

**Submission
No 13**

**INQUIRY INTO ADEQUACY AND SCOPE OF SPECIAL
CARE OFFENCES**

Name: Ms Gabrielle McGuire

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Inquiry into the adequacy and scope of special care offences

I would like to take this opportunity to thank the committee for allowing an extension of time to put in a submission.

There are two areas I would like to address

The first being the issue of adoption and the relationship between the adoptor and the child and the second area of farm workers

The first area of adoption:

Australia has a very bleak history of child care. Removalist policies have been in place for all of our history and beyond, firstly with transportation and sending children to Australia for stealing food and other poverty driven offenses. This has left a legacy of cruelty and a judgmental society.

Poverty and removal of children into institutions, there has been an attempt at an apology for the removal of hundreds of thousands of children whom many were then subjected to sexual as well as all other forms of abuse. There has been no apology to the mothers and families who had their children ripped from them. There has been no apology to the children for wrongfully being removed.

Children have never fared better at the hands of the Australian governments.

The latest apology for forced adoption of hundreds of thousands of healthy new borns to feed the insatiable infertile couple market, has got to be Australia's biggest shame. A pathetic apology for duress to get consent was made. It went no way to state the real trauma done to the mother and the child and the extended family. Separated forever.

Before one can include adoptive parents into this inquiry one has to understand what the relationship between the child and the adoptor is.

In most cases adoption is illegal in Australia. It has to be in the child's best interest before it can be legal. Otherwise it falls under child trafficking. Just because it is done doesnot make it right legal or moral. Federal and state governemnts around the world have a very bad history of afflicting atrocities on their own people.

Slavery

Apartheid

Transportation

Genocides

Holocaust

All done be governments, whether legal or illegal is a moot point, it is legal when the government creates a law for it. It never makes it good or moral or just.

Adoption has always skirted around the law, until the government decided to cover its tracks and remove the need for consent. So now it is legal but still horrendous.

So in including adoption in the special care act, one has to define whether the child was placed in their best interest, or whether they were of the majority of adoption and illegal immoral and just plain wrong. It would be better to ban adoption first rather than fit it into something that it will never fit.

The relationship of child and adoptor is one of what is commonly explained as the Stockholm Syndrome. While victims of abduction, of which adoption is, develop a pathological attachment to their captors, and defend them no matter how badly treated they are. The adoption industry has coined this tragic relationship as attachment theory. To cover their tracks and hide the monstrosity that adoption is.

The current theory is the 1000 day theory. And yes it does take about 1000 days to break a child into submission that they are the children now of strangers

Adoptive parents like to think the child is as born unto them, they would like sexual relations to be treated as incest, that would give more legitimacy to their claims of these poor children.

But including it in incest is only adding to the lies the children have to live.

By including it in with other care workers ie teachers etc , then has the problem that it is only wrong during ages of 16 and 17. Since the vast majority of adopted people are sexually abused by adoptive family members before they turn 16. And as far as I know no adoptor has been punished for this crime as yet.

One has to ask why there are so many problems of children in foster care, languishing is the most common term used, yet in adoption they seem to go to loving forever families. Why is this so? When it is the same people who foster as adopt.

The two main reasons is because they are no longer monitored and second the Stockholm syndrome prevents them from speaking out.

Adoption has many other tentacles, blood siblings marrying each other as they didn't know of their origins, incest amongst adopted children. I have heard of many cases of relatives sexually abusing adopted children grandparents, uncles cousins etc. I once asked an adoptive parents who admitted climbing into his 13 year old adopted child's bed, why so many adoptive parents have sex with the children

he answered .

“their mothers are sluts, so they are fair game”

How are you going to legislate against this attitude.

My second issue is farm workers

Many farms are family run and have children running around. Itinerant workers are used to do various chores, pick fruits etc. it is impossible to watch the children 24 hours a day and since living on a farm most children have more freedom than their city cousins, are not watched all the time.

These young people need protection from exploitation by farm workers, they need to know that they will go to jail for 4-6 years if they touch the children under 18 and possibly over 18 whilst still working on the property. Please consider this as well.

That the Standing Committee on Law and Justice inquire into and report on the following aspects of the adequacy and scope of the special care relationships recognised in the special care offence under section 73 of the Crimes Act 1900:

(a) the adequacy of the scope of the special care offences in ensuring the safety of school students, in relation to their application to teachers and other school workers, including: (i) whether the offences should apply where a school worker is a volunteer, (ii) whether the offences should apply where the school worker is a recent ex-student of the school, (iii) whether the offences should apply where the school worker no longer works at the student's school,

(b) whether the offences should apply where a special care relationship existed but is no longer in effect,

(c) whether youth workers and workers in youth residential care settings, including but not limited to homelessness services, should be recognised as having special care of any 16 or 17 year old young people to whom they provide services,

(d) whether the offences should be expanded to recognise adoptive parents and adopted children as a special care relationship

(e) whether any additional safeguards, including but not limited to Director of Public Prosecutions sanction of prosecutions, are required in any of the circumstances in paragraphs (a) - (d) above,

(f) whether the incest offence in section 78A of the Crimes Act 1900 should be expanded to include adoptive relationships, and

(g) any other related matter.