
INTERCOUNTRY ADOPTEE VOICES (ICAV)



Inter Country Adoptee Voices



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The Hon Anthony Albanese MP
Prime Minister
Parliament House
CANBERRA ACT 2600

Dear Honourable Prime Minister Anthony Albanese MP

I write to you today on the release of the *UN Statement for Illegal Intercountry Adoptions* that I and my fellow adoptee colleagues globally, have worked with the UN to develop. I presented to the UN on 10 March 2022 and we provided our input into the draft that is now an official statement. We are also being invited next year to present in person to speak about our work and requests for support given these seem to have been falling on deaf ears.

Together with this latest outcome, I have tirelessly spent 25 years working voluntarily and unfunded to advocate for and support my fellow intercountry adoptee community here in Australia and in every country we are adopted to around the world.

I write to you specifically about the lack of response in Australia to those of us, like me, who are either illicitly or illegally adopted to this country via intercountry adoption processes, for whom we were not included in the domestic Forced Adoption Apology (possibly due to country to country politics?), but for which we are long overdue in also being recognised as having been wronged with remedies provided.

I personally was flown into this country in 1973 as a 5 month old baby without any piece of paper that is evidence I was born in another country except for a Vietnamese passport. To this day we have not found adoption paperwork for me and I have spent the majority of my life seeking to obtain my own identity and adoption records without much success from Vietnam. My adoption in Australia (Victoria) was not formally legalised either until I was 16 years of age. I lived in this country without any welfare checks from professionals and with a family who failed to adopt me for 16 years. It is something I am still investigating and trying to find pathways for accountability, especially given that same adoptive family also sexually abused me across years and neglected me in so many ways - starting with the lack of my adoption process being completed until age 16. That family is now facing police criminal charges for their abuse of me. I am 2 years into that process and I am also seeking a discharge for my

adoption so that I might be able to reclaim an identity that I have a say in and which isn't coloured by years of abuse and neglect to a family that never met my needs.

I am personally in contact with the *Vietnamese Ministry of Justice* and still now seeking a copy of or a reprint of my Vietnamese birth certificate that was finally discovered by a private detective at my own cost and years of searching. It still alludes me to have my original identity formally recognised or a document to hold in my hand that signifies my birth. I would one day like to have dual citizenship so that I can return to my country of birth where I was flown out of, with what appears to be no consent from biological parents. I would also like my children to be able to have proof of their Vietnamese heritage. That decision to bring me here without any trail in identity documents has impacts on the following generations. Once I die, they will not be able to seek my adoption papers or identity in Vietnam because most countries do not accommodate for the long term impacts of adoption and have never thought to allow for generational requests to know where we come from and to whom we are born or why I was ever sent away.

I have sought help from the Australian government for my own plight. It was the Federal Government through my long years of advocacy at the AGD and now DSS who formally connected me and facilitated my meeting with the *Vietnamese Ministry of Justice in 2018*. At that meeting, I asked for formal post adoption support from Vietnam for all of us like myself. This has been unsuccessful as Vietnam has little interest (most likely resourcing/funding issue) in helping those of us prior to Vietnam's ascension to the 1993 Hague Convention.

I have also represented those of us who had historic adoptions that are questionable and need support and help, at the *Bronwynn Bishop Inquiry into Overseas Adoption in Australia in 2005*.

That inquiry resulted in the establishment of the *National Intercountry Adoption Advisory Group (NICAAG)* advising the Attorney General. I was appointed as the sole Adoptee Representative along with 16 adoptive parents, a couple of them also academics. At these meetings I worked closely with adoptive mother Julia Rollings to put illegal and illicit adoptions on the table to be dealt with. As a group we at least got as far as highlighting the need to develop a *Protocol for Responding to Allegations of Illegal and Illicit Adoptions*. To date, this is the only documented protocol but it remains a high level and unhelpful document for those of us who are victims. It is simply a way for the State and Federal bureaucrats to sidestep their responsibilities and it continues to leave victims with nowhere to turn because the States have done very little to take up any responsibility and outline what supports they will provide.

In March 2021, I was involved in providing feedback to 1 of the Australian States to look at further developing a State based protocol. I was told it was part of the Federal DSS initiative to push States to address this failing. To date, I've not seen any further development or work being done in Australia to proactively

address this issue of how to respond to those of us who have raised concerns of our illicit or illegal adoptions. This is not from a lack of us asking and pushing.

In Oct 2015, I took a group of us to meet with the Prime Minister's Senior Advisors and again, we included the topic of needing support for impacted trafficked adoptees. In another formal meeting with DSS on 7 Dec 2017, I presented a small handful again of our intercountry adoptees with a range of illicit and outright illegal adoptions to Australia to speak directly to DSS about our concerns and our requests.

We asked for the following:

1. Government to government assistance outside the ISS Aust Search and Reunion Service to conduct a more thorough search for original identity and birth family especially when identity was falsified and criminal prosecution occurred.
2. Translation of any documents or letters back and forth to assist in finding our original identity .
3. Financial assistance to travel back to your country of origin regularly when it has been demonstrated we were not relinquished or our adoption papers fraudulent or non existent.
4. Financial assistance to cover dual citizenship application fees and assistance with the process.
5. Financial assistance to cover fees for an adoptee to revert back to their original name / identity.

To date, our government has failed to adequately respond or provide any specific services to assist in these requests.

This lack of response and never ending silence on the matter, has led me to represent us at *The Hague* where we compiled this as a global first of our voices of impacted peoples.

Our top 3 requests as victims are:

- A change to intercountry adoption laws to ensure a legal framework exists for which illicit and illegal intercountry adoption practices can be prosecuted against. Currently there is none.
- An independent investigative body so we aren't expecting the governments and adoption authorities to "investigate" themselves. Currently that's what happens.
- Fully funded support services for victims. This includes being provided by trauma informed and culturally sensitive professionals for: legal aid; counselling; financial aid; lived experience support groups; family tracing; DNA testing and genealogy services; travel support; language classes; translation services; mediation services; culture and heritage supports.

Many other countries, due to the swelling en-masse movement of adoptee advocacy, are starting to take a look at their past involvement in intercountry adoption. I wrote this blog to capture it neatly and since then, there have been further developments in Denmark and Sweden as adoptive countries as well as Sri Lanka, Guatemala, Chile and Korea as birth countries who begin to

recognise and look at the historic practices and provide support for impacted victims.

Following on from *The Hague* where I've been an *Observer* and providing the ONLY voice as an impacted person to *The Working Group on Preventing and Addressing Illicit Practices in Intercountry Adoption*, this has then led onto us adoptees forming another coalition, *Voices Against Illegal Adoption (VAIA)* to ensure our voices be heard at the top most level in the international space, the UN. It was advised to me by the *Hague Permanent Bureau* that if we fail to get any helpful response on a national level, our avenues are to try at the international level. It strikes me that the UN has answered us with this statement today after being in direct contact with adult intercountry adoptees for less than 2 years, yet .. for decades there has been a massive silence from the Australian government despite huge amounts of work on my behalf to have our voices recognised and responded to.

It saddens me that I have been such a positive ambassador for Australian and it's relatively progressive views on adoption around the world, yet, we have failed to get the Australian States and Federal Governments to take this seriously and actually DO something in response. We remain one of the most backward nations in responding to the history of illicit and illegal intercountry adoptions here, despite our forwardness in coming to terms with our history of domestic adoption practices and the Stolen Generation which is akin to many of our intercountry adoptions.

In 2015, I worked jointly with *ISS Australia* to propose a *Search and Reunion Service* for intercountry adoptees in Australia. It was successful but only funded for 2 years (2016 - 2018) and then it was discontinued. In this funding, we were able to have our first piece of work to ever positively help one of our illegally adopted Taiwanese adoptees, Kimbra Smith with her trip back to Taiwan to meet with her trafficker who had been imprisoned along with some of the Taiwanese government. That funding also helped another Indian adoptee who has been illegally adopted to Australia at an older age. The funding enabled her return with support to reunite with her newly found mother in India. That funding for the service could have continued to help more of our impacted adoptees but it was ended by the Australian government and we now currently only have a "counselling" service that does little more than listen to our emotional turmoil but does nothing to meet our logistical and cross border needs and to find and reunite with our families. Helping us find our families or enabling ongoing return between our countries should be the first response to a wrongful action that has changed our life irrevocably and forever.

I ask that you please consider opening an investigation in Australia as to our history of illegal and illicit intercountry adoptions or as a minimum, provide support services to those of us who live this reality and continue to suffer in silence. The wrongs of the past for our domestic peers, are provided with a formal apology, memorials, and support services including DNA genealogy support, however the wrongs of the past for our intercountry adoptee community remain invisible, unrecognised and minimally provided for through only emotional counselling.

I hope to hear from you as it seems you are man with integrity and hold a true concern for your fellow human beings. Former PM Julia Gillard's name is honoured and remembered forever around the adoption community worldwide as one of the few Prime Ministers to recognise the wrongs in Australia's domestic adoption. Her speech has brought tears and healing to many adoptees and mothers worldwide because they are the words we need to hear. Wouldn't it be incredible if your name could be the one everyone remembers for recognising the wrongs in intercountry adoption in Australia! I hope to see this day! Other countries like The Netherlands, Switzerland and Belgium have already apologised for their historic illegal intercountry adoptions and are taking actions to support the victims. When will Australia also do what is the right thing by our intercountry adoption community?

I make myself available at your convenience should you be willing to hear from us in person. I write in request of myself, but also as a person who upholds our community that is large of adult intercountry adoptees. I request that should anything be done to right these wrongs, that you place those of us who are impacted most, at the centre of consultations and having our direct input into the steps forwards. This would ensure the most meaningful way through a challenging past to heal and move on.

Yours sincerely,
Regards



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