. So if there is an Indigenous connection shown then they are already funded to assist—and Find & Connect as well, because a lot of forgotten Australians were also adopted. So they are accessing both services, and sometimes they find it is good—that they can get a bit more understanding about the adoption issues from one of the post-adoption providers than from Find & Connect and the other issues of being in institutions.

So that is basically it, and then there are a number of individual psychologists and counsellors who have done the forced adoption training for professionals. Obviously they have done that for their professional development, and some of them indicate they are willing to take individual clients, but the way in which they are paid will depend on their service. So there is no direct support there or subsidy other than what is normally available to a community person, but they are the other kind of group that is involved as well.

So they are the major services available, and there are other groups that are interesting up here in Queensland, like Micah Projects, who provide support to current young mothers. So we have strong connections with them, because they support young parents so they do not have to lose their child to adoption or the system. They are strongly involved in the current issues, so we are on very good relationships with them as well. So if someone rang up generally about this sort of question today, we know where they can go for support. I mean, the key thing that was put in the Senate inquiry was the notion of a ‘warm referral’. You know, because people got the feeling they were being handed around in the system, but I think people in Queensland understand and are communicated to that we are all working together here for what they want—an outcome.

I mean, the other issue of support that is lacking is legal, of course, so if people want to discharge an adoption or want some redress. We can provide emotional support and that, but we have no capacity to provide legal assistance to people to discharge an adoption, but that is a broader issue again. So they are basically the main players, and everyone is headquartered in Brisbane. But Link-Up and Micah Projects—Micah Projects do find and connect, by the way, as well as doing the young mothers. So they provide the find and connect service here in Queensland, once again because of their history and involvement with forgotten Australians. They have some offices in Cairns and Townsville just through the work that they do. Link-Up do in Cairns, because that is where the Indigenous communities are. In terms of numbers and needs, they are in the north. They are meeting the needs here in the Brisbane area as well, and Micah have that similar thing. We do not use that system so much, although they have often said their office is available to us if we need to.

Most of the services are phone based. Most of the support given is that. Now, the other thing to remember is a lot of people affected by past adoption do not want to be pathologised. They do not want to be supported. They need continued support for their advocacy work. So some of the people that would be feeding into this community of people are kind of like people who say, ‘Everyone should have a Fitbit, but I am not going to use it’—do you know what I mean? So they want to see services, but they want help to keep advocating and keep getting the word out and keep people conscious that this is still an issue and not to repeat the past, but some of the most vocal people would not use any of the support services, in a way. They would not see that is for them, but advocacy needs to be supported as well so that government gets the kind of feedback and engagement it needs not to repeat the past.

The CHAIR: Thank you, Trevor, for that. I take it committee members have concluded on the questions. Again, on behalf of the committee, Trevor, we thank you for taking the time to contribute and present your submission. The committee really appreciates the time and the effort that you have taken on behalf of your organisation to submit to us today. On the next steps, clearly we have got number of other public hearings to go. After that we will deliberate on all the evidence and some strong recommendations will be tabled through a report to the Victorian government. You can keep up to date. I am sure we will advise you of the progress of the report and most importantly the response from the Victorian government, but thank you very much for joining us today online. It has been a very thorough submission.

Dr JORDAN: Thank you very much once again for having me.

The CHAIR: Thank you. All the best.

Dr JORDAN: Bye, everybody.

Committee adjourned.