GD™

Geborener Deutscher®

A Newsletter for German-Born Adoptees and Their Birth/Adoptive Families

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THE INTERNATIONAL SCENE

Report From New Zealand Highlights Effects of Open Records

In 1985, the New Zealand Parliament passed a law, entitled the Adult Adoption Information Act 1985, which opened previously closed adoption records of the New Zealand Department of Social Welfare to adult adoptees and their birth parents. Recently, in a report written for the New South Wales (Australia) Standing Committee on Social Issues, Mary Iwanek, a locally renowned and well-regarded social work professional in the field of adoptions/-reunions, summarized both the terms of the Act itself and her research into its subsequent effects, and made certain recommendations to the Australian Committee based upon that research.

Preliminarily, Ms. Iwanek observed that, "[i]n passing the Adult Adoption Information Act 1985, Parliament had accepted the view that adoption practice in the past had been premised on false assumptions, particularly relating to the myth of re-birth and birth mothers being able to forget and make a new start. It accepted that society ha[s] a responsibility to adopted people and the birth parents to provide identifying information which would enable all parties involved to find peace of mind and resolution of internal conflicts."

New Law Took Effect in 1986

The Adult Adoption Information Act 1985 was enacted in September 1985 and took full effect one year later, on September 1, 1986. The Act provides that any adoptee aged 20 years or more, or any birth parent of such an adult adoptee, may make application to the New Zealand Department of Social Welfare for either a copy of the adoptee's original birth certificate or the adopted name of a surrendered child, and/or any other identifying information in the files of the Department of Social Welfare.

In order to protect the privacy rights of those affected by passage of the Act, a "veto" system, whereby either party can request that no identifying information be released to the other, was implemented. All affected parties were granted the right to file a veto during the six-month period prior to the September 1, 1986 effective date. A veto may also be filed at any time subsequent to September 1, 1986 and, once filed, has effect for ten years and may be rescinded or renewed at will.

Mandatory Adoptee Notification and Counselling

In the case of a birth-parent application, if no veto has been filed, the law provides that the Department must seek out the affected adoptee, make the birth parent's request known to him/her and obtain the adoptee's permission to release the requested information. According to Ms. Iwanek, this provision was written into the law because "[i]t was … felt that [adoptees] needed extra protection [in case they had not] … been told they were adopted by their adoptive parents. It was thought that it would be very traumatic to have a birth parent making direct contact in these cases …."

A survey conducted by Ms. Iwanek showed, however, that, "of … 2,232 birth-parent contacts made, only 22 [adoptees (ranging in age from 20 to 55) (or *less than 1%*)] had not been told about their adoption."

The Act provides further that it should be the adoptee -- and *not* the adoptive parents -- who is contacted by the Department because, according to Ms. Iwanek, "adopted people affected by the Act are adults [and] should be the first people to be approached [by the Department]." Absent a veto, no such prior notification is required to be made to a birth parent, however.

The Act also mandates that all adoptee-applicants be counselled, either by a Department social worker or by another counsellor nominated by the adoptee and authorized by the Department. Such compulsory counselling may take place either in person, over the telephone or by correspondence, at the adoptee's option. To ensure that adoptee-applicants are counselled, the birth certificate or other identifying information is sent first to the counsellor, who then releases it to the adoptee-applicant.

Additionally, optional mediation services are available from the Department or other authorized agency for those who request them. The Department is also authorized to assist in the actual search process when requested to do so, but only "under special circumstance[s]."

Previous Provisions Unaffected

Prior to enactment of the Adult Adoption Information Act 1985, adoptees over 20 years of age, minor adoptees having their adoptive parents' permission, birth parents and/or adoptive parents in New Zealand could obtain only *non*-identifying information from Department files. However, according to Ms. Iwanek's report, it has only lately become the practice of New Zealand adoption placement workers to encourage adoptive and/or birth parents to periodically update their non-identifying information. Passage of the new law had no effect upon this prior provision.

Since other services of the New Zealand Department of Social Welfare are provided free to clients, it was determined that, except for costs specifically associated with the duplication of documents, services provided by the Department in compliance with the Act would also be provided free of charge.

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Post-Enactment Statistics

In her report, Ms. Iwanek provided some raw statistics on the numbers of applications and vetoes received, from the effective date of the law -- March 1, 1986 for vetoes and September 1, 1986 for applications -- through June 1, 1989, as follows:

Adoptee Applications	
Male	3,263
Female	6,800
Total	10,063
Birth Parent Applications	
Mothers	2,081
Fathers	151
Total	2,232
Total Applications	12,295
Adoptee Vetoes	
Male	333
Female	651
Total	984
Birth Parent Vetoes	
Mothers	2,946
Fathers	46
Total	2,992
Total Vetoes	3,976

According to Ms. Iwanek, the majority of vetoes was filed in the six-month period prior to September 1, 1986, and only a small number of vetoes has since been rescinded. Ms. Iwanek also reported that, where adoptees were given a choice, half chose counselling by a Department social worker and half chose an independent counsellor. Approximately 65% of all adoptee-applicants received their compulsory counselling over the telephone.

Recommendations

Among the recommendations made to the Standing Committee in Australia by Ms. Iwanek were the following:

- *Counselling for adoptees should be optional*. According to Ms. Iwanek, "[the counsellors I interviewed] feel that for most people [compulsory counselling] is seen as an unnecessary impediment to finding out about one's personal origins and they would prefer to have counselling made optional." The purpose of compulsory counselling was to ensure that adoptee-applicants were provided with sufficient information in order to make informed decisions about searching and other matters related to their application under the Act, but it was felt by some "that having to undergo compulsory counselling could also be a deterrent [to] … initiating [the] application or search." Further, "[m]any adopted people feel it keeps them in a dependent state and sets them apart from the rest of society who have free access to information about themselves," according to Ms. Iwanek.
- *The veto system currently in place seems not to be working as intended.* Ms. Iwanek noted that, because the law does not require that an individual filing a veto give a reason, receipt of a birth-parent veto tends to give adoptees an even greater impetus to search. Many adoptees and birth parents whose request had been vetoed were able to locate the sought-after person even despite being denied access to identifying information in the Department's files, thus creating potentially embarrassing situations which the veto system was intended to avoid. For example, Ms. Iwanek reported that a survey of New Zealand adoptee support groups showed that, of 76 adoptees who had received vetoes, 75 attempted to search anyway. Of those, 72 were able to trace a birth parent within six months; 69 made personal contact with the found birth parent, either personally (64) or through a mediator (5); and of those who made contact, *only 6* had their contact request declined (leaving 63 -- or 91.3% -- who had positive reunions with birth parents who had initially filed a veto!). Ms. Iwanek suggested an alternative system which, while not denying access to Department-held information, would permit an adoptee or birth. *cont. on pg. 4, col. 1*

The Editor's Page

William L. Gage

Reunions, the magazine

On May 12, 1990, I received the "Prepublication Issue" of ***Reunions, the magazine***, an adoption- and search-related periodical, published and edited by **Edith Wagner**, that also addresses such matters as family and class reunions, and searches for "lost" or "missing" persons whose status as such is not specifically adoption-related. As you may recall, I included a flyer for this magazine as an insert with a previous issue of *GD*, but without the knowledge that this project would ever see realization.

I am happy to report that it has indeed reached the prototype stage and appears to be an endeavor that is worthy of our financial and other support. Subscriptions are $22 for one year in advance -- or $24 if billed later. Publication will be quarterly, beginning in September, 1990, with two additional "classifieds only" issues per year for subscribers. The sample "Prepublication Issue" may be obtained for only $2.50, however.

The "Prepublication Issue" I received contains 24 numbered pages and includes a representative sampling of anticipated columns, articles and features. The classified ads section is largely drawn from the newsletter of a Kansas City group, and most expository pieces are also reprints from existing Movement newsletters or periodicals. But *Reunions, the magazine* anticipates finding its own unique voice and so is soliciting proposals for *articles or other "reunion-related" materials for* publication in future issues. Correspondence or subscription orders should be addressed to ***Reunions, the magazine*, P.O. Box 11727, Milwaukee, WI 53211-1727**.

Searching in Eire

Search assistance for foreign-born adoptees living in the United States isn't always easy to come by, which is why I am happy to be able to advise you of the availability of help for U.S.-resident or other adoptees who were born in **Ireland**.

Stateside, **Mary Catherine O'Dea** of **Cleveland, OH** informs me that she has successfully completed three Irish searches and has one more pending. Ms. O'Dea, who is also a member of **NORCAP**, the British search-assistance organization, may be reached at:

P.O. Box 360074
Cleveland, OH 44136.

Across the ocean, I am in touch with another woman, an Irish-born adoptee by the name of **Suzanna Byrne**, who lives in **Belgium** and summers in **Dublin**. Ms. Byrne has advised me that she would be happy to assist anyone needing help to search in Ireland *or* Belgium; her address in Belgium is:

"The Old Vicarage"
Stationsstraat 66
3580 Neerpelt.

Briefe

(Letters from Readers)



We strongly encourage readers to write in response to any materials published in GD. The opinions expressed in letters published herein are the authors' own, and do not necessarily reflect the opinions of the Editor. Letters may be edited for clarity and/or brevity.

-- WLG

February 16, 1990

Dear Bill and Friends,

I am so happy to be able to sit down and share the sequel to my search with you. I am also encouraged and strengthened by the stories I have read in *Geborener Deutscher*.

As you may recall, Jenny Jansen [*a German-born, mixed-race adoptee who was profiled in Issue #2 of* GD **-- Ed.**] answered my cry for guidance in my efforts to locate my birth parents. She read it in your newsletter, and felt the Lord speak to her heart. She called me here in America and told me so. I, a spirit-filled person, found assurance with God once again in my life, from whom we adoptees really need direction during our search, because He wants to bring us back to our birth parents as He wants to be our Heavenly Father to us, His children.

When Jenny read of my quest, she went to the *Jugendamt* in *München* and asked them to pull my file, and they called her to tell her that I had another name, a birth name, which was "Petra." I have become quite accustomed to this name and am using it when introduced to newcomers in my life, and I feel thereby connected to myself for the first time since I last saw my birth mother.

Then Jenny calls me again and tells me to sit down, she has someone who wants to say hello, and I asked, "Who?" She replied, "Your mother." I stopped breathing for a moment, and then said, "Hello," and she said, "Petra, oh my Petra," and I said, "Mama, yes, it's me," and then Jenny said she had to go because it really was too much right then, she couldn't stop crying, so I said goodbye. I couldn't believe that here I was, going to go to Germany for two weeks to search for my mother and I find her the day before I am to leave. I can only thank the Lord.

You must be wondering how Jenny and my mother got together. It seems that my *Mutti* went to the *Jugendamt* every year to ask after her daughter, Petra. She would ask for help and guidance, but they could not tell her anything unless I also contacted them, and she would go away for another year. Then she comes to the *Jugendamt* after I have written to them myself months beforehand and the man who was handling my file told my mother to sit down, he had a letter from her daughter asking for information, and informing him that she (I) would be arriving in *München* the following Monday. I had told him that I would be staying with Jenny and he gave my mother her name and telephone number. I thank God that she never gave up looking. She told me later that that was also why she never moved (so that I could find her more easily if ever I looked…).

I told her that one reason why I never searched after I turned 18 was because my adoptive parents never told me I was adopted. She said that she had been told that I would be informed of my adoptive status and given a picture of her and me together. She had written her request on the back of this picture, but my adoptive father, who understood German, had crossed it out with a marker and never told my adoptive mother about it.

My mother was 18 years old and working as a waitress in an ice cream shop when I was born. She was in love with my father, who was then a student, but she had no money to take care of me and she decided to hide me from her own mother, so she stayed with my father in a filthy apartment with no facilities. I asked her to show me, and she did.

She signed herself into a women's home for a week, and when I was two weeks old, she placed me for adoption. When she told me this, I said, "Yes, but Mama, you came to visit me every day?" Up until that moment, I had never consciously known that, but she said, "Yes, Petra, I did. How did you remember?" Now, who says that infants don't remember what's happening around them? We just can't talk about how much we're hurting and know that no one hears our screams. [*Readers interested in pursuing this subject further are directed to the book* Babies Remember Birth *by David Chamberlain, published in 1988 by J.P. Tarcher.* **-- Ed.**]

So my mother and father visited me until I was 3½ months old, and I was adopted at five months. My birth mother, Elfie, married my birth father one year after giving me up, and they couldn't ever conceive another child. Heartbroken, they tried to look for me. Twenty-nine years later, I just go with the heart-feeling that I am adopted and ask the Almighty to guide me; I would put my trust in Him and I do believe that he did intervene.

The two weeks I spent with Jenny and my mother were very emotional and I felt and saw a lot of who I am in my mother. Our compassion and love, which we shared, has brought my inner self together much more than before meeting her. We also resemble one another [*see photo below.* **-- Ed.**], which was nice to see. We adoptees need to identify with as many similarities as we can, it is a part of the healing process.

The language barrier was very hard, and I felt

cont. on pg. 4, col. 3



Petra Skelly and her birth mother in Germany

parent to file a letter or other communication with the Department explaining why they do not desire or cannot accommodate a reunion.

- *Department-provided mediation services should remain optional*. According to Ms. Iwanek, "this fits in with general social work principles where social workers help people do things for themselves rather than doing things for clients." She goes on to observe that "[t]here is evidence from practice that the initial contact itself is the most powerful, therapeutic and healing experience between the parties involved. Social workers, acting as mediators, can never convey or recapture that moment of that first reaction when contact is made to the applicant. To deny applicants this experience seems to detract from the experience as a whole which belongs to the two parties concerned." Ms. Iwanek suggests that social workers and counsellors are better suited to provide post-reunion services, "where their knowledge and skills in helping families integrate would be much more appropriately used."
- *Access to information under the Act should be broadened to include adoptee and birth-parent relatives*. According to Ms. Iwanek, since the Act was passed, the Department has received over 4,000 requests for information from relatives of adoptees and birth parents who, as it stands, are excluded from obtaining information under the Act. Ms. Iwanek reports that the counsellors she interviewed "are of the general opinion that access to identifying information should be widened [to] include adoptive parents, adoptive grandparents, birth grandparents, siblings and half-siblings."
- *Birth fathers are (still) disadvantaged under the new law, as are adoptees with respect to information concerning the birth father*. Birth fathers are allowed to apply for information under the Act, but only "provided the Director-General of Social Welfare is satisfied that they are the father," says Ms. Iwanek. And adoptees are still often wholly dependent upon the birth mother for information about the birth father.
- *Adoptee support groups play a pivotal role in the implementation of the Act*. According to Ms. Iwanek, the number of applications received was much greater than had been expected and the existing network of adoptee support groups in New Zealand enabled the Department to cope with the load and avoid onerous "waiting lists." In some districts, in fact, the local adoptee support group is the sole agency capable of providing the mandatory counselling required by the Act! It is also likely that an adoptee support group is also better situated to provide practical search assistance and advice without the need of "special circumstances."

Conclusion

Society owes adult adoptees and their birth parents the opportunity to seek to become reunited if they so desire. This societal obligation includes, *inter alia*, providing state- and/or agency-held identifying information to adult adoptees and birth parents *upon request*, as well as *optional* counselling, mediation and/or search assistance. Where similar services to non-adoptees are provided free or for nominal cost, such services should be provided to adoptees in a like manner.

While the privacy rights of affected individuals deserve to be respected, such *homage* should not come at the expense of the rights of others. Some means must be found, therefore, to provide such protection without infringing upon the right of those adoptees and birth parents wishing to become reunited to obtain the information which will enable them to do so. Similarly, where the desires of individuals conflict, as when one party wishes to search but the other party wants not to be found, some means should be developed to provide for communication between them, if only in order that one may explain his/her position to the other.

Adult adoptees deserve to be treated as adults. It is not the government's job to protect its citizens from every potentially upsetting or embarrassing life experience, including the unexpected reappearance of a surrendered child or birth parent. Similarly, adoptive parents should not be accorded any more control over the lives of their emancipated children than any other parent has.

Finally, access to both identifying and non-identifying information should also be granted to adoptees' and birth parents' families, including adoptive parents, adoptive and birth grandparents, and adoptive and birth siblings and half-siblings, to the same extent and with the same restrictions that such access is granted to adoptees and birth parents themselves. *Ende*

like I was acting out words to communicate, but Jenny did translate at times, and the dictionary was very helpful. We shopped, we talked, we swam, we drank *Kaffe* and we laughed and we loved; it was so hard to leave her. I can relate it to the first time I had to leave her. I felt the hurt and the tears seemed to flow all the way home. Yes, there were screams of pain, think that life wasn't fair and how could I leave her once again after months of looking for her and months and months of just knowing she existed. I was yearning for some time, maybe the years lost, whatever that emptiness is, it still hasn't gone away being back home in *Amerika*.

I almost forgot to tell you, I was two years too late to meet my dad. He died two years ago from a heart attack. I will always stare at the photo of him and wish I had been able to see him and meet him and maybe love him.

It always feels so good to share with you, my adoptee friends. I hope I haven't said too much. I thank all of you who responded to my letter in the newsletter with support and advice. I'd like to quote from one I received from Rose [*Hayes*] in Connecticut. She said that during your search, you never know what one day of news can bring; for her it was her mom and for me, too, so after all the days, months, years of the search, pray for that one day to come. It can all come together in one day; anticipate it, it does come!

Thank you, Bill, for the guidance you give us German-born adoptees. Through *Geborener Deutscher*, we are able to trace our origins, to know where the records are, the how-to, the everything, and I thank you and support you.

At one time, I felt separate from the United States and life, but knowing that I had each and everyone of you out there existing and supporting me, I thank you from my heart, and I thank God, I can go on. Love,

Petra Skelly, Bricktown, NJ

Leonie Boehmer

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