



Movement for an Adoption Apology

20 Rookery Way, Seaford, BN25 2TE

The Rt Hon. Rishi Sunak M.P.
Prime Minister,
10 Downing Street, London SW1A 2AA

6th July 2023

Dear Prime Minister,

MAA – Movement for an Adoption Apology

As you may recall, between December 2021 and July 2022 the Joint Committee on Human Rights held an Inquiry on '*The right to family life: adoption of children of unmarried women, 1949-1976*'. Evidence was given by those affected, both mothers and (now adult) children, and by academics with expert knowledge of the issues, legality (or otherwise) and ramifications of those events. Experts included Dr. Michael Lambert, a historian specialising in the welfare state, particularly the NHS from 1948 to the present day, who has acquired specialist knowledge of the issues. At the conclusion of the Inquiry, the JCHR issued a report entitled "*The Violation of Family Life*", in which they concluded that extensive harm has left thousands with trauma and an enduring sense of shame. They called for an official public apology with measures to support all those still affected today.

This year, devolved governments in Scotland and Wales each issued a public, formal, heartfelt apology for injustices endured by young mothers and their children, to be accompanied by practical support measures in each country. They acknowledged that *it is the state that is morally responsible for setting standards and protecting people*. To date, Westminster has responded with only a document, issued without publicity or press release. Although the response included the word 'sorry' fifteen times, it was clear that in no sense was the word intended as an apology, as it said "we do not think it is appropriate for a formal Government apology to be given, since the state did not actively support these practices." This falsehood is an abrogation of responsibility and a denial of the facts which has been deeply hurtful to all affected.

Dr. Lambert's work shows the extent of government involvement and the vast array of organisations reliant on government funding to run mother and baby homes and adoption societies. To deny this in the face of irrefutable evidence is astounding. *Please see appendix 1 herewith.*

From the robust evidence given by those with lived experience of historic forced adoption practices and from extensive academic investigation of those events, it is clear that terrible injustices took place, constituting a profound violation of human rights. Too many mothers have died without having their suffering acknowledged or receiving validation for the trauma with which they lived, and with which so of us many continue to live.

We ask you to reconsider issuing an unqualified formal, public apology acknowledging the undeniable central role of Government in forced adoption practices for unmarried mothers and their children in England and Wales from 1949 to 1976. There have been retrospective apologies for other past injustices, where those affected had died many decades, sometimes centuries ago. We are still alive – time is running out.

Our lives remain laced with the aftermath of our experiences. We are asking you to issue this apology to show that we were the victims of a terrible lifelong injustice, to be accompanied by the fully funded measures we seek. *Please see Appendix 2 herewith.*

After all we have lost, you can help us find a measure of peace.

Most respectfully,

Movement for an Adoption Apology

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Appendix 1

Dr Lambert's work shows that the State was *actively* involved with, and responsible for funding, and enforcing policies, ensuring the implementation of the heinous adoption practices from 1949 to 1976.

He states:

"I will briefly dismiss the Government's two claims which deny the central role of the state. Firstly, with regards to forced adoption practices being 'carried out locally' leaving local authorities responsible. Prior to 1939 and the outbreak of the Second World War, adoption for unmarried mothers was less common, with organisational and cultural preference by both statutory and voluntary bodies for mothers to keep their children as a sign of shame. Mother and baby homes were, at this time, about equipping them with the domestic skills necessary to work in service. This changed during the Second World War as illegitimacy rates rose and such an approach was no longer practicable. In 1943 the Government, through the Ministry of Health, issued circular 2866/43 which placed upon every local authority the responsibility to provide 'services' for unmarried mothers, including adoption, to maximise their labour contribution to the war effort.

Initially, this mainly extended to financial support for day nurseries and adoption rates were low. However, after the Second World War owing to the demographic 'baby boom', there was a greater use of adoption services by local authorities, usually through intermediaries as most did not have any homes of their own. This expansion informed the 1949 Adoption Act which made closed adoption, whereby birth mothers and their adopted children would have no contact and adopted children were given new identities of their adopted families, easier and the norm. It was during this time that local authority use of central funding through the Ministry of Health under the terms of circular 2866/43 and the obligations laid upon them to provide services increased dramatically. In addition to financial support on a case-by-case basis, local authorities were empowered to make grants to individual homes, diocesan adoption societies which ran homes, and other voluntary organisations.

In short, it was *central Government* which created a policy structure of financial incentives which shaped what and how local authorities acted in regards to forced adoption. Changes in the use of circular 2866/43 were not made in a vacuum, and Ministry of Health officials met with senior counterparts of local government associations and adoption organisations to determine policy and ensure that sufficient funding and homes were made available. Whilst not every unmarried mother went into a mother and baby home, nor was every unmarried mother forced to surrender their child – some of the reasons for this were discussed in evidence submissions to the JCHR inquiry – the policy preference for closed adoption for the children of unmarried mothers was sustained by the state, and crucially the dictates of central Government.

Secondly, with regards to voluntary organisations and those outside the state being responsible, this overlooks a considerable body of academic literature both historical and contemporary about the nature of the relationship. Financial, political and organisational interdependence, combined with the ability to ensure representation and lobbying in terms of the central Government agenda, means that relations were porous. Academics define this ambiguous relationship as a 'mixed economy' of welfare. That is, a balance between statutory and voluntary provision and funding which is fluid and moves over time. Another key concept is the 'moving frontier' of the 'mixed economy', to show how and why certain groups obtain interest and support at certain moments and how these also change over time. This



Movement for an Adoption Apology

20 Rookery Way, Seaford, BN25 2TE

analysis is usually framed in terms of direct provision, funding for non-statutory organisation, and devolution of power to others.

The apparatus of forced adoption of the children of unmarried mothers in England and Wales from 1949 to 1976 was not provided directly by central Government, and unusually by local authorities. Instead, most mother and baby homes and adoption societies were voluntary. However, this was an explicit decision taken at the foundation of the NHS following opposition from religious societies, and during debates over the delineation of functions between health and welfare. Those same debates, involving ministers, senior civil servants and voluntary representatives, clearly outline an expectation that the same voluntary bodies will continue to provide a service in the new welfare state era through funding and support, but that their domain will not be taken over by the state. In effect, in terms of the above threefold delineation of analysis, the voluntary sector became the largely de facto state in terms of moral welfare, which was ultimately about delivering children from unmarried mothers for adoption. Again, the entire policy, process and practice was impossible without central Government.”



Appendix 2

Framework

Recommendation 1

We recommend the following key elements:

- A National apology.
- A National framework to enable every council to provide standardised, appropriate, trauma-based therapy or counselling services.
- A National strategy for the harmonisation of all birth record access and reunion services across all local authorities.
- A National Record of Historic Forced Adoption Experiences.

Apology

Recommendation 2

We recommend that the Government issues a formal statement of apology that identifies the practices and policies, including those within social and health services, that resulted in coerced and forced adoptions and acknowledges, on behalf of the nation, the harm suffered by parents whose babies were forcibly removed and by the sons and daughters who were removed from their parents, culture and families, and by extended members of those families, across the generations.

Recommendation 3

We recommend that institutions that administered adoptions should issue formal apologies in which they acknowledge practices that were illegal or unethical, as well as other practices that contributed to the harm suffered by parents whose babies were forcibly removed, and by the sons and daughters who were removed from their parents, culture and families, and by extended members of those families, across the generations.

Recommendation 4

We recommend that all apologies mentioned above should satisfy the following criteria:

- Acknowledgement of the wrong done or naming the offence.
- Accepting responsibility for the wrong that was done.
- The expression of sincere regret and profound remorse.
- The assurance that the wrong done will not recur.
- Reparation through concrete measures.

(Canadian Law Commission)

Recommendation 5

We recommend that official apologies should include statements that take responsibility for the past policy choices made by the leaders and staff of institutions, and **not be qualified by references to values or professional practice at the time.**

Recommendation 6

We recommend that the formal national apology is accompanied by concrete steps that offer appropriate redress. Namely:

Government funding for research into the ongoing long-term nature of trauma caused by forced adoption, and the consequent need for the development of specific counselling and therapeutic services to be delivered by well trained and experienced professionals.



Movement for an Adoption Apology

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- Government funding for the development of guidelines and training materials for GPs and mental health professionals to assist in the diagnosis, treatment and care of those affected.
- Government funding to support access to specialist therapeutic support services, peer and professional counselling support and records tracing support for people affected by forced adoptions.
- Government funding for the National Record of Historic Forced Adoption Experiences.

Recommendation 7

We recommend that the formal apology be presented in a range of forms, and published across a wide range of media, appropriate to the demographics of all those affected.

Support Services

Recommendation 8

We recommend that the Government determines a framework to establish **free and universally available** specialist counselling and psychological services, **via clear referral pathways**, to be delivered by recognised professional service providers with **relevant expertise and experience** and who have **no connection with past and forced adoption practices**, and who would not seek to substitute therapeutic counselling with informal, general and emotional support.

Recommendation 9

We recommend that the Government provides funding for peer-support groups that assist people affected by former forced adoption policies and practices, to promote public awareness of the issues, facilitate opportunities for networking and provide therapeutic activities.

Reparation

Recommendation 10

We recommend that institutions, agencies and Government bodies, that had responsibility for adoption activities in the period from the 1950s to the 1980s establish grievance mechanisms that will allow the hearing of complaints and, where evidence of wrongdoing is established, ensure that redress is available. Accessing grievance mechanisms must not be conditional on waiving any right to legal action.

Reunion and Records

Recommendation 11

We recommend that integrated birth certificates are adopted and issued to eligible people on request, and that they provide legal proof of identity having equal status to other birth certificates.

Recommendation 12

We recommend that the Government provides funding to establish an independent central body with **no connections with past and forced adoption practices**, to maintain and operate a secure national database of all adoption records and practices from the historic forced adoption era.

Recommendation 13

We recommend that all institutions involved in forced adoption practices be compelled to comply with providing adoption records to the secure national database, and, in instances where files have been destroyed, be required to provide details regarding when and why this occurred, including evidence of fires, floods etc.



Recommendation 14

We recommend that new principles to govern post-adoption information and contact are developed and implemented for pre-reform era adoptions to include:

- All adult parties to an adoption be permitted access to all information, including court orders.
- All adult parties have an ability to regulate contact, but that there be an upper limit on how long restrictions on contact can be in place without renewal.
- All adult parties have the right to be *automatically informed* of the death of a parent or a child.
- The independent central body that operates the secure national database offers free information and mediation services to assist parties to adoption who are seeking information and contact.

Recommendation 15

We recommend that the Government sets up a fund to provide grants to parents whose sons or daughters were forcibly removed and then were subsequently taken abroad, to enable them to reunite or meet at end-of-life stages or funerals.

Commemoration

Recommendation 16

We recommend that the Government commissions a permanent exhibition documenting the experiences of those affected by former forced adoption practices.