

**Submission
No 10**

**INQUIRY INTO INCLUSION OF DONOR DETAILS ON
THE REGISTER OF BIRTHS**

Name: Mr Brian FitzGerald

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Brian FitzGerald



The Committee Manager
Committee on Law and Safety
Parliament House
Macquarie Street
SYDNEY NSW 2000

Dear Ms Sheen,

I have been corresponding with various ministers of the NSW Government over a number of years trying to persuade them to change their thinking behind the birth certificate that is issued in this state to an adopted person. While I understand that the enquiry under discussion is to do with the provision of donor details on the registry of births, I believe that the issues involved are very similar to those that would be raised in the context of adoption.

While much has improved in the area of adoption, certainly since the Adoption Information Act of 1991, it is shameful that the state governments in Australia continue a policy of deception on the birth certificates issued to adopted people. The old style and now mostly discredited thinking of the past is still evident in these birth certificates, which remain very much a part of the "secrecy and lies" approach.

An adopted person's birth certificate in NSW lists as the parents, not the birth parents as one might reasonably expect, but the adoptive parents. The latter are of course the legal parents once adoption has taken place, but their names are listed, in the words of the NSW Attorney General's Department, "as if they were the birth parents". There is no qualification or explanation. It is called a BIRTH CERTIFICATE but the information given in it has nothing to do with the title of the document; this statement of parentage is at the very least misleading, and is actually quite false, an accusation that surely an official government document should not be open to. The NSW Attorney General's Department's words quoted above clearly admit to and acknowledge – though possibly unintentionally – this falsity. (The tax office and Centrelink make it quite clear that giving false and misleading information on one of their documents is "a serious offence". In the recent Senate Enquiry into forced adoption practices these birth certificates were a number of times referred to as "a fraud", and that of course in the normal world is a crime.) Let's not beat around the bush: the information about parentage on the birth certificate is a lie.

Apart from the fact that the information on these birth certificates is untrue and that official government documents should not lie, surely it should be acknowledged that every citizen has a fundamental right to true and accurate information about their birth and origins, to know who their parents were and where they have come from, and of course an accurate view of their genetic make-up. I would certainly regard this as a basic human right. And there seems to be a basic human need too for this knowledge. A government has no right to withhold, and should have no interest in withholding, such information.

Yours sincerely,

Brian FitzGerald