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Jeudi 19 mai 2005

Standing committee on social policy

Comité permanent de la politique sociale

Adoption Information Disclosure Act, 2005

Loi de 2005 sur la divulgation de renseignements sur les adoptions

Chair: Mario G. Racco
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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL POLICY

Thursday 19 May 2005

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DE LA POLITIQUE SOCIALE

Jeudi 19 mai 2005

The committee met at 1541 in room 151.

ADOPTION INFORMATION DISCLOSURE ACT, 2005

LOI DE 2005 SUR LA DIVULGATION DE RENSEIGNEMENTS SUR LES ADOPTIONS

Consideration of Bill 183, An Act respecting the disclosure of information and records to adopted persons and birth parents / Projet de loi 183, Loi traitant de la divulgation de renseignements et de dossiers aux personnes adoptées et à leurs pères ou mères de sang.

PAUL BADERTSCHER

The Chair (Mr. Mario G. Racco): Good afternoon again. We will be starting the presentations about Bill 183. Today is our second day. Yesterday was our first day. Therefore, if we can, we will start with the first presenter, who is Paul Badertscher. I would ask him to come forward.

As you get ready, a reminder that considering what we are discussing today and that the cameras are on, those of you who wish not to be shown, would you please indicate that to me or to the clerk so that we will do what we can in regard to this matter. Basically, our cameras will be behind, so the face of the person who is speaking will not be shown.

Thank you, sir. The floor is yours.

Mr. Paul Badertscher: Thank you very much, Mr. Chairman. I very much appreciate the opportunity to appear before this committee. It was short notice, but I was glad to be able to make the trip down.

I know that members of this committee have received my submission by e-mail in case it was lost in the absolute flood of paper that I'm sure you've received on this bill. I have to thank the member for Don Valley West, who forwarded my submission to the clerk and who distributed it to the members who were not on the official list. I thank her very much for that.

I'm not going to read my submission. I just would like to emphasize a couple of key points and then, in the very short time we have left, maybe have some time for your questions or concerns.

I'm not here to argue the essential nature or the philosophy of Bill 183 at all. My concern really is with the way that Bill 183 would apply to a very small number of adoptions that take place in Ontario. The other key point here is that this is, for me, an issue of safety and an issue of emotional well-being, much more so than an issue of privacy or convenience.

The central issue I have is that the bill does not distinguish between adoptees who were voluntarily relinquished by their parents and those who were adopted after being made a crown ward. This is a key point because the crown ward designation is not one that's made lightly; it comes only after the intervention of a child protection worker to remove a child from a dangerous situation.

Further, after a fairly lengthy legal review process, the court has to be satisfied that the child—and here I'm going to quote from the Child and Family Services Act, subsection 57(1)—"is in need of protection and ... that intervention through a court order is necessary to protect the child in the future...." By not making a distinction between the adoption of crown wards and the vast majority of adoptions of other kinds, Bill 183 would essentially have the potential to overturn these court orders that granted these children the protection they need.

I think the drafters of the bill recognized this fact and tried to deal with it. They did in fact recognize that, in some cases, it could be potentially very dangerous for birth parents to receive identifying information about the children who were apprehended from them previously. So they recognized that fact when they included section 8 of Bill 183, which allows for the non-disclosure order which would "prevent significant harm."

The trouble I have with section 8 is twofold. The first problem is that it puts the burden of proof on the wrong person. In essence, it establishes a kind of negative option billing to stop the court order from being overturned. It makes it up to the adopted crown ward to go before the Child and Family Services Review Board and argue why the current court protection that they were granted should not be overturned. That strikes me as wrong.

Further, in order to maintain that protection, section 8 forces the adopted crown ward to go through what I think we should all recognize is a pretty difficult process. They would have to appear before a panel of strangers, the Child and Family Services Review Board. They would have recount the abuse, the neglect, whatever it was that led them to being designated a crown ward in the first place, and they'd have to do so before they turn 19,

before they're legally allowed to buy a bottle of beer in this province. We're counting on them to be with it enough to handle that.

I think this problem can be dealt with very simply. One way I've suggested in my submission is to simply amend Bill 183 to restrict birth parents of adopted crown wards from having the same access to identifying information as the birth parents of adopted children who are relinquished.

A couple of points to stress again: First of all, this amendment that I am proposing would have no effect whatsoever on the vast majority of adoptions in Ontario, those where consent was granted by the birth parents. The second is that this amendment would do absolutely nothing to prevent adopted crown wards from finding out their own information about their birth parents, but it would happen if and when they were ready to receive it. The timetable would be theirs. I think that would address the concerns that maybe a number of people behind me might have.

There could be other ways to amend this bill and maintain the protection for adopted crown wards if the committee finds the amendment I'm proposing to be too restrictive. For example, there could be an automatic veto on the disclosure of identifying information placed on the file of adopted crown wards, and then, if a birth parent wanted that information, it could then be up to the birth parent to go before the Child and Family Services Review Board to argue why the court-ordered protection is no longer necessary. Then, if the board agreed, it could approach the adopted crown ward to ask, "Do you want to have that veto lifted?" In that way, at least the burden of proof would be on the right person and the protection would be maintained.

That's about all I want to say. I would be very happy to answer any questions or deal with any concerns you may have.

The Chair: Thank you, sir. We have about four minutes, so about a minute each. Mr. Arnott, you're first.

Mr. Ted Arnott (Waterloo–Wellington): Thank you very much for your presentation. It was very straightforward. I just want to express on behalf of my party our appreciation for your input in the process today.

Mr. Badertscher: Thank you, Mr. Arnott.

Ms. Marilyn Churley (Toronto–Danforth): Thank you very much for your presentation. We heard a similar presentation yesterday. I appreciate your overall support for the direction of the bill but also your suggestions on how to deal with an issue that we have been hearing about. The committee will be discussing that and seeing how we can deal with it.

Mr. Badertscher: It is a sort of technical issue. It's not anything that goes to: Should this bill stand or fall on its own? It's very much how to deal with something around the edges. After all, that's what this committee, all committees, are supposed to be doing.

Ms. Kathleen O. Wynne (Don Valley West): Thank you very much for coming down today. I just want to be clear, because the London coalition folks came down yesterday and made a similar suggestion, but they were talking about amending section 48.4 by giving an automatic disclosure veto on situations where there had been violence, that that was a problem in the birth family. You're expanding it. You're talking about all crown wards.

Mr. Badertscher: There are people here representing children's aid societies who can answer this better than I can, but I understand that there may be some crown wards who were made crown wards where no harm had befallen them, and that's fine. That's why I say, yes, you could go this route of an automatic disclosure veto on these particular files. The burden of proof would still have to rest with the birth parent to show why that veto would need to be lifted. It would hopefully be a neat and clean way to do that.

I was not able to be here yesterday; I was maybe hoping against hope to be able to look at Hansard this morning. But I'm glad to know that this concern has been raised by others.

Ms. Wynne: Thank you very much for your time.

The Chair: Thank you very much for your presentation.

ADOPTION SUPPORT KINSHIP

The Chair: We'll move to the next presentation, Adoption Support Kinship. Wendy Rowney, please.

Start any time, please.

Ms. Wendy Rowney: Good afternoon. My name is Wendy Rowney and I speak to you today as the president of Adoption Support Kinship, a Toronto-based group representing both adopted adults and parents by birth and adoption. Our members strongly support the spirit and intent of Bill 183.

Bill 183 is about rights and it is about choice. It recognizes that adopted adults and birth parents have the right to identifying information about each other, but realizes that not everyone will choose to act on that right. It recognizes that whether we wish to pursue additional information, a meeting or nothing at all is a personal decision best made by the individuals involved.

1550

As an adult, I made the decision to learn more about myself and my past. My mother was a scared 17-year-old high school student when she lost me. Twenty-seven years later, she welcomed me into her home and told me that she had thought of me every day of my life. I doubt that I can put into words what it meant to me to receive information about my family, to see their pictures and to learn their names. After a lifetime of scanning subway cars for some sense of familiarity and staring into the mirror, trying vainly to discern from my own features those of the woman who gave birth to me, I knew where I came from and why I looked the way I did. This knowledge is my most precious possession.

I suspect that this desire to know more about ourselves is not peculiar to adopted persons. You have only to travel to the Ontario Archives to discover people who

have devoted days, months and even years to researching the convoluted turns of their own family histories. Each researcher is seeking to find her own ancestry, her own link with the past and her own people. It is this connection with the past on a personal level that adoptees seek. When adoptees speak of the need to find someone whom they resemble, what they are seeking is this connection with the people to whom they intrinsically belong.

In my experience, adoptees search not because they want to replace the people who raised them, loved them and helped them become the adults they are today, but because, deep within themselves, they need to know how they fit into the world and how they are connected to the past. This is why Bill 183 must be retroactive. It must apply to those of us adopted in previous decades, because we are the individuals living without this connection to the past.

We must deal with the results of secrecy every day. We cannot provide our doctors with informed answers to their questions; we cannot point to any people and say, "They are mine," by virtue of blood and ethnicity. The vast majority of new adoptions today are open. It is those of us already living in closed adoptions who need access to the information provided in Bill 183. We, like so many other Canadians, need to know our own personal histories, our own collective past. The documents hidden by the current laws hold the key to that past. Those of us who choose to turn that key in the lock know that we may not like what we find on the other side of the door. We know that the very fact that we were surrendered for adoption means there were problems surrounding our birth, conception and perhaps childhood. Independently, we decide that the need to know is greater than the fear of what we may find.

As adults, we make decisions, even ones that affect our lives and those of the people around us, every day. Having spoken with hundreds of adoptees, and being one myself, I know that one characteristic most of us share is fear of rejection, particularly rejection by our birth parents. We, like most people, are not eager to cause hurt to ourselves or to encounter repeated rejection. My own birth father has indicated that he does not have a place for me in his life right now. I have respected his decision and not attempted any kind of contact. However, knowing his name helps me to feel grounded and part of a collective past.

Few birth parents do choose anonymity. One need only scan on-line registries, visit the adoption disclosure register or look to other jurisdictions where consistently well under 5% of birth parents choose to remain anonymous, to see that most birth parents want to be found. They do not fear retroactive legislation, but are advocating for it alongside adopted adults.

As you know, retroactive legislation similar to Bill 183 has been in place in several jurisdictions for many years—in some cases, for decades. There have been no serious breaches of veto anywhere. Contact vetoes work. They balance the rights of those seeking information with the desire of the small minority who seek privacy. A disclosure veto, the refusal to permit access even to one's name, fails to balance rights. Instead, it tips the scales in favour of anonymity, secrecy and shame.

Just as birth parents do not seek special protection under the law, adoptive parents recognize that their families do not require legal protection. Many adoptive parents support their children in the quest to find their identity. My own adoptive mother has told me that it never occurred to her that my brother and I would not want to know our birth mothers. She recognizes that learning more about our past cannot jeopardize the relationship we have built with her. She welcomes an end to the secrecy.

Granting access to information helps to lift the veil of secrecy covering adoption. However, the birth registration information cannot end this secrecy all by itself. Adoptees and birth parents must maintain access to background information if the openness that Bill 183 proposes is to be achieved. This information is often, as it was for me, an important bridge between the states of not knowing and knowing. If the spirit of Bill 183 is to be upheld, then it must be amended to allow adopted adults, their adult children and birth relatives to continue receiving this background information. We ask for your assurance that we will not lose access to this vital personal information.

Even armed with this information, some adoptees and birth parents may prefer to entrust the search to someone with more experience in this area. We call on the government to amend Bill 183 to license qualified individuals and to permit these individuals access to information currently used by employees of the ADR when conducting a search.

Finally, we must recognize that adoptees have two birth parents and that many fathers and their adult children wish to find each other. In the past, social workers, in accordance with current social practice, forbade unwed mothers to name the baby's father on the birth certificate. However, these same social workers then listed that man as the father in their file. Adoptees today should not be penalized because past social practice dictated that half of their birth certificate remain blank. The current system of contacting fathers named in the file has worked for many years. I ask you to allow it to continue working by amending Bill 183 accordingly.

I am here today to ask you to amend the laws governing adoption disclosure in Ontario. Laws in a democracy do change. In fact, they must change in order to remain relevant and truly reflect the society they are meant to protect. Laws governing other aspects of family life have changed even within my lifetime. If a couple married in 1975 and divorced in 2005, the settlement terms are based on the law in 2005, regardless of the fact that they didn't know what those would be 30 years earlier.

Retroactive legislation is not unknown when human justice is involved. When something is right, it is simply right, and all people must benefit, not just those born after a certain date. Birth parents never received any

binding promise of anonymity, and the vast majority of them support retroactive legislation. Adopted adults have the right to know who they are. The people whom this bill is meant to serve are saying loudly and clearly, "Secrecy hurts; it doesn't protect."

On behalf of the adopted adults, birth and adoptive parents whom I represent, I ask you to amend Bill 183 to allow access to background information, to license searchers and to recognize birth fathers. I then ask you to vote in favour of Bill 183. This bill is about the intrinsic human need to know who we are and whether our children are safe. It is about choice and recognizing that while some want information, others desire privacy. It is about ending unnecessary secrecy in adoption and recognizing that the need to know is human, natural and normal.

The Chair: Thank you very much. You have used all of the 10 minutes. There's no time for questioning. Thank you again.

DEFENCE FOR CHILDREN INTERNATIONAL–CANADA

The Chair: We'll move on to the next presentation from the Defence for Children International–Canada, Michelle Quick.

Ms. Michelle Quick: Good afternoon. Chairman, honourable members, thank you for giving me the opportunity to appear before you today.

Before I discuss my submission, I would like to briefly address some comments made recently by Ontario's privacy commissioner. The privacy commissioner stated that she had been contacted by birth parents who were in a great deal of distress because they were afraid that a secret past adoption would become known. Some of the birth parents have apparently told the privacy commissioner that they would commit suicide if their secrets are revealed.

First of all, as a person who was adopted, I know very well that the adoption process is painful—painful but not impossible. I truly hope, if there is a woman out there who said such a thing to the privacy commissioner, she doesn't give up and she finds support.

1600

Of course, we all sympathize with these birth parents, but we cannot make decisions about legislation from a gut reaction of sympathy. Imagine that I came to this committee today to say, "If you don't pass this bill and I can't find out the names of my birth parents, I will commit suicide." As responsible citizens, I would expect you to ensure that I received the help that I clearly need if I am in this much distress. But as responsible legislators, I would expect you not to make decisions about legislation based on my threat. Anyone who is distressed to the point of being suicidal will probably have a number of other sources of anxiety and stress in their life. Thus, there is no guarantee that giving in to such a threat will actually prevent that person from attempting suicide in the future. A person who is distressed to the point of being suicidal is not objective, and as legislators you must be rational and objective.

Anyone who knows of a person who is suicidal has a duty to act, to take these threats seriously, to treat it as an emergency and to ensure that that person receives medical attention immediately. I hope the privacy commissioner is aware of her responsibilities in this regard.

Finally, we should ask questions about the privacy commissioner's motives, given that she is acting outside of the mandate of her office. She has made a number of inflammatory and irrational statements in public. When I heard a radio interview earlier today, I thought I detected a note of desperation in her voice, so perhaps the privacy commissioner has a very personal connection to the issue, and this is what is driving her to act outside of the proper scope of her office.

I come before you today in support of Bill 183—

Interjection.

The Chair: Yes, Mr. Jackson?

Mr. Cameron Jackson (Burlington): Mr. Chairman, I am very anxious to hear the deputations, but if we're going to impugn this, I'd like to have sufficient time to ask the deputant which medical degree or which legal degree she's drawing upon to draw these extraordinary conclusions.

The purpose of these hearings is not to indict former deputants, any more than we would allow you to leave the room today and have someone come in here and trample on your good name.

With all due respect, I don't know you at all and I didn't really know Ms. Cavoukian, but I believe that the purpose of this hearing is for us to hear your personal experience. I would just like you to perhaps focus on that, and I believe it would be the role of the Chair to assist you in that regard.

Ms. Quick: I understand what you're saying—

The Chair: Madam, if I may, please; I will agree with Mr. Jackson on this. I believe yesterday we also raised this issue. Just to avoid us questioning each other, the objective here is to hear everybody's story. I understand that you are trying to balance what was said, but I would ask all of you—not just you but anybody after you—to tell us your story, and we will ask questions if there is time.

Before you proceed, let me recognize Ms. Churley. She has some comments on the matter.

Ms. Churley: Yes, and I hope we can add some time to your submission, because it's an important statement.

Look, I don't agree or disagree with what the deputant has said. My job is to listen to her story within 10 minutes, and for us to listen, just as we did with the privacy commissioner. We didn't tell her what she could or couldn't say, nor should we tell our deputants, within their time frame, what they can say.

The Chair: That is reasonable. I guess what I'm asking all of you is, can we concentrate on your matter and not criticize others, because they're not here to defend themselves. I understand that you may want to balance what was said, but I guess you can balance that

without making reference to a specific person. Would that be OK? So please proceed.

Ms. Quick: That was all I had to say with respect to the privacy commissioner.

As I was saying, I come before you today in support of Bill 183. We are interested in two controversial issues in particular. The first is the issue of contact veto versus disclosure veto. Bill 183 proposes a new system in which birth parents and adoptees can opt to have contact with the other party but can no longer veto the disclosure of the birth and adoption records to the other party. Some groups disagree with the government and will argue that this committee should make amendments to institute a disclosure veto.

The second controversial issue I'm going to discuss is the fact that Bill 183 dispenses with the government's obligation to offer counselling to birth parents and adoptees prior to the disclosure of birth and adoption records. Some groups disagree and will argue that this committee should amend the bill to make the provision of counselling mandatory.

In my view, this bill is about extending basic human rights to adoptees. If you add a disclosure veto to the bill, whether for past or future adoptions, it will effectively undo the main purpose of the bill, and the time and energy invested in this bill will have been wasted.

Before I get down to those two issues, I would like to explain how this is a human rights issue. As eloquently stated by the last speaker, this is very much a right to identity. We all have the right to know about our birth records and what is in our birth records. Having a sense of identity is something those who haven't been in this experience all very much take for granted, and I'd love it for all Canadians to be able to take that for granted.

The next issue I'd like to discuss is health. Interestingly enough, today I met a lady who is adopted. This issue is very pressing for her because her daughter developed a kidney disorder, and she found out years later from the adoption registry and from being able to meet her mom that it runs in the family. Had she known sooner, this would have been significant for two reasons: (1) Perhaps they would have been able to diagnose that there was a problem sooner; and (2) as the mother of the child, she actually didn't match as a donor, if a donor was necessary, whereas another member of the biological family might well have actually been a match.

There are any number of health issues that could come up. If you do any survey on heart and stroke or anything like that to find out where you stand, one of the questions is always, "Does it run in your family? What is the average lifespan of your parents and grandparents?" and things like that. People in my position can't answer those questions. So that basically addresses the health issue.

Finally, the other rights issue I would like to speak about is the best interests of the child being a primary consideration. Previously, only the concerns of the parents were taken into consideration, when it actually should be the child's that are taken into consideration.

I want to get back to the disclosure veto. A disclosure veto is not necessary for two reasons. The information in question is being treated as confidential and private information. When it is disclosed, it will be disclosed in quite a limited fashion and only to the persons most intimately interested in that information. It's not going to become public. So birth parents should have a reasonable expectation of privacy when it is just going to be a name revealed to the child—well, the adult, but it's their child. Secondly, the no-contact clause provides a layer of protection for people who do not want to have their lives disrupted. If birth parents ask for no contact, a child should still have the opportunity to learn about their other biological family members, if those people are interested. The birth parent should not be able to cut off their child's access to their entire biological family. It shouldn't be up to that one person to do that.

With respect to mandatory counselling, all people who have been through adoption and need some counselling ideally would be able to receive access to that quickly, but it can happen in a separate way. There is public health care, and people can access mental health services in their communities. They should be advised of how to do so upon finding out who their birth parents are; they should be advised exactly how to get help if they need it. The reason that we don't want it to be mandatory counselling is because then there are significant resources demanded of the government and it would take much longer to actually be able to match people.

I just want to finish by saying that my birth records are my own, as are those of everybody who was born in Canada. They do not belong to my birth parents, and the government should have no right to conceal them from me.

1610

The Chair: We have just under three minutes, so less than a minute each. Ms. Churley, you're first.

Ms. Churley: Thank you for your presentation. I think your last point is probably one of the most important ones for us all to remember: Even when we're discussing privacy and all of those things, it's your information that's locked away in a room. Adoptees are the only people in Canada, North America and probably most of the world who are discriminated against in this way. How does that feel?

Ms. Quick: Not very good, obviously. I would commend this government if they could do this. It's very significant.

Ms. Wynne: Thank you for your articulate support of the bill. We heard a couple of presentations yesterday from adoptees who wanted the right to have a disclosure veto, and I'm just wondering what your response to that would be. If you were who you are and you didn't want to know and you didn't want to be found, what would your response to that be?

Ms. Quick: I understand from the earlier presentation that people who are afraid for their safety should be able to have that.

Ms. Wynne: And they can in the bill now. But I'm talking about generally—if you just don't want that information and you don't want it to be shared.

Ms. Quick: No, I disagree, because if I did not want to have contact with a person, I could use the no-contact clause, first of all. Secondly, if they violated the law in that regard, then I would expect the law to protect me.

Ms. Wynne: So you think the protections are there.

Ms. Quick: If there were to be a veto, it should certainly be for the child who didn't choose to be born under such circumstances and adopted, not the other way around.

Ms. Wynne: So you would say that if there were going to be a disclosure veto like that, it should be asymmetrical. It should be for the adoptee and not for the birth parent.

Ms. Quick: That's right.

The Chair: Thank you for your presentation.

HOLLY KRAMER

The Chair: We'll move to the next presentation, from Holly Kramer.

Ms. Churley: Before we begin, could I recommend that we tell all the deputants—I just did it myself—that it's better to stay back from the mike, because they're very sensitive and we actually hear better.

The Chair: Just leave some space. You can start any time, madam. You have a total of 10 minutes.

Ms. Holly Kramer: Thank you very much for inviting me here this afternoon. My name is Holly Kramer. I'm an adoptee. I was reunited, through my own efforts, 26 years ago. I became involved in reform activism when my daughter was an infant, and I now have a grandchild who's in the second grade. Since 1979, I've helped thousands of adoptees and birth relatives to search and reunite, including some birth mothers whom I counselled at the time that they relinquished parental rights.

As I've explained at so many of these hearings, any alleged promise of confidentiality to birth or adoptive parents was never a covenant of anonymity. Everyone has a right to have their confidentiality protected from public inquiry. This was the spirit and intent of the law that sealed records almost 80 years ago. But confidentiality is very different from the concept of perpetual anonymity from the person who is adopted. The law provides a necessary and effective shield from public scrutiny, which Bill 183 would not change. Enforced anonymity is a later development in social work practice and is a derangement of the intent of a law which was enacted and persists, supposedly, in the best interests of the child.

There has been a good deal said in the House, the media and here yesterday about the Freedom of Information and Protection of Privacy Act vis-à-vis this bill. It's really hard for me to understand why people have so much difficulty telling the difference between confidentiality and anonymity. There is a difference.

Bill 183, as tabled, repeals the right of adult adoptees to access their background information held in CAS and licensees' files. Eighteen years ago, when the late John Sweeney was minister, a government bill codified our right of access to our background information and rescinded our parents' veto power.

Background information, as provided for under Ontario's existing CFSA, includes a description of the birth family's composition and tidbits about their hobbies and interests, academic achievements and employment, physical attributes and medical history circa the time of the adoption. It also usually gives the adult adoptee some idea of why he or she was relinquished or apprehended.

It has been the experience of the volunteer peer sector over 30-odd years that background information is vital in conducting discreet genealogical research and establishing contact with birth relatives in a respectful manner. Indeed, the Ontario adoption disclosure register has demanded that adoptees receive these profiles before they will facilitate reunion, even when a match results from independent, voluntary registrations.

Repeated government-commissioned studies and province-wide public consultations have consistently recommended granting adult adoptees unfettered right of access to all of their own birth and adoption information since the Taylor report was tabled 30 years ago. In BC, the UK and the many other jurisdictions that have granted adoptees parity with other citizens, people didn't have to give up right of access to contextual information to achieve this.

Adoptees cannot acquiesce by accepting access to our own birth information at the expense of access to our own background profiles. We cannot condone abolition of the ADR as the sole mechanism to connect birth siblings who often don't know each other exists. Also, to serve those who need medical information, as Bonnie Buxton clarified so well yesterday, or those who want to indicate a willingness to share updated information or to reunite but cannot, for any number of reasons—for example, money, physical or mental health, literacy, geography—conduct a discreet search.

The spirit and intent of Bill 183 may have nothing whatsoever to do with whether we search judiciously or reunite successfully or at all. The government may merely want to say: "Here, take this copy of your original birth registration. We have no further responsibility to you." If so, Bill 183 is about nothing other than saving money and reducing liability. A recent legal action for failure to disclose critical medical information to an adoptee cost Ontario taxpayers an estimated $10 million.

While this bill is supportable in the main, a number of amendments are imperative. Adoptees must retain right of access to information about ourselves and our origins held in CAS and licensees' files; any new legislation must retain the ADR as a repository for voluntary matches and exchange of medical information, as well as access on demand—not mandatory access—to specialized counselling; and it's very important that Bill 183 grant adult adoptees retroactive right of access to our

own original birth information, as is enjoyed by every other Ontario-born citizen.

Every day, governments around the world make radical changes to laws in order to, as Dr. Garber reported in his 1985 commission to the Legislature, "redress the wrongs or limitations imposed by previous legislation."

I urge you to amend this bill to truly reflect, as the preamble to every Ontario adoption law has always been premised, "the best interests of the child." Otherwise, it will be only too clear that the agenda here is to make this issue go away, to get out of the adoption disclosure business altogether, and to abdicate all responsibility for the consequences of 78 years of legislated secrecy, denial and falsified records.

I am also compelled to caution members of this committee that 11 years ago, a similar bill passed through this standing committee and was recommended for third reading. It had the support of a majority of MPPs, perhaps most notably then-committee chair Charles Beer. Yet four MPPs managed to filibuster it until the clock ran out on the night the House prorogued. That was shameful. To allow such a thing to happen again would be vexatious and negligent.

The Chair: Thank you, madam. We have one minute each. Ms. Churley, you're first.

Ms. Churley: I should tell the committee that Holly Kramer was instrumental in finding my son, so she has a special place in my heart.

I did want to point out to the committee—and this can be a complex issue—that she's one of the many experts with us today. What she's saying is very important in terms of giving up one right for another. We've been fighting all these years to get access to original birth information, but this bill, unlike my bill and Tony Martin's and others', doesn't deal with or repeals the ability to get the contextual information, so-called "non-identifying" information, which is what I had, ironically, that helped us find my son. Without both pieces, you're really hindered in the search. It is imperative that that amendment be made, or we're going to have to keep coming back and fixing a flawed bill.

If you could elaborate on that briefly, and what it means in terms of search.

1620

Ms. Kramer: It's not just in terms of search. There are many people, myself included—I had my non-identifying information for a year. It took me a year to digest that information before I made the decision to conduct an independent search.

Reality is never the horrors that you can imagine. I think it's really important to adoptees who've never had any information about themselves growing up to know how old your mother was, how tall she was, whether she was Welsh or Irish, what languages she spoke, how far she'd gone in school, any of those kinds of things: to get that information and be able to take it and digest it. It's a first step. For some people, it's the only step they ever take. Why would you want to take that away from them, hand them an original birth registration and say, "There you go. That's it; that's all you're entitled to"?

The Chair: Any comments?

Mr. Jackson: I too want to acknowledge Holly's efforts. I've known her for 20 years, and she helped me shape some of my strong views in this subject area.

Holly, first of all, I'm glad you put on the record—I raised it yesterday—the distinction between mandatory counselling and mandatory access to optional counselling. I sense that there is going to be a need for that. Help me to fully understand what your concern is with respect with what's in CAS files, and why you wouldn't get access to them under this legislation currently.

Ms. Kramer: The way Bill 183 is tabled right now, it repeals right of access to any information held in CAS files. It's just not there; they're going to wipe it out altogether.

Mr. Jackson: Do we know why the government did that?

Ms. Kramer: It's expensive.

Mr. Jackson: I just want you to flesh that out for me a little bit, please.

Ms. Kramer: I think it's a very expensive proposition. Ontario, you may know, has done more adoptions than all of the other provinces put together, and has kept very good records. They didn't really keep them for the purposes of sharing them with us when we grew up, but they have kept very good records, for the most part. The Ministry of Community and Social Services, the way that the CFSA is right now, gives a certain amount of money to each of the 54 or 55 CASs to prepare and send out that non-identifying history on demand to adult adoptees and birth parents. It's expensive. That's my answer; I'm sorry. I think they don't want to pay for—

Mr. Jackson: A brief answer. It may be expensive, but what's its importance to adoptees who want that information?

Ms. Kramer: That they have some context as to how they came to be adopted: Were they relinquished or were they apprehended? And the information I mentioned before: general information that everyone else takes for granted.

Ms. Wynne: I wanted to get the section that you are looking to amend, Holly.

Ms. Kramer: I didn't bring that with me; I'm sorry.

Ms. Wynne: Could you send that to us? When we go into the discussion about amendments, I'd like to know exactly what you're suggesting. Not being a lawyer, it would be helpful to me if you gave me the wording of your amendment.

Ms. Kramer: Sure.

The Chair: Thank you very much for your presentation.

GRAIG STOTT

The Chair: We'll move to the next one: Graig Stott, please.

Mr. Graig Stott: Good afternoon. My name is Graig Stott. I am a happily reunited adult adoptee and a psychotherapist. I have been working for more than 10 years with clients who are healing from the damage caused by the current adoption legislation that was brought forth here in Ontario in 1927.

When I was adopted, neither my birth mother nor I were consulted or represented by social workers, lawyers, agencies or anyone, really, who did not have at least some kind of conflict of interest around my adoption process. My adoptive family, my natural family and I have had no voice and no input around the laws that so profoundly impact all of our lives.

I am very glad to be here today and to have this opportunity to address Bill 183. Both my families feel that Bill 183 is better-balanced legislation that fairly and realistically represents all of our best interests.

It is imperative for the individuals and their families who are struggling to heal from the loss and trauma inherent in our current adoption legislation that this bill be retroactive. From my own personal and professional experience, it is clear to me that it is the unknowns, the secrets, the lies, the deceptions, and the misinformation that make healing from adoption-related losses more difficult than it needs to be. The bill will alleviate a lot of pain and facilitate much healing; healing that will reverberate throughout all our communities and all of society. Since more recent adoptions are often open adoptions, it is for the sake of the thousands of surviving families of the 1927 legislation still in effect that I reiterate: Bill 183 must be retroactive.

My own search and reunion has not been without its painful hurdles for my mother, for my adoptive family and for myself. My mother's story around my conception and subsequent relinquishment was hard for me to hear and come to terms with. She is very much like the elderly birth mothers that Ms. Cavoukian spoke of yesterday. My mother was a victim of a rape that resulted in my birth. My mother was terrified about letting me into her life and opening up those secret wounds, but, at the age of 75, and in her own time, she eventually did, and in her own time and in her own way, she chooses to share more and more of herself and her story with others in her life. She wasn't forcibly exposed to the world.

My adoptive family's fears of losing me and their not telling me I was adopted—I'm a late-discovery adoptee; I discovered by accident when I was 31—brought up much grief, unfinished business and other unresolved issues between myself and my adoptive family. We all had a lot to work through. Both my families, however, are in full agreement that the struggle and the efforts required to overcome our fears and work through our grief were more than worth it. Both my families now have closer, deeper and more heartfelt relationships—not perfect relationships, but certainly more real, more honest, more human and more humane. This is all part and parcel of healing the past and creating a healthier future.

I am here to speak not only for myself but also for both my families and say: It has not served us well to live in secrecy, fear and denial. It was the lack of information that kept us controlled by our pasts. It was truth, information and facing our fears and facing each other that freed us. For this reason, we strongly recommend no disclosure veto.

Last night, I was telling a close friend about the privacy commissioner's concerns around the need for a disclosure veto. When I had finished speaking, my friend said, "We have always been at war with Eurasia." This, of course, is a quote you probably recognize from George Orwell's Big Brother book, 1984. In part, this book is about a fictitious war that keeps citizens, through the use of fear, in their place and obedient to the powers that be. It might be of use for us today to look at the degree of unnecessary and harmful fear that might be present in some of the concerns expressed at these hearings these past two days in regard to a disclosure veto. If we look at it from this light, the fictitious war between adoptees, adopters, birth parents, privacy versus anonymity, who has the trumping rights etc., doesn't really exist. We are all human beings striving to connect. We are striving to heal, to be seen and heard. None of us wants to be judged negatively or criticized. After all is said and done, we all want the same thing: to create and live in a world where we can freely give and receive love. It's pretty simple. So do we wish to perpetuate this insane, fictitious war? Do we really want a disclosure veto?

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As is evidenced with my own mother, I am not suggesting we force people to deal with issues they are not interested in or not yet ready to face. This would be arrogant, disrespectful and counterproductive. It doesn't work. In fact, it usually has the opposite effect—that is, it pushes people deeper into fear and denial, or increases their resistance to change and growth. What I am suggesting is that it is not in anyone's best interests to deter the possibility of healing with a disclosure veto. When the parties are ready, they can move forward, or not, in a timely and appropriate manner. It's their choice. This, by and large, works in a therapeutic setting, and the same principles can be applied in this situation as well; they can be translated into this legislation.

The contact veto has worked in all other jurisdictions; in some places, like Britain for example, for 25 or 30 years. As a therapist, I have a theory: I suspect that one of the reasons it may have worked so well for so long is that, as adoptees and natural parents, because of the nature of our loss and trauma, we are ultra-sensitive to rejection and sometimes to other peoples' feelings. Imagine your most intense fear of rejection. Just take a moment and think what that might be for you. Multiply that fear by 100 and you might get some idea of what keeps most adoptees and first parents from insensitively barging into each other's lives. It's something we are very unlikely to do. It is too terrifying for most of us. The pain of our original separation and the possibility of another such loss or rejection are still so alive in us that we feel we couldn't live through experiencing them again. We won't

risk it. This is one of the reasons why the contact veto has worked and why we do not need a disclosure veto.

Those who are not directly impacted by adoption and have not had this as their life experience may find this hard to understand or relate to. But please listen today to those of us who have fully lived, survived, reunited, healed, gone the distance and come out the other end with our adoption experiences. We are here today. We do not need people with non-adoption life experiences and/or fears to speak for us.

My mother, at 78, has shared stories with me she has never shared with anyone else: stories of my conception, her pregnancy and my birth. My presence in her life today has helped her move away from living her remaining years in unresolved grief and fear. She is no longer a victim.

Her presence in my life has alleviated a degree of daily, moment-to-moment fear and anxiety that I assumed everyone felt and that I thought was normal.

The weight lifted from our shoulders and hearts and the healing that has reverberated throughout both my families is nothing short of miraculous. This is what healing is. It can be painful and frightening. It takes guts and courage. I am asking you here today to have the courage to move forward with this bill and give more people like me, like my mother, like my adoptive family, the chance to create their own miracles. A disclosure veto will not help these people manifest their own miracles.

My clients', my families' and my own personal experiences have all taught me that knowing the facts—even if they are disturbing or unsettling—and facing the truth at least gives some hope of healing, some hope of resolution and some hope of peace. Not knowing decreases this hope. Not knowing perpetuates living in denial; it perpetuates unnecessary fear, shame, lack of trust and identity confusion. Not knowing does not make these problems go away or heal by themselves over time. On the contrary, left unaddressed as unfinished business, this all gets exacerbated over time. It is a societal cancer. It negatively undermines all our relationships and passes on from generation to generation. Not knowing does not permit authentic, loving, honest human contact. How can it, when it is built on misinformation, secrecy and unknowns? I am living proof of this; both my families are living proof of this; my clients are living proof of this, everyone in this room is living proof of this. How much more proof do we need? Now is the time for us all to take responsibility for this unnecessary, ongoing grief. Please pass Bill 183 without a disclosure veto.

The Chair: Thank you very much for your presentation, Mr. Stott.

BASTARD NATION: THE ADOPTEE RIGHTS ORGANIZATION

The Chair: We'll move on to the next presentation, from Bastard Nation: The Adoptee Rights Organization. You can start any time you're ready.

Ms. Natalie Proctor Servant: Good afternoon, members of the committee. My name is Natalie Proctor Servant. I am an engineer by training, a new mother to three-month-old Zoé back there, and I am also an adoptee. I am here today to speak to you in my capacity as the eastern Canada regional director for Bastard Nation: The Adoptee Rights Organization.

Bastard Nation was formed in 1996 with a single goal: to restore the right of adult adoptees to have unconditional access to their own birth information. Our members are adoptees, adoptive parents, birth parents and others connected with adoption. Several of our members were instrumental in achieving unconditional records access in Oregon, Alabama, and New Hampshire.

Since we are an adoptee rights group, our recommendations for this bill only deal with adoption disclosure for adult adoptees.

Our main objection to this bill is that it contains a contact veto with a potential fine of up to $50,000.

We are pleased that the Ontario government is considering legislation that retroactively gives all adult adoptees access to their original birth certificates. Since it has been decades in this Legislature since a government has been willing to take this issue on, we want to make sure that Ontario gets it right this time.

Currently, Bill 183 will allow birth parents to file a contact veto with a maximum fine of $50,000 against the adult adoptee. Bastard Nation strongly disagrees with this measure. A contact veto is essentially a never-ending restraining order that can be placed against the adoptee by a birth parent simply because they are related. When the law that is currently in place was debated, a past member of this Legislature said that it was like Big Brother telling us what we may know and what we may not know. With its contact veto, Bill 183 would only change the law to one where Big Brother is telling us who we may contact and who we may not contact.

Bastard Nation wants the $50,000 contact veto removed completely. You might think that this sounds extreme, but we're not asking for some radical untried type of legislation. Retroactive open adoption records legislation without any vetoes at all has been working successfully in England since the mid-1970s. Many other countries in Europe and around the world also give adult adoptees unconditional access to their original birth certificates. Not only has this been working for decades in other countries, but there are other jurisdictions even closer to us that have put this legislation into effect recently: Oregon, Alabama and, just this past year, New Hampshire, for a total now of five US states that have retroactive unconditional open adoption records.

I have heard others argue that we need vetoes in the legislation for it to work. We don't. We have a society that is based on the same laws as England, and veto-less legislation is working there. It was implemented retroactively decades ago. What is so different about Ontario's history of adoption or current culture that makes vetoes necessary here but unnecessary in England? There's nothing.

Dr. Garber said, in his 1985 report on adoption disclosure: "Adoptees, as any other group, may have among them some few who would have criminal intentions. The law cannot be prescriptive or presumptive about adult adoptees' behaviour without evidence that they do indeed behave this way in significant numbers. No such evidence exists."

A contact veto that is applied against an adoptee treats them criminally even though the adoptee has done nothing at all.

Bastard Nation has a solution. Instead of a contact veto, Ontario should use contact preference forms. Instead of forbidding contact, contact preference forms allow the party filing them to express their positive or negative desire for contact. Contact preference forms do not hinder access to records and they do not restrict a law-abiding citizen from contacting certain people. If a contact veto is like a restraining order, a contact preference form is like a letter. Someone's reasons for not wanting contact may be permanent or they may be transient. One person's desire not to be contacted may disappear in the face of another person's reason for wanting contact. A contact preference form allows for give and take, for changes over time. The government should not be in the business of regulating contact between law-abiding citizens. Contact preference forms get the government out of this business. Contact preference forms are currently in use in Oregon, Alabama and New Hampshire.

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In conclusion, I would like to reiterate that Bastard Nation is a single-issue organization working to restore the identity rights of adult adoptees. We have one main issue with this bill: the veto. What this bill, in effect, does, is say, "OK, now we recognize that you have the right to know who you are. In exchange, we are going to take away your right to be presumed innocent until proven guilty, your right to be free of a restraining order, unless there is some reason to believe you have done something wrong." I do not want one right to be returned to me only if I agree to give up another.

Treat adult adoptees as full citizens. Remove the contact veto and the $50,000 fine from this bill and replace it with a contact preference form. Thank you.

The Chair: We have one minute each.

Mr. Arnott: I just want to express my appreciation for your presentation today. It's been very helpful in terms of the overall discussion that's taken place at this committee, yesterday and today. Thank you.

Ms. Proctor Servant: Thank you. You will actually find copies of the contact preference forms at the end of the report.

Ms. Churley: Good to see you again for the nth time. Nice to meet Zoé today.

We've been through this before. Of course, what happened when I presented my bills in the past was that I discovered that in order, even politically, to get it on the floor of the House and actually get majority support, I had to have the contact veto. I actually agreed with you, as you can recall, but I also made in really clear that, because of the fears and concerns, people needed to have that comfort in there. Of course, now there's pressure to add a disclosure veto on top of that. So I guess my question would be, given the concerns and fears that people have and a lot of legislators have, how would your suggestion cover those fears? What can you do to reassure people that we don't need the contact veto?

Ms. Proctor Servant: The fears are unfounded. The legislation I'm recommending is working well in other jurisdictions. New Hampshire just opened their records last year, unconditionally. Alabama and Oregon did this in 2001. England did this in the mid-1970s. Most of Europe has the type of legislation I'm talking about. North America is not that radically different that this can't work here. I defy you to come up with ways that this isn't working in other jurisdictions.

Mr. Peter Fonseca (Mississauga East): Thank you for your presentation. Can you take us through a little bit on how those contact preference forms work in Oregon or one of the other states?

Ms. Proctor Servant: Basically, depending on the state, someone who does not wish contact, or someone who wishes contact and wishes to express that, downloads the form, fills it out—they can also fill out medical information—and they file that. When the adoptee requests the birth certificate, that form is passed on to them. So they get the information with reasons for wanting contact, not wanting contact or wanting contact through perhaps an intermediary. It takes the form of a letter. At that point, the ball is in the adoptee's court as to what to do.

Mr. Fonseca: And those could be changed at any time?

Ms. Proctor Servant: Absolutely.

The Chair: Thank you for your presentation.

ONTARIO ASSOCIATION OF CHILDREN'S AID SOCIETIES

The Chair: We'll move to the Ontario Association of Children's Aid Societies.

Mr. Marvin Bernstein: My name is Marv Bernstein. I'm a lawyer by profession. My position is director of policy development and legal support at the Ontario Association of Children's Aid Societies. I'm here with Margaret O'Reilly, who is manager of adoption services at the Catholic Children's Aid Society of Toronto.

I'd like to start off by indicating that the association unequivocally supports the underlying philosophy behind Bill 183 and takes the position that it is timely to bring about greater openness in the adoption disclosure process. It would indeed be unfortunate for this bill not to go forward after all of the adoption disclosure bills that have come before the Legislature in recent years. That would be six private members' bills and one previous government bill in the past 11 years. We'd also like to acknowledge the efforts and support that Ms. Churley has spear-

headed in terms of some of the previous private members' bills, and we thank you for that.

We're concerned about disclosure vetoes, retrogressive compromises being suggested, built-upon notions of retroactivity. These are not solutions that are proportionate to the scope and reality of any presenting risks and are entirely incompatible with the fundamental human rights of all adopted persons that are entrenched in the United Nations Convention on the Rights of the Child. There isn't enough time, but in the written submission there are a number of bullet points explaining why a disclosure veto is completely unnecessary.

The OACAS is of the view that Bill 183 contains many positive features but that it could be substantially strengthened by the further amendments being proposed by the association. It is absolutely critical that these proposed amendments be incorporated into the bill in order to address the concerns that we've set out in our submission and to prevent the more progressive elements of the bill from being compromised. What we don't want to see, through a number of proposed repeal provisions in the bill, is infrastructure that's working well in terms of the support and services being provided by children's aid societies, the supports and functions of the current adoption disclosure register, being eliminated.

I just want to take you through the recommendations and a number of the other proposed amendments that are being advanced today by the association to strengthen this bill, whose time has arrived.

(1) First of all, subject to the further proposed amendments that I'm going to be speaking about very shortly, Bill 183 should be supported and enacted, as it reflects a positive shift toward openness and will bring Ontario into line with, if not surpass, similar adoption disclosure reforms in other jurisdictions. Again, there isn't enough time to go through all of the components—and you're hearing from a number of other groups and individuals making representations that are reinforcing the value of these absolutely necessary provisions—but I would ask the committee, what's wrong with going past what other jurisdictions are doing in Canada? What's wrong with taking a leadership role and moving the yardstick to do the right thing?

(2) The second recommendation is that Bill 183 be amended so as to clarify what information will be available to adopted persons and birth relatives and ensure that they will still have access to their non-identifying social histories, with no fees attached. We've heard that the provision of original birth registrations is only the beginning of a process. It's an event. It doesn't provide the individual with the contextual information that's really necessary.

(3) That Bill 183 be further amended so as to retain the operation and functions of the adoption disclosure register. For example, British Columbia and Newfoundland have kept their registers in place at the same time as they've enacted more progressive adoption disclosure legislation.

(4) That Bill 183 be further amended so as to ensure that adopted persons, birth relatives and adoptive parents on behalf of minor adoptees will still have access to priority searches on the basis of health, safety or welfare concerns, and that the adoption disclosure register will be the vehicle to continue to provide this service. Under the repeal provisions, that power would no longer be in existence. There would not be an adoption disclosure register. That provides a very valuable service.

(5) That Bill 183 be further amended so as to require the birth parent to provide all relevant medical and genetic information as outlined in the bill, except that it need not be briefly stated before being entitled to file a no-contact notice. We are concerned with the permissive approach being taken in the bill to the provision of this information and view such information as being part of the adopted person's birthright and critical to the adopted person's physical and emotional well-being, as well as to the holistic health of succeeding generations.

1650

(6) That Bill 183 be further amended so as to authorize, in addition to the existing list of applicants, a new category of applicants who can seek a nondisclosure order from the Child and Family Services Review Board, namely, adoptive parents on behalf of a minor adoptee, with such orders continuing in effect until such time as varied by the Child and Family Services Review Board, upon application by the adopted person, after attaining his or her 18th birthday.

We've heard from some of the other persons making submissions that there seems to be a gap. This is our recommendation in terms of how to address the particular mischief that's being presented. The answer is not to stigmatize a whole group of birth parents whose children have been found to be crown wards; the answer is not to put adoptive parents into the shoes of their adult adoptees. The answer is to provide more flexibility and, while the adoptee is a minor, to provide that information. It will stay as part of the order unless it's vacated or varied upon application by the adopted person.

(7) That Bill 183 be further amended so as to authorize CASs to disclose relevant information related to risk of "significant harm," which is the language of the bill, to an adult adopted person or the adoptive parent of a minor adoptee or minor sibling, in order to assist them both in respect of making a decision about whether to apply to the Child and Family Services Review Board for a nondisclosure order and also in respect of providing all relevant information in support proceeding with such an application.

There is nothing in the bill that explains how information gets transmitted that may be in a file that a children's aid society holds. How does that get transmitted to an adult adoptee? How does it get transmitted to adoptive parents of a minor adoptee? We need some language that's going to authorize that kind of disclosure.

(8) That Bill 183 be further amended so as to ensure that adopted persons and birth relatives will still have the option of free voluntary counselling and will still be able

to access free assistance in respect of contacting the other party.

We're not suggesting that the counselling be mandatory but that it be provided on a voluntary basis. The existing language of the bill makes no reference to that even being contemplated.

(9) That Bill 183 be further amended so as to ensure that other birth relatives, such as birth fathers, birth siblings and birth grandparents, will still be able to register for contact with the adopted person and that the adoption disclosure register continue to provide this service.

We've got a very limited definition of "birth parent."

(10) That Bill 183 be further amended to provide for equal treatment of Ontario-born adopted persons legally adopted outside the province of Ontario.

One of the limitations of the bill is that these excellent rights, these enhanced rights, only accrue to those adoptees who have had their adoptions finalized in Ontario. What about other adopted children who were born in this province who have had their adoptions finalized elsewhere? They should be in the same position. We shouldn't have category A of one group of adoptees and category B of another.

I'll leave the other two recommendations with you.

The Chair: Thank you for your presentation. There is no time for questioning.

DAVID BISHOP

The Chair: We'll move on to the next presentation, which is David Bishop, please.

You can start any time, Mr. Bishop.

Mr. David Bishop: Chairman and committee members, thank you for this opportunity to address you this afternoon. In my brief time, I will attempt a few things; namely, to explain to you what it's like to be adopted and to share with you what it's like to be reunited under the current system. I was adopted at 13 days of age by my parents and I was reunited five years ago with my birth mother. Finally, I would like to say, as a member of the adoption community, that I am anxious for this bill to become law in the next couple of weeks.

One of the main frustrations we feel being adopted is trying to make others understand what it's like to be adopted. I don't imagine any of you on the committee are adoptees, so let me tell you a little story about what it's like. I'm sure some of you have been to Europe and have been speaking English somewhere, and someone has come up to you and said, "What part of the United States are you from?" Just before you answer—just before that feeling of indignation, that feeling of anger, that feeling of, "How can he confuse me with an American? I'm a Canadian"—that feeling before you speak is what it's like to be adopted; that's just a tiny element. We look like you, we sound like you, we act like you; however, we're just a little bit different. We've grown up not knowing anything about who we are.

Now, the truth is what is, not what should be; what should be is a lie. If you were adopted in Ontario in the last 80 years, your whole life is what should be: You should be lucky you were adopted; you should get on with your life; everything's fine. Oh, really? Then why am I always scared? I thought everybody was always scared, but of course, not any more. I'm reunited now.

When I was 26 years old, I decided to search for my birth mother. I contacted the proper children's aid and then got on the waiting list of the adoption disclosure registry. This is not a decision I took lightly. I really wasn't that curious up until then. I had no idea that this would actually change my life to the extent that it did. I emphasize the fact that I was 26 years old when I decided to do this. I contacted children's aid and then contacted the adoption disclosure registry. On May 31, 2000, I was reunited with my birth mother and two sisters. This is the most courageous, the best thing I have ever done. I did very well in university. I went very far; I've had my own business; I've done lots of things. Everything pales in comparison to this. Remember that charming feminist part about, "The personal is political"? Remember when people used to say that? This is exactly what this is like.

If you've been listening closely—I don't know if I've mentioned this yet—I started this process when I was 26. I was reunited on May 31, 2000. First I was 26; then I'm 35. I am from Toronto. I was adopted from the east end of Toronto to the west end of Toronto. The difference between 26 and 35 is nine years. Did everybody get that? It took nine years. I followed all the rules; I did exactly what you're supposed to do. I waited and I waited and I waited, and then I called the ADR and they said, "No, no. You're on the waiting list. Don't worry." Then I waited a little bit more. After one year of this, I got non-identifying information, the first thing I ever learned about myself, sitting there in my room with my wife holding this stuff about me—unbelievable. I learned that my birth mother kept an older sister. I have an older sister? It was shocking. This was not like what it usually is in the adoption world.

Let's flash forward a little bit. That's all I had for eight years, and I got that after a year. I really wish the members of the panel could experience what Marilyn and I have experienced later in your life. This happened to me when I was 35, and it's just too big to describe; however, I'm going to try. When I got really close to reuniting, what I had to do was write a letter to my birth mother. In this letter, I couldn't reveal my name. I had to send this letter to the ADR. They read it. I was 35 years old, I had to write a letter and they read it. Then they passed it on to my birth mother. My birth mother wrote a letter and sent it to them. They opened the letter, read it and then passed it on to me. My birth mother agreed to meet me right away, but that's just the way the process goes.

I mentioned that I was 35, and I still resent that something that is intrinsic to who I am was mediated through a government agency. I had to bend like a pretzel to make this happen. I had to keep my mouth shut and be as nice as pie to the ADR worker because that was the only game in town. My mother was a widow at a very young age, so the name on my birth order is not her maiden name.

There's no way I could have found her without the information supplied by the ADR. If I had had her maiden name, which was always hidden from me in my own best interests, I could've opened the Toronto phone directory. There are five names like that. Those five people are my uncles. I could have called one of them and I wouldn't have had to wait nine years.

1700

When one is reunited, the language no longer reflects your reality. On Christmas Day, I must explain to family and friends that this is my sister, and this is my sister, and they've just met once or twice before. When my nieces ask me, "Uncle David, are we related?" I say, "Of course you are. You're cousins, through me." It was Mother's Day a few weeks ago, and you've all heard of the language that says you can only have one mother. Well, on Mother's Day you might buy a card for your wife, who's also a mother, but you only buy one card. Well, for the last five years, I buy two cards: one for my mother and one for my mother.

The same way that I can reunite two families and make them one at Christmas is the way I can reunite this Legislature right now. In the late 1980s, it was the Conservatives, oddly absent, who started the ADR—

Interjection.

Mr. Bishop: Ah, there you are.

Mr. Arnott: Yes.

Mr. Bishop: That's all right. You're allowed, I guess.

It was the Conservatives, when they used to emphasize the word "progressive" instead of "conservative" in their name, who had a hand in starting the ADR, who opened it up. Throughout the 1990s, it was the NDP and Marilyn Churley who gave us private member's bill after private member's bill, and we all know the fate of private members' bills, or most of them. We got close once, only to be shut down, again by someone from your party. Alas.

Here we are now: It's the Liberals. I've been here before and I've seen people change their stripes. Suddenly, you're with me. This is nice, being on the side of the government. There have been certain people who weren't too big when it was her bill. Oddly enough, we're all on the same side here. So now you're trying to really open the door. For that, we're grateful.

I want this bill to be retroactive, with no disclosure veto; an amendment that would include the non-identifying information. During the privacy commissioner's screed yesterday, she said that in the provinces where they already have this type of legislation, only 3% lodge disclosure vetoes. You are legislators; when do you ever hear the words "97% of anything"? Why is the tail wagging the dog only on this law? She said something interesting: "The silent minority." Yeah. The words that you're supposed to use are "silent majority." A minority is silent because it's a minority. There's 97% and there's 3%. That's why it's silent. We've been quiet long enough. This hasn't worked for us. The tail doesn't wag the dog; the dog wags the tail.

Maybe you can tell me how a province like Ralph Klein's Alberta is more socially progressive than Ontario. How does that work? They are. They have this law and we don't.

In conclusion, I urge you to get this law passed as soon as possible. Please don't make me come here four years from now just to argue the same thing again.

The Chair: Thank you, Mr. Bishop. You've used your 10 minutes. The 10 minutes are over, and we thank you for your presentation. Stay tuned and you'll find out, I guess, like everybody else.

SANDRA WILLISTON

The Chair: Sandra Williston, please.

You may start any time.

Ms. Sandra Williston: That's a tough act to follow.

Members of the standing committee on social policy, thank you for affording me this opportunity to express my views on Bill 183, the Adoption Information Disclosure Act, 2005.

March 29, 1927, was a monumental day in Ontario. On that date, research shows that at the request of adoptive parents, a law to seal adoption records was enacted. As a result, the 17th session of the Ontario Parliament legalized discrimination against a particular group of Canadian citizens, that being adoptees and their birth parents. This took place 78 years ago—almost a full century back in time. This law pre-dates World War II by 13 years, the Industrial Revolution, the discovery of the polio vaccine, the first freely programmable computer, the Depression era, the discovery of penicillin and television. It is now 2005. The world has progressed significantly. Even the Berlin Wall has been torn down, yet Ontario adoption law has stood deathly still. This 78-year-old law remains untouched, still governing adoption information disclosure in Ontario today.

Many countries and jurisdictions have removed the stigma of childbirth outside of marriage and brought it out of the closet of shame and blame; not so with Ontario. Please enlighten me, ladies and gentlemen: What is so shameful, what is so positively horrifying about bringing a life into the world that this fact has to be closeted for all time; that a make-believe world has to be created for adopted children; that these children's original names must be falsified; that their heritage and culture must be erased? They can never know the truth of whence they came. Why? There was no crime. There was no big sin in bringing a life into the world. We mothers will no longer allow you to make us wear the scarlet letter of shame.

It is positively disturbing that anyone in this day and age continues to perpetuate the outrageous lie of ironclad confidentiality. There is not a single, solitary document in existence in this entire country, coast to coast, to support anyone's position that birth mothers—I personally prefer "natural mother" but I'll use "birth mother" because that's the language in the document—were promised confidentiality, yet this lie is literally clung to, white-knuckled. If some social service workers did make

statements to birth mothers regarding confidentiality, then those individuals clearly acted outside the scope of their authority. How can any legislator rely on this and endorse it? It is common knowledge for those who truly seek truth and justice, for those who truly wish to educate themselves on this topic, that birth mothers have never been promised bona fide confidentiality. All adoption documents in Ontario reference the severance of parental rights. The words "promise of confidentiality" appear absolutely nowhere in any of these documents, and I challenge anybody here to prove otherwise.

For those passionate about wanting to keep past promises, I was in fact promised that my full name and my daughter's full name—the name I gave her—would appear on her adoption order and, by virtue of having that identifying information, she could find me if she so chose when she was an adult. That promise, as I learned in reunion, was totally false. For the legislators whom I witnessed speaking so passionately in the House about a week or two ago about their need to keep past promises that were made, I invite you to contact me to advise me on how you plan to stand up for me in having received this promise. My daughter's adoption order identified me only as the first letter of my surname and contained no reference to my daughter's original name.

Even if some were verbally promised confidentiality, those who made such promises were clearly acting outside the scope of their authority. What kind of world order would we have if you, as lawmakers, had to acquiesce to all those with no jurisdiction, no authority, and no right to make contractual promises? Relying on hearsay that false promises were made to a few and clinging to this as justification to keep records closed for all eternity to all is unconscionable, a travesty, a crime on those directly affected.

Let us stop using language that softens the truth. Keeping adoption records sealed is legalized discrimination. It is social apartheid. Knowledge and ownership of one's own original identity is a basic human right, a right taken for granted and enjoyed by all other Canadians.

I was present yesterday to hear the privacy commissioner of Ontario's presentation. It was deeply disturbing. This is my viewpoint—

The Chair: I will let you say it, but I just want to make sure that we don't go over—if you can, make reference to what I said earlier.

1710

Ms. Williston: Pardon me?

The Chair: If you can keep in mind what I said earlier at the beginning of the meeting, that we don't want—

Ms. Williston: She gave a public presentation. This is my personal opinion. I haven't said anything offensive yet, have I?

The Chair: I didn't say that you did. I was just trying to caution you before a member of the committee would intervene. Please proceed. I am not stopping you.

Ms. Williston: Thank you very much.

It was deeply disturbing to me that Dr. Cavoukian not only presented on the weight of her official capacity as private commissioner about a bill that lies outside of her jurisdiction—I checked this with her office—but, in my view, presented a totally unsubstantiated case to keep records closed built solely on hearsay, unsigned letters, unsigned e-mails and anonymous phone calls. If there is a single individual in government whom the public should be confident that they could disclose their identity to, I think it very reasonable that it would be the privacy commissioner.

I made a call to the Office of the Premier today and was told that anonymous communications are tracked, counted and filed. Nothing else can be done with them. I expect that this same treatment must be afforded in this instance. It is unthinkable that elected government officials would not discount all anonymous communications of any kind.

I implore you to move Bill 183 through the House to a vote with the recommended amendments, as outlined by the representatives of the Coalition for Open Adoption Records and the Canadian Council of Natural Mothers, who are speaking here today and who I consider represent me.

Due to time constraints afforded to me to present, there is no opportunity to outline the recommendations in detail, so I will just note that the above-noted organizations speak for me in this regard:

—Adopted adults receive copies of the full contents of their adoption files held by the children's aid society and the adoption disclosure registry.

—The inclusion of natural fathers in the identifying information given to adopted adults. Access of adopted adults to this information.

—Access to non-identifying and identifying information for adopted adults, children of adopted adults, natural parents and their extended families, aunts, uncles and siblings.

—Provision of a "no contact" preference.

—Most importantly, retroactivity: It is imperative that this bill be retroactive for it to be meaningful in any way.

It is long past time to restore adult adoptees' basic human rights: the right to their identities; the right to know their origins, their culture and their current medical information.

Voting for Bill 183 does not legislate reunion. Bill 183 doesn't legislate anything beyond having one's own unaltered birth records and adoption information, something that rightfully is owned by those named. If adults so choose to take it further and forge a reunion, then so be it. Adult relatives electing to meet adult relatives: That's all it is. Freedom of association is entrenched in the federal Charter of Rights, after all.

March 29, 1927, was the date that Ontario stood still regarding adoption information disclosure. I implore you, please move Bill 183 through to third reading and a vote in the House. Similar legislation around the world has no reported cases of the problems that we've heard will take place from opposers of this bill.

You have the power to rectify a travesty that took place in the previous century. It is right that you do so. It is just that you do so. It is long past time that you do so.

As a final comment, I would like to extend profound and sincere thanks to Marilyn Churley, who blazed the trail for us to be here today, and to the Liberal Party and Sandra Pupatello for having the courage to take a firm hold on the gauntlet passed from Marilyn's hands. Thank you, Marilyn.

I sincerely thank you for listening. I will hold trust that you have heard.

The Chair: You used all of the 10 minutes so there's no time for questioning, but thank you very much for your presentation.

Ms. Churley: On a point of order, Mr. Chair: I think it's important to make the point, on the record, that the privacy commissioner yesterday chose to come forward and make a very public statement expressing her point of view but also going beyond that in terms of reading various letters. I believe it is the right of the deputants today, because she is on the public record, to say what they wish in terms of responding to her presentation yesterday. After all, it is on the record.

The Chair: I don't have any problem with what you said. I have a little speech here which I could read, but I thought it was easier. I didn't want the deputant to go further than she did. What she said, in my opinion, is acceptable. But as you know, there is a limit and a potential for liability depending on the language that people use. We are not potentially liable because we are MPPs, but unfortunately the deputant could be, and it's my job to make sure that I warn them before they say something, because it's on TV. It's a matter of public record now; it's written. If somebody goes overboard, then he or she could be in trouble. As the Chair, I am trying to do my best to make sure that that doesn't happen. Nevertheless, I think what was said is within reason, and I don't have any problem.

Ms. Churley: That's fine. I think it's important that as Chair, if there are liability issues, people be warned about that. Otherwise, there should be no concern. I understand, but it wasn't clear.

JULIE JORDAN

The Chair: The next deputation is from Julie Jordan.

Ms. Julie Jordan: Thank you for your time today. I'm not going to waste my 10 minutes telling you my life story. I am adopted. I was adopted in 1971, one year after the laws were changed concerning adoption orders. I only have an initial of my surname and a series of numbers on my adoption order because I was born one year after those laws changed. I consider that to be age discrimination. I just wanted to state that.

Instead of telling you a personal story, I'm going to take my time in reading the Universal Declaration of Human Rights. I have copies that I've given out to everybody here for you to read for yourself.

Article 1 of the Universal Declaration of Human Rights states, "All human beings are born free and equal in dignity and rights."

Article 2: "Everyone is entitled to all the rights and freedoms set forth in this declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status."

Article 3 of the Universal Declaration of Human Rights: "Everyone has the right to life, liberty and the security of person."

Article 4: "No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms."

Article 6: "Everyone has the right to recognition everywhere as a person before the law."

Article 7: "All are equal before the law and are entitled without any discrimination to equal protection against any discrimination in violation of this declaration and against any incitement to such discrimination."

This is the United Nations bill of human rights. These are my rights. Every human being has these rights. It doesn't say, "Adoptees are excluded from these rights." They're for everyone.

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All persons have the right to know whether or not they have been adopted. Furthermore, no one has the right to withhold such information from another person.

All persons have the right to an identity, and to know what their identities were at all stages of their life. Pursuant to this, all adults have the right to obtain and possess all government documents that pertain to their historical, genetic and legal identities, including:

—their legal names at all times during their lives, both before and after adoptions have taken place;

—their place and date of birth;

—the identities of their natural parents;

—the identities of their natural siblings, grandparents and other family members; and

—all records pertaining to them, that pertain to all parts of their lives, both before and after any adoption took place.

As all persons have the right to freedom of association, adults who have been separated from their families through adoption have the right to establish communication with their original families, respecting any contact preference requests made by individual members.

You have this all in front of you. I'm free for questions.

The Chair: We have about four minutes. I would start with the government. Any questions?

Mr. Khalil Ramal (London–Fanshawe): Thank you for coming and supporting the bill, and for talking about your personal story. You think this bill, as it is, is good enough to fulfill your needs and look after your goals?

Ms. Jordan: I'm against a disclosure veto. I think that that goes against what I just read. I'm against a contact veto with a fine. Bastard Nation has given you a form about a contact preference. I'm all for that, but not a

$50,000 fine. I think that that is discriminatory, and it's humiliating. We're human beings. We're not criminals just because we were born and put up for adoption.

Mr. Ramal: But what do you say to the people who came who were watching the channel or heard about what was going on yesterday? They're talking about some kind of privacy. They don't want their file to be disclosed.

Ms. Jordan: It doesn't exist. I was on the adoption disclosure registry for over 15 years, waiting for my search. Just last year, my search was completed. The CI, the confidential intermediary, the day she told me that she had found my birth mother, said, "I just talked to your birth mother." I said, "How was she? How did she respond to this?" She said, "She was surprised that you weren't calling her yourself." Why, if she expected confidentiality and if there were promises made that I would never find her, would she be asking why I wasn't calling her myself? She had no idea that I did not have her name and that I had to go through the government. She had no idea about the adoption disclosure registry. I waited 15 years.

Ms. Churley: Thank you for your presentation.

Ms. Jordan: Hi, Marilyn.

Ms. Churley: Hi. I think it's good that you brought this, by the way, for everybody to see, because it keeps being referred to a lot. I think what you've done is raise some really important issues vis-à-vis what the privacy commissioner and a few others had to say. First of all, some of us birth mothers were literally lied to about what information would be provided to our children, should they desire to look for us as adults, and then to find out with shock and horror once we find them that they weren't given that information. So there's that.

Secondly, I think what you said is important in that we have to just put on the table this whole element of saying to anybody who comes forward, "Oh, aren't you brave, aren't you courageous to bring your shame forward and tell the world." It's all couched like it's a shameful thing that happened to the birth mother, and the adoptee in a way. What we're trying to say here is that there's nothing shameful about it.

Ms. Jordan: I'm not ashamed of my birth status; I'm proud of it.

Ms. Churley: The third thing I want to say is that what you said is important, that there are so many people finding each other anyway, with no such thing as a contact veto within the existing laws.

Ms. Jordan: Or a contact preference.

Ms. Churley: Or a contact preference. We tend to manage fairly well, thank you very much. So have I summed up your presentation fairly well?

Ms. Jordan: Absolutely. I just want to be on the record that I do not support this bill with any type of disclosure veto or a $50,000 fine. I would rather this bill be the best piece of legislation instead of having to come back one day and argue the fact of how discriminatory it is to have a fine and be treated like we're criminals.

The Chair: Mr. Arnott may have a question for you.

Mr. Arnott: I wanted to reiterate one of the things that Ms. Churley mentioned, because a number of the deputants have made reference to this Universal Declaration of Human Rights. I'm in receipt of a copy of it now, and I appreciate your bringing that to our attention the way you did. Thank you.

The Chair: Thanks very much for your presentation.

COALITION FOR OPEN ADOPTION RECORDS

The Chair: We'll move on to the next presenter, the Coalition for Open Adoption Records.

Dr. Michael Grand: Mr. Chairman, I am going to talk about the privacy commissioner's comments; I'm not going to talk about her.

The Chair: May I then—

Dr. Grand: You don't need to warn me. I understand.

The Chair: OK. That's fine. I'll be happy to hear.

Dr. Grand: My name is Dr. Michael Grand. I'm a member of the coordinating committee of the Coalition for Open Adoption Records. COAR is an umbrella organization for every major adoption group in the province interested in open adoption records. You will have heard from many of these groups over the past two days.

I am also a professor of psychology at the University of Guelph and the co-director of the National Adoption Study of Canada. I have conducted the most comprehensive study in the country to describe and assess adoption policy and practice. The results of the study are published in my book Adoption in Canada. In the course of the study, I have met with the directors of adoption and their respective staff in every province and territory in the country. This work has been recognized by the Adoption Council of Ontario, the Adoption Council of Canada and the North American Council on Adoptable Children.

Good policy should not be based upon opinions or casual observation, nor should policy be determined by single-case examples. It is impossible to write law that will cover every instance. If this were the standard we used, then we would not allow anyone to drive a car for fear of a single accident. We would not engage in business for fear of a fraudulent transaction. I'm sure you see the ludicrousness of taking the extreme position. Law must be written to do the most good, while at the same time attempting to limit the possibilities of harm.

This is the approach that's been taken in Bill 183. It balances the right of everyone to a history with the right of adult adoptees and birth families to control direct access to each other. The provisions in Bill 183 are based upon the best research findings we have concerning the process of adoption. They are not an emotional wish list; they are premised upon well-gathered data. In this light, I would like to consider some of the issues pertaining to the bill.

First, let me address the question of whether a contact veto will be a strong enough disincentive to protect the privacy rights of those being sought, or will Bill 183 destroy the lives of birth parents who wish to keep their

past a secret? Let us look at the data presented by the privacy commissioner yesterday. She read out a series of emotionally charged letters of birth parents who fear that their lives will be ruined if Bill 183 were to pass in its present form. It's not hard to be moved by the force of these concerns, but let us not be confused by the privacy commissioner's presentation. She spoke of birth parent anticipation of harm but, I would emphasize, not actual harm itself. Not a single letter she offered described the lived experience of someone who had been found and had not wanted contact.

1730

Contact vetoes are available in many jurisdictions. They serve their purpose. No jurisdiction has ever taken steps to remove a contact veto from legislation for the reason that it didn't work. They've always kept them.

We've also been told in press releases and during debate in the Legislature that the experience of New South Wales points us toward the necessity of a disclosure veto, so let's look at the full evidence. In 1992, the New South Wales Law Reform Commission reported that a significant minority of birth parents felt the law violated their privacy, that a significant minority of adoptees disapproved of the law and that a majority of adoptive parents were opposed to the law. This has been cited by some to indicate that the adoption community does not want legislation without a disclosure veto. But what is the rest of the story? What you were not told was that the 1992 report also discussed the unexpectedly high compliance with the contact veto. In 1997, a subsequent law reform commission report never mentioned the need for a disclosure veto, and in 2000, the new adoption act again did not include a disclosure veto.

What is the conclusion to be drawn? Bill 183 is neither new nor is it radical. It has been tested in the field. It has been found to provide the necessary protections.

Are adoptees at risk in heading into a reunion with an abusing birth parent—a scenario that's been put in front of us? In the national adoption study I authored, we asked all children's aid societies in Ontario, as well as over 300 other practitioners and agencies across the country, about search and reunion. Not a single respondent raised the issue of re-abuse as a concern if records were to be opened. I travelled to every province and territory in this country as part of the feedback process. I met with the provincial adoption coordinators, as well as a wide cross-section of professionals in adoption, adoptees, birth parents and adoptive parents. There was not a single instance in which any of these groups voiced concern for this matter.

Yesterday, this committee was asked to add a disclosure veto to Bill 183 for adoptions prior to the passage of the bill. What is the price of doing this? The research indicates that issues of identity and disenfranchised grief are at the heart of many of the difficulties that adoptees and birth kin experience. By restricting access to identifying information through the use of a disclosure veto, you are asking those affected to continue to pay a high personal price, both psychological and medical. We don't need two classes of adoptees and birth parents: those who will be allowed to come to terms with their history and those who will be restricted from doing so. This is simply cruel. The contact veto has been proven to protect a person's privacy while maintaining access to a history. Please do not include an unnecessary disclosure veto, and ensure the retroactive nature of this bill.

The Coalition for Open Adoption Records is recommending a number of amendments to the bill. We have sent you a copy via e-mail through the clerk of the committee. I hope that you have it. If you don't, we can easily make other copies available for you. In the interests of time, I will limit myself to mentioning only the most important amendments that we think must come forward. I must also say that I've been very impressed with the list of amendments that other speakers have presented today.

The first one that is vital for the act—because you can't take away what you've given and leave adoptees now with just a name but no history—is that we must have access to non-identifying information. Under the current law, adopted adults, birth parents, birth siblings and birth grandparents have the right to obtain descriptive information about relatives lost to adoption. That's under the current law, not this one. This information is taken from the files kept by the adoption disclosure registry. Unfortunately, Bill 183, through subsections 166(4) and (5) of the CFSA, would take away this right. There's no controversy about this. Everybody wants access to non-identifying information, and so that right must be returned. There has been no discussion to say that it shouldn't be so.

Secondly, we need a searching mechanism. You can't simply give a name and then just drop people. Law put people into this position and now the law has to take them out. If the government chooses not to have the ADR, you need to put another mechanism in place to assist people in searching. We go into details of that in our document to you.

We're very concerned by the fact that many birth mothers were told not to put the name of the birth father on the long-form birth registration; they were advised to do that. But adoptees are looking to find that information, and that information oftentimes appears in the file. So if trustworthy information is available in the file about the name of the birth father, it should be made available to them.

Many adoptees are born in this province and then adopted in another province, or born in another province and then adopted in Ontario. As long as you're a citizen of this province, you should have access to documents that this province possesses, either the long-form birth registration or access to the adoption order. One way or another, you should have access to your own documents.

We're very concerned that adult children of adoptees—and it's funny to use this term, adult children of adult adoptees, but that's who I'm talking about—should have the right to also know who their grandparents, their uncles and their aunts are for medical reasons, for

psychological reasons, to fulfill a full sense of identity. The law at this moment is not structured to give that right, and I ask you to ensure that that's put into the law.

We also offer 11 other amendments to you in our document, and I ask you to consider them carefully.

In conclusion, I would once again stress that the decision to open the records is one that finds strong support in the research on adoption. To reject it on emotional grounds is not the way to go about developing strong social policy. The research speaks for itself. Please join with the overwhelming majority of the adoption community and support Bill 183.

The Chair: Thank you, Dr. Grand, for your presentation.

JUDITH LALONDE

The Chair: We'll move on to Judith Lalonde.

Please proceed.

Ms. Judith Lalonde: I just want to say, first, that I'm honoured to be here today to speak about Bill 183, the disclosure of information and records to adopted persons and birth parents bill. My name is Judith. I am an adoptee who was born with cerebral palsy. It affects the whole left side of my body. I'm also a mother of three small children, who also are affected by my adoption. They are a huge part of the reason why I wanted to know my heritage, my nationality and my medical history.

I registered with the ADR and performed a search on my own for my natural mother, and it took me nine years before I found her. All that I had to go on was my non-identifying information and the initial of my birth last name. My adopted mom spent many, many hours with me helping me in my search. She did that because she loves me and wants me to know everything possible about my history.

Prior to 1970, adoptees' birth last names were on the adoption order that was given to the adopting parents. Because I was born in 1971, I was not privileged to have that information that adoptees before me were granted.

I am one of the adopted adults whose search did not have a fairy-tale ending. My natural mother told me that she did not want any contact with me. It has been three years since that devastating call. It was very hard to understand, as she did not give any reasons as to why she wanted it like that. I have abided by her wishes for me not to contact her since.

1740

I am very much in favour of the opening of adoption records but believe that this bill is missing some important components. I believe that Bill 183 should be amended before it is passed to include:

(1) Adopted adults to receive copies of their adoption files held by the children's aid society and the adoption disclosure registry: As in its title, disclosure of information and records, we should have access to all of the information contained in our files and not just legal documents like the original birth certificate or the adoption order. My number one issue is having unlimited access to my adoption file. Whatever is in that file pertains to me, and therefore I should have access to everything that is written in it. In British Columbia, adopted adults and natural parents are given copies of their adoption files. We in Ontario should have the same privilege. I also understand that Alberta and Newfoundland and Labrador have the same access to their adoption files.

(2) Inclusion of natural fathers in the identifying information given to adopted adults: In most cases, the natural mother was discouraged and even prevented from putting the natural father's name on the registration of live birth, but the name was often put into the file at the children's aid society. As adopted adults, we should be given access to the information.

(3) Access to non-identifying and identifying information for adopted adults, children of adopted adults, natural parents and their extended families—aunts, uncles and siblings: If adopted adults are deceased or provide written consent, their children should be allowed access to this information, and if the natural parents are deceased, their extended family should also have access to this information. My sister, for example, is a third-generation adopted person. She was adopted, her natural mother was adopted and her natural grandmother was also adopted. She should be able to have access to her grandmother's records in order to really find her own origins.

(4) Retroactivity and the no-contact preference: The no-contact order is sufficient. There will be no need to attach a disclosure veto. Adopted adults and natural parents will obey this order not to contact whoever placed the notice. There should be no disclosure veto attached. This bill has to be retroactive in order to give all adopted adults the right to know their own heritage, nationality, medical information and the names of their natural parents.

I believe, from speaking to numerous people in the adoption community, that these are all issues that need to be included in this bill. Many people have stated that Ontario is moving into the 21st century with this bill. Let's do it right the first time so we don't have to go back and make changes. This is a very important and sensitive issue to many Ontario citizens who have fought for many, many years to have adoption records opened.

I am also a member of Parent Finders in Windsor, and we have a database of about 1,200 people comprised of adopted adults and birth parents. We have been lobbying for about 20 years for changes to adoption records. Not one of our birth mother members has expressed concern about confidentiality. As a matter of fact, they feel that they have been discriminated against because the adoption disclosure registry will not search on their behalf, thereby reducing their chances at a reunion. I was appalled to hear that many birth mothers were approached while still in hospital after childbirth with forms to sign away their children.

Adopted adults are not second-class citizens, and therefore we should not be treated so. We have the same

right as any other Ontarian to know where we came from, our heritage, our nationality, our medical history and the names of our parents. This bill is about the adopted adult who never had the chance before to say what we needed or wanted. The time has come to give us what is rightfully ours: our history. Thank you for letting me speak.

The Chair: Thank you for your presentation. We have a minute each per party. Ms. Wynne?

Ms. Wynne: Thank you very much for coming forward. I am completely supportive of your right to have the information that you need and that birth mothers need. My one question is, how would the bill be changed negatively for you if there were the opportunity for adult adoptees—so children, not the birth parents—to put in a no-disclosure veto? It would be asymmetrical; it would be just for the adoptees, not for the birth mothers. This is just a hypothetical question on my part.

Ms. Lalonde: If there was abuse, if the child was taken away, then I totally agree that there should be.

Ms. Wynne: OK. Right now, in the bill, the adult can go before the board and get that exception, can get that disclosure if there's been harm. But what if the adult adoptee just wanted not to have anyone—

Ms. Lalonde: Contact?

Ms. Wynne: —know the information? The no-contact is there, but they didn't want the birth family to have the information. They wanted a no-disclosure veto from their perspective.

Ms. Lalonde: I think that the birth mother and father should be entitled to know that their child is OK. My natural mom told me on the phone that she didn't want contact, and I've abided by her wishes for three years.

Ms. Wynne: So you think there's enough protection for that person in the bill?

Ms. Lalonde: Yes, there is. Right now, there is no fine that I have to be worried about, but I'm still respecting her wishes not to contact her.

Ms. Lalonde: Right. Thanks very much.

Mr. Arnott: Very briefly, Ms. Lalonde, I just want to thank you very much for coming forward today to offer us your advice and your experiences with respect to adoption disclosure. It's very helpful to us.

ADOPTION COUNCIL OF ONTARIO

The Chair: The next presentation is the Adoption Council of Ontario: Mary Allan.

You can start any time.

Ms. Mary Allan: I know you're behind schedule, so I just have a succinct little speech. I'm Mary Allan, chairperson of the Adoption Council of Ontario. I'm also a private adoption practitioner and have spent most of my professional life counselling as an adoption reunion counsellor. Thank you for giving us the opportunity to express our views concerning Bill 183, An Act respecting the disclosure of information and records to adopted persons and birth parents.

The Adoption Council of Ontario is a non-profit charitable organization that was formed in 1987. Our membership and board of directors represent all aspects of adoption: birth parents, adoptees, adoptive parents and adoption professionals from across Ontario. Our mission statement is "to educate, support and advocate on behalf of those touched by adoption in Ontario." To this end, we concern ourselves with a broad base of information and resources for those concerned with adoption.

For many years now, the Adoption Council of Ontario has supported the numerous private members' bills that have been introduced to change the laws in Ontario with respect to adoption disclosure. It is therefore with great anticipation and enthusiasm that we support Bill 183. We view these changes as a balanced approach to the complex issues surrounding the disclosure of information to adult adoptees and birth family. They represent a significant step forward toward the elimination of secrecy in adoption that has so long prevailed and continues to prevail in adoption today.

Specifically, we support the fundamental right of the adult adoptee to have access to their original birth certificate. As proposed, this must be retroactive. I'll quote from Ralph Garber 20 years ago, when he said that "changes in disclosure legislation are meant to redress the wrongs or limitations imposed upon birth parents, adoptees and adoptive parents by previous legislation." So it's really got to make a difference.

We support the proposed changes that would give access to identifying information to both parties. The ability to file a no-contact veto, in our view, is a satisfactory vehicle to deter unwanted overtures of contact and has been effective in other jurisdictions in Canada and around the world.

The changes proposed in Bill 183 acknowledge that, although adoption separates an individual from birth family, it need not permanently sever the tie to their biological heritage. You've probably heard lots of this today, but in adulthood, many adoptees feel a deep-seated need to know of their roots, the circumstances of their birth and adoption and, in some cases, to connect with birth family. It's still a minority of people who do. This desire is not viewed as dissatisfaction with one's adoption or disloyalty to one's adoptive parents but as a normal and natural outcome of adoption. As such, obtaining information and contact should not be an onerous process, either.

Bill 183 acknowledges that adoptees and birth family members have a right to information, that they have a choice to determine when, how and if they will initiate contact. Adoptees have told us over and over again that knowing their history and where they fit in the world can make a tremendous difference in their lives, that they feel they have a footing in the world, so to speak. Birth parents need to know that the decision that they made, willingly or unwillingly, many years earlier was a good one, that their child is making their way in the world and that important medical and social information is available.

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So we commend the Ontario government for showing leadership in proposing significant changes to a system that is outdated and at odds with current adoption legislation. The changes proposed in Bill 183 will make a significant and positive change in the lives of those affected by adoption and will become accepted as a normal part of the adoption experience.

Having said that, there are two items in particular I would just like to bring to the attention of the standing committee. The proposed changes to Bill 183 essentially mean the dismantling of the adoption disclosure register, and we strongly recommend that the register continue. It is a concept of choice that is really important and key.

Some adult adoptees and birth family members will wish to choose to connect with each other through the register. For them, this is a choice that they're comfortable with. They also may wish and need assistance with search in order to locate the other party, or wish to have contact made on their behalf. They may have a common birth name—Smith, Jones—that could hinder their success when they're self-searching. Whatever the reason may be, the continuation of the register is an important piece to include in this legislation. As well, the register remains a means by which—this was mentioned before—birth family members not identified on the birth certificate can be connected with: birth fathers, birth siblings and birth grandparents have been able to connect thus far.

Along similar lines, this legislation does not provide for the release of non-identifying information from agency and ministry records. Not only does non-identifying information assist in search, if that's the goal, but for many adult adoptees, the receipt of non-identifying information is the only step they may take in the pursuit of family information. It must continue to be a legislated entitlement for both the adult adoptee and the birth family members, as it has been for the last 18 years.

To conclude, the Adoption Council of Ontario supports Bill 183 and the openness that it will bring to those affected by adoption in Ontario. We encourage the government to carry out a broad public education campaign to inform the public once the proposed legislation is passed, and we look forward to assisting in spreading the good news in whatever way we can.

Mr. Arnott: Thank you very much for your presentation. It was very thorough and gave us your views directly. I don't have any questions.

Ms. Wynne: Mary, thank you very much. I just have a question about whether you think community agencies can do the job of the adoption registry. Can you talk about your concerns about that?

Ms. Allan: When you say "community agencies," what are you thinking of?

Ms. Wynne: That function would go into the community, and agencies would perform the function that's now performed by their registry.

Ms. Allan: I hadn't really thought about that, but I would imagine that something like that could work. Records and so on are centralized. So it gets cumbersome in terms of records back and forth, but it is something that could—

Ms. Wynne: But you're worried about the function. You want the function to be preserved.

Ms. Allan: I want the function to be there, that's right, whether it's done by the children's aid societies or the ministry.

Ms. Wynne: OK. That's helpful. Thanks, Mary.

The Chair: Thanks very much for your presentation.

BIRTHMOTHERS FOR EACH OTHER

The Chair: Next is Birthmothers for Each Other. There will be 10 minutes for your presentation, madam. You can start any time.

Ms. Chantal Desgranges: Hi. My name is Chantal Desgranges, and I'm one of the co-founders of Birthmothers for Each Other. It's a support group that I started in 1993, when I was about to be reunited with my daughter. My story is not unlike a lot of birth mothers. Many of us were forced to relinquish our children to adoption for various reasons, and this is why I came today to speak in support of Bill 183.

Adoption has affected all of us birth mothers, but also adoptees. I know that my daughter struggles on a daily basis with issues related to adoption. I'm so happy and grateful that I'm in her life to help her through that. She is well-loved by four different families: my side, her birth father's side, and her adoptive parents' sides as well.

I want to talk a little bit about the anonymity. I feel that it's not required. This was imposed upon us when we relinquished our children. In order to make things right, we need to stop perpetuating the secrecy around adoption. That's why I really want to see open adoption records, and it needs to be retroactive. I also think that the record should be kept in place for siblings who wish to be reunited.

After all, if we look at the laws that have changed in our society around gay rights, around slavery, around women's right to vote, I believe that it's now time to have open adoption records. That's all I have to say.

The Chair: Thank you for your presentation. Are there questions from anyone?

Ms. Wynne: I'll just ask the same question that I asked Mary Allan before you. You want the registry to be kept in place. But if those functions could be performed by community agencies, would that be adequate for you? The issue for you is that people be able to contact each other.

Ms. Desgranges: Yes, that's correct.

Ms. Wynne: So whether it's through the registry or a community agency, that's not a critical issue for you?

Ms. Desgranges: As long as it's done in a fair and equitable manner and people are not stonewalled, I'm happy with that.

Ms. Wynne: Thank you.

The Chair: Thank you very much for your presentation.

DIANNE MATHES

The Chair: Next is Dianne Mathes. Please start at any time.

Ms. Dianne Mathes: Good afternoon. Thank you for the opportunity to present to the committee. My name is Dianne Mathes. I'm a psychotherapist here in Toronto, in private practice. I'm also a reunited adult adoptee. I have specialized in the area of adoption work for the past 15 years, both as a result of my personal history in adoption and my professional commitment to adoption. I have worked over these years with several hundred adopted adults, birth parents and, more recently, adoptive families. I've also worked closely with the adoption community as I have become aware of the challenges in life and in counselling for those whose lives are in the world of adoption. Over the past three years I have been presenting a training series on grief and loss issues in adoption for professionals across Canada who work with individuals and families in the world of adoption.

Adoption brings many difficult and evasive issues to the counselling session. I want to be clear in this presentation that in the area of counselling, I'm not describing counselling that addresses pathological issues but rather counselling which provides a place and opportunity for those individuals in adoption to piece together the disparate bits of information about themselves and their histories and the sense of loss, disorientation and disenfranchised grief which they live with and cope with amazingly well. In short, it provides an opportunity for the psychological impacts of closed adoption.

In counselling and therapy we strive to support individuals and families in achieving a sense of positive self-regard and esteem, and those concepts form the foundation for building identity, a strong sense of one's self, which then allows for the creation of healthy and loving relationships with others. Closed adoption has compromised and continues to compromise all of these achievements and makes providing these opportunities within a counselling or therapy setting difficult and next to impossible.

It is for the simple reason that without a factual base of information about anything that relates to genetic background, genetic identity, kinship history or medical information it is impossible to support people in determining who they are or in defining their life story. Unless they are willing to go through years of waiting on registries or searching alone and isolated, many adopted adults struggle with basic uncertainties about their right to exist, a sense of worthlessness and rejection, while having to build their life stories, their identities and ultimately their relationships and families on scattered bits of information which possibly a very ethical professional documented, but it was decades ago and there was not even a standardized format for the collection of that information. This is simply not a dignified way to build a sense of who you are or to try and make sense of your life story or history. It certainly does not allow individuals to learn the qualities of inner respect, trust and love so essential to every human being and every healthy relationship.

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Nor does it strengthen the bonds or connections or opportunities within adoptive families. As adopted children wander in a sense of disorientation and genetic bewilderment, they can direct, on occasion, their confusion and pain toward their adoptive parents in hurt, anger, confusion and even rage. The disproportional number of adopted children and families who are seen in children's mental health centres, counselling facilities and family service agencies across this province attests to a small taste of the problem. Unfortunately, though, as adopted children and, later, adults become assessed and diagnosed, they can often learn to feel worse about themselves, less worthy and more flawed. As feelings like these take hold, not only do adoptive families feel helpless and the bonds weaken, but individuals who have done nothing wrong other than to be born into adoption are left without the basic rights and opportunities to build themselves into strong individuals. In the over 200 families I have worked with in my 15 years in adoption specialization, I have yet to work with or meet an adoptive family which made contact with birth or original parents and received information which ever regretted that decision or did not come to see the strength for both their families and their adopted children.

As teens and adults connect with information and kinship connections, they are often continually amazed that as they grow in esteem and confidence in their sense of identity and who they are, their connections with everyone in their lives improves and strengthens. They are able to answer their own questions, integrate a sense of themselves from all of their familial connections, and, when this is able to occur in a way that respects and dignifies both adoptive and original birth families' rights in an open, honest approach, it creates a sense of control and empowerment over life and family which has often been removed through closed adoption. When one is asked to wait on lists, hear information third-party, the problems that surround adoption are played and replayed over and over again in individuals and in families. My experience has only been that people are incredibly respectful and careful as they approach obtaining information or making contact. They well know the difficulties that adoption has created.

Closed adoption compromises birth and original parents as they are unable to provide to their children the natural and essential information about their history, and they are unable to know how their children's lives are going and to share with them the connection. This is not about birth or original parents or families taking over legal or parenting roles; it is about recognizing that a child's, and ultimately an adult's, development, personality and life comes from two families in adoption, and that to keep secret and closed the information and access to one is to ask children, adults and families to build lives and connections on fantasies and secrets. When adoptive families fear reconnections with birth relatives by their

adopted children, it is usually because those very secrets and fantasies have kept the bonds tenuous. When adoptive parents and families are able to embrace the fullness of their adult child's life and needs, the connections do not weaken, but grow not from fear and dependency but from mutual love and respect.

The very essence of closed adoption with its secrets and lack of access is also asking professionals and peer counsellors to do the impossible: to support and assist adults in being healthy and productive without any of the basic access to the information about who they are, where they come from and their medical and kinship history.

How can we expect strong, healthy citizens and families if we deny the basic rights that every person has? To me, it says a lot about the strength and creativity of the millions of adopted adults and birth and original families that they coped and managed as well as they do. That is, however, not to say that it's fair or right, and it's not acceptable that these basic rights to information and the resulting benefits have to be such hard work. These are not issues of privacy; these are issues of self-respect and dignity that every human being has a right to and that, without, create a lifetime of confusion, questions and difficulties that no one should have to live with.

It is time and I believe that most of the aspects of Bill 183 return the dignity and respect that has been afforded to every other adult. I would ask you to consider whether the dismantling of the ADR is a correct approach.

I would just like to add, although it's not in my written presentation, if there is consideration being given to turning some of those services over to community agencies, that you bear in mind that some of the issues in adoption, if you're thinking about post-adoption services and supports, are fairly specialized. You can look to the Boston program under Joyce Maguire Pavao as an example of ways that families can have access to both the functions and the supports they may need while having the choice and opportunity about how to bring that into their lives.

I thank you and wish for your support on Bill 183.

The Chair: Thank you for your presentation.

CANADIAN COUNCIL OF NATURAL MOTHERS

The Chair: There is another presentation, from the Canadian Council of Natural Mothers. That will be the last presentation.

As the lady takes a seat, I remind all of you, if you're interested in watching what took place here today, you can watch the Queen's Park channel at 2:45 p.m. tomorrow and see what we said.

Please begin.

Ms. Karen Lynn: Good evening. I'm Karen Lynn. I'm president of the Canadian Council of Natural Mothers. We are a national organization of mothers who lost their children to adoption from the late 1950s to the present. Most of our members are in Ontario.

I'd like to quote a different privacy commissioner, not Dr. Cavoukian.

When former Privacy Commissioner of Canada George Radwanski was asked to define privacy, he said, "I would define 'privacy' as the right to control access to one's person and to information about oneself." Open adoption records is about giving people back information about themselves. This is all we want.

Thousands of mothers like myself want and deserve retroactivity in accessing identifying and non-identifying information about our lost children. A disclosure veto in Bill 183 would be unacceptable to us. We did not abuse our children. Many of us were not even allowed to see our babies.

My story is typical. My son was born on November 7, 1963, in Toronto General Hospital. After, his father and our parents failed to support me in keeping my son. I was 19, had been attending Victoria College just a few blocks from here, secreted away in a maternity home in Clarkson lest the shame of an unmarried pregnancy sully the family name. I gave birth entirely in the company of strangers. When I asked to see my baby, the nurses told me I was not allowed to see him. A note was put on his bassinette saying, "Mother does not want to see baby." This was one of the many lies constructed by the elders who conspired to separate me from my child permanently. Fortunately, he's here today.

I asked to breastfeed my son, but against my will I was injected with a drug to prevent lactation, likely DES, which was later shown to cause cancer. I knew I was the legal mother of my son. I insisted, through tears and the bluff of a penniless teenager, that I would not surrender my son and that my son be brought to me. They did and I spent about one half-hour with him before we were again parted for what turned out to be 35 years.

My treatment as an unmarried mother caused unrelenting, unresolved trauma and grief that was to endure for many, many years because of the loss of my first-born and the failures of my family and society, sanctioned by the laws of Ontario. I now find it unconscionable that some persist in the mythology that I was promised confidentiality. I provided you with copies of the consent to adoption that I signed. It does not mention my privacy. It does not offer anything to mothers. No one offered it to me, even verbally. Many other mothers had their babies removed by court orders despite the fact that they had not abused their babies.

However, my son's adoption order, like all those before 1970, had my surname on it. This name was unusual. Anyone could have found me. How does this fact support the notion that mothers were offered confidentiality? Is a surname not identifying information?

It's completely twisted to assume I either asked for or wanted my privacy protected. My reality is that confidentiality was an imposed punishment for the crime—which is not a crime—of being unmarried and pregnant.

After 14 years on the passive registry, I found my son, who was very happy to be found. We now have a very close, loving and enduring relationship. Only then did I

begin to heal. Last year, however, he was diagnosed with cancer. Knowing his familial medical history has been an invaluable necessity.

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When I met my son in 1999, his first question to me, as we sat in my kitchen poring over family photos, was, "What happened?" The question is so profound that it still sticks in my throat.

Thousands of mothers in Ontario are punished by false allegations of promised confidentiality and suggestions that we get on with our lives. The opposite is true. The damage can only begin to be corrected by being able to resolve the trauma. We were the young, shamed, powerless, unsupported mothers who suffered the moral authority of prevailing social values. In 1927, when the laws began to be sealed, no one consulted us. It has not been until recently, when we raised our voices against these more than 75 years of abuse, that anyone has bothered to find out what really happened to us.

After World War II, there was a demand for healthy white babies, and we became the suppliers for the growing industry. We were labelled as wanton, unfit mothers. The emerging social sciences called us "neurotic and psychically weak"; we needed to be rescued from ourselves. Entire conferences were convened to discuss us, but we were never invited.

What about the silent mothers who are not here? Bill 183 will go a very long way to change social attitudes, to remove the shame and fear and trauma that frames their lives by making it clear that they were not inferior, unfit or neurotic. This is how we undo unwarranted shame and fear.

It may be that someone, without authority, offered this privacy, but please look at the facts: Not one of our members has come forward saying that she asked for, wanted or was offered confidentiality. Secrecy in adoption is cruel and pathological. It has created fear in some people. It has to end. We recognize that a tiny minority fears open adoption records, but personal pathology should not be elevated to public policy.

After consulting with our membership, the Canadian Council of Natural Mothers, in the best interests of ourselves and our children, recommends that Bill 183 be made retroactive and contain no disclosure veto; include access to identifying and non-identifying information for us, our adult children, birth siblings and the adult children of adopted people; retain the option of an immediate search based on urgent health issues—witness my son's disease. These provisions would allow us to begin the healing from the trauma of separation by adoption.

I thank Marilyn Churley for her years of sustained dedication to this cause and Sandra Pupatello and Premier McGuinty for their considerable efforts in bringing this bill forward.

Finally, there are no documented reports or cases of suicide as a result of open records anywhere, but there are suicides as a result of sealed records. There will be a lot more devastation if this bill does not go through.

Some quotations from natural mothers, who, incidentally, are not anonymous:

"I am diabetic. I am not well and will probably die before I find my lost son.... I am an old lady now, time is passing! I cannot do any more to find my son, is there not going to be any hope for me?"

"My son was born in November 1964. In December ... I was in the psychiatric unit for depression. I have been treated for depression several times since 1964; in counselling for decades. The only relief from the depression and suicidal thoughts was my reunion. Prior to reunion, I would think often, 'Am I going to die before I meet my son again?'"

The next one: "I tried to commit suicide before I had given Dean up because I knew I would not be able to keep him. In my mind, if I was not here then someone in my family would look after him and he would not be without a family. I took a full bottle of sleeping pills. The fire department broke down my door and the ambulance came and took me to the hospital.... You see, I couldn't bear the thoughts of living without my son so I thought if I died before I lost him to adoption I wouldn't miss him. It made all the sense in the world to me at the time."

The last one: "In the summer of 1960, at 14 years old, I attempted suicide and then again in 1978 when my last son was born and I had my tubes tied. The first time was aspirin; the second time it was car exhaust."

Adopted people, like all of us, are at risk of inheriting up to 3,000 diseases. Bill 183 will allow them to find out about these diseases. Because of secret adoptions, adopted people die because they are at risk of inheriting many diseases, such as: cancer, heart disease, Huntington's chorea, hemophilia etc. Bill 183 gives them the chance to find out their family medical histories and, hopefully, avert disasters in their own lives. This way, they can work early on with their family doctors to either avoid or manage diseases or to avoid having children of their own and passing on deadly genes.

Thank you very much for listening to me.

The Chair: Thank you very much for your presentation. You took the 10 minutes.

We thank all of you for making your presentations.

In case you're interested, we are planning to bring this matter for clause-by-clause consideration a week Monday, on May 30, at 3:30. I don't know the actual room.

Again, if you wish to see what took place today, tomorrow you can watch the channel at 2:45.

Mr. Arnott: I want to express appreciation to our clerk, Anne Stokes, for the extraordinary work that she has done to pull this all together in a matter of hours.

The Chair: Mr. Arnott did what I was going to do.

I thank all of you again. Enjoy the evening, and we'll see you on the 30th if you do come.

The committee adjourned at 1817.

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