A STATE APOLOGY FOR HISTORIC FORCED ADOPTION IN BRITAIN

BRIEFING DOCUMENT

Dr Michael Lambert

Research Fellow, Lancaster University Medical School

September 2023

A STATE APOLOGY FOR HISTORIC FORCED ADOPTION: BRIEFING DOCUMENT

Author Information	1
What is Historic Forced Adoption?	2
What Makes Adoption Forced?	3
Why Apologise?	8
The Current Position and the Historical Record	11
Action on an Apology	14
References	15

AUTHOR INFORMATION

Dr Michael Lambert is an academic historian of social policy and the welfare state in Britain since 1945. Using archival records from central government, voluntary organisations and local authorities, he has researched how policies and practice concerning children and families were developed and implemented. He contributed both written and oral evidence to the Joint Committee on Human Rights Inquiry on the Right to Family Life: Adoption of Children of Unmarried Women, 1949-76 which was published in July 2022. Following publication, he has used his research to press the UK Government about the need for formal state apology for historic forced adoption which occurred in Britain from the 1940s to the 1970s.

WHAT IS HISTORIC FORCED ADOPTION?

Historic forced adoption accounted for at the coercive removal of around 185,000 unmarried mothers from their children between 1949 and 1976 and their placement with new adoptive parents as part of a concerted policy pursued by the statutory and voluntary authorities.

Historic forced adoption entailed the removal of children from unmarried mothers, primarily of young age with their baby typically aged between 10 days and 6 weeks old, and their placement with married adoptive parents who were unable to conceive or, in the judgment of adoption agencies, more suitable parents able to provide a better home for the child's upbringing. The period of 'classic' historic forced adoption is considered to be from 1949 to 1976, the years covered by two Adoption Acts. It is these years which were the subject of the Joint Committee on Human Rights (JCHR) Inquiry on the Right to Family Life: Adoption of Children of Unmarried Women which was held between 2021 and 2022.[1]

The 1949 Adoption Act made the process quicker, easier, and more secretive than previous legislation – the 1926 and 1939 Adoption Acts – to enable the removal and transfer of children to new adoptive parents. Whilst state involvement in adoption prior to 1939 focused on children in public care, after this period it increasingly focused on unmarried mothers. The 1949 Act was crucial to this change as it enabled 'closed' adoption, whereby the child, in a legal sense, died and was reborn in their adoptive family. The 1976 Adoption Act provided greater regulation over adoption, whilst the 1975 Children Act gave both children and adoptees greater consideration within the child welfare system. Whilst convenient bookends, historic forced adoption preceded the 1949 Act and continued after the 1976 Act.[2]

During the 'classic' period there were around 500,000 adoptions. More than half of these should not be considered as historic forced adoption because they were a means for children to be legitimated by partners in new relationships given the difficulty in obtaining divorce until the 1969 Divorce Act. The JCHR Inquiry estimated the number of birth mothers and adoptees impacted by historic forced adoption to be around 185,000 in England and Wales from 1949 to 1976. Whilst a conservative estimate, the number is likely no fewer than 175,000 nor greater than 215,00, although this does not include Scotland and Northern Ireland.[3]

WHAT MAKES ADOPTION FORCED?

There are five components of 'classic' historical forced adoption: social pressure; religious moralisation; social work professionalism and views on child development; the financial, political and organisational power of the state; and the limited material, financial and social support available through the welfare state.

There are five strands to answer why historic adoptions during the 'classic' period should be described in the language of force, rather simply a tragic dilemma reflecting an unmarried mother deliberating and coming to a choice over the fate of her child.

Firstly, **there were extensive social and cultural pressures for women not to have children outside of marriage**. For centuries, unmarried motherhood carried significant shame and stigma. These were reinforced through laws, custom and practice. Rather than liberalising over time, this sense of shame was, in fact, heightened after the Second World War from 1945. Post-war legislation, including every facet of the welfare state – health, housing, education, and social security – was based around the family as the unit of social policy intervention. This idealised a white, respectable married couple with a working father, housekeeping mother and their children. Families which did not confirm to this ideal – whilst widespread, including cohabiting couples passing as a normal, married one – were penalised in policies based around a particular conception of normal family life. Both public and professional attitudes, then, saw unmarried motherhood as deviant.[4]

However, it is important to note that adoption was not considered as a policy solution to unmarried motherhood until the 1926 Adoption Act. Prior to this, adoption and fostering outside the direct regulation of the state were seen as problematic and associated with baby-farming scandals in the Victorian period. These scandals were about mothers paying to leave their children either for short or long-term periods with older women in order to work. Whilst more prevalent for unmarried women, this action was common to working-class families needing two incomes to survive. Similar Victorian era child saving philanthropic bodies initially founded shelters and mother and baby homes to help keep unmarried mothers and their children together rather separating them as occurred through separation under the Poor Law in workhouses. Mothers were trained to become domestic servants and obtained lodgings with employers as a means to work and keep their children. This, instead of the more common experience of leaving their children in residential homes whilst they went out to work, primarily to cover the cost of childcare.[5]

Adoption only began in large numbers after the First World War in 1918 with the idea that children could be cared for better, and far more cheaply, in new substitute families rather than in residential children's homes. Such homeless children had grown in number with a rise in wartime illegitimacy and widowed families during the conflict. The numbers remained relatively small until the 1949 Act because of enduring legal disputes over inheritance, the continued open rather than closed basis of proceedings which inhibited the necessary secrecy adoptive families wanted to pass a child off as their own, and concerns about the unfitness of children from deprived backgrounds. This changed following the 1949 Act as numbers grew year-on-year until their 1968 peak when they declined in a context of social liberalisation.

However, the 1967 Adoption and Family Planning Acts expanded women's reproductive control which reduced the number of desirable very young infant babies available for adoption to adoptive parents. Instead, adoptive families turned towards international adoption, surrogacy and invitro fertilisation as alternatives whilst local authorities took a greater role in adoption, particularly 'hard-to-place' children who were older, came with additional needs, and often were of mixed parentage or lived with disabilities. These changes, along with the 1974 Finer Report on One Parent Families which widened the forms of assistance to which single, unmarried mothers were entitled, saw the 'classic' era end.[6]

Whilst social stigma towards unmarried motherhood and concomitant pressure to act in certain ways is undeniable, it is important to note that policy geared social stigma towards different ends at different times. Social pressure did not exist in isolation.

Secondly, **there was a strong religious dimension which accompanied the social one**. Religious organisations had long provided care, support, and institutions for vulnerable groups, including unmarried mothers with shelters and homes from the Victorian era. These religious organisations expanded significantly after 1945, and their sphere of activity was defined as moral welfare. This allowed different sectarian, evangelical and other denominations of Christianity, particularly between the Protestant and Catholic Churches, to provide separate adoption societies and/or mother and baby homes which catered to their faith. More importantly, such moral welfare associations were also responsible for screening the suitability of adoptive parents, and significant emphasis was placed upon worship, faith and respectability in their decision-making. This was in contrast to fostering which, after the 1948 Children Act, was subject to regulation by the state and expansion in recruitment, with emphasis placed on the emotional, as well as spiritual and material suitability of prospective carers.[7]

Thirdly, the understanding of child development and its deployment by the social work profession. Knowledge about children and child development changed between the 1926 and 1949 Adoption Acts from eugenic conceptions of familial inheritance to those of the immediate caregiving environment. The work of John Bolwby and his idea of maternal deprivation was singularly influential. He authored a World Health Organisation report on the deprived child in 1951 which subsequently became a bestselling Penguin paperback universal to a range of social work courses. Whilst Bowlby's work coexisted with other prominent figures such as Anna Freud, Melanie Klein, and Donald and Clare Winnicott, his simple model shaped post-war child welfare policies and practice. This is widely acknowledged in the academic literature.[8]

Bowlby's idea of maternal deprivation was that, paradoxically, early separation from the child's primary caregiver caused significant and lifelong emotional and personal problems. This view was rooted in flawed prewar research with young offenders but became popular and popularised with the growth of wartime nursery care as more mothers spent time away from their children to work within the war effort. Bowlby's view of separation should be seen in this social context, whereby unmarried mothers during the interwar period spent significant portions of time away from their children kept in residential homes whilst they worked. Bowlby saw this inconsistent and unstable pattern of caregiving as akin to deprivation, and that

a more suitable, stable and permanent adoptive family would provide a better home for the child. Moreover, the earlier this transfer of caregiving the better for the child. Bowlby's work is where the idealised view of 10 days to 6 weeks emerged from in social work thinking and became embedded in adoption throughout the period. This view undermined due process in forced adoption, with legal safeguards and professional checks being downplayed to reduce the window of change. Crucially, this also allowed adoptive parents to pass the child off as their own, maintaining the social façade of a normal family.[9]

The influence of child development only obtained significance through the growth of the social work profession during the 'classic' adoption era. Social work changed from being associated either with middle class volunteers, so-called 'lady bountiful', or officials working within the Poor Law. Increasingly social workers, especially those in child care, required higher education qualifications which were centrally funded, regulated and standardised. Social workers were bound up with the idealism and optimism of the capacity of the postwar welfare state to transform society. Increasingly, they were responsible for dealing with children deprived of a normal home life, or other maladjusted or notionally deviant groups, including unmarried mothers and their children. Social workers were primarily paternalistic, deeming themselves to know what was best for the client concerned, and deploying their disciplinary knowledge – particularly Bowlby and child development – to make decisions purportedly in their best interests. Whilst often caring and progressive individuals, their combination of professional status and idealism, legal authority, and gatekeeping control over other resources in the welfare state meant that it was difficult to oppose or resist their assessment. Such resistance was interpreted as a further sign of maternal inadequacy, being unable to recognise what was best for the child and reinforcing professional social work judgments on adoption as primary.[10]

Fourthly, the political, financial, and organisational power of the state. Social pressures did not exist in isolation, borders between the state and church were negotiated and fluid, and the power vested in social work and their new forms of knowledge were all the consequence of decisions by the state. The state reflected a complex assemblage of central government, local authorities, a range of religious and other voluntary organisations, the judiciary, and those who worked across the welfare state in health, housing, education and social security, although these were primarily social workers and other welfare officials.[11]

In political terms the 1949 Adoption Act sanctioned a system of closed adoption as the preferred form under a cloud of secrecy for the birth mother, adoptive parents, and the adopted child. This transformed adoption from a policy impacting limited numbers of unmarried mothers and their children to being the recognised and preferred course of action in everyone's best interests. This also reshaped the judicial process. Following the initial passage and early years of the Act there was considerable divergence in legal interpretation and dozens of complex cases which confounded the Home Office, responsible for overseeing children's services and adoption societies. The ensuing 1958 Act clarified these by strengthening legal and professional power to act which served to expedite the process, causing a rise in adoptions, peaking at 16,164 in 1968 before declining.[12]

Policy should not be understood in narrow partisan terms or major legislative moments alone. The entire system of historic forced adoption through mother and baby homes and adoption

societies was financed by central government on a routine basis. Prior to the 1949 Act a circular was issued by the Ministry of Health in 1943 which mandated local authorities to provide a certain range of services to unmarried mothers and their children. Whilst primarily concerned with the need to maximise labour mobilisation for war, the circular provided the first central government subsidies for adoption on a large scale. The circular also suggested that local authorities need not initiate such services themselves as religious and voluntary organisations already provided them. The Ministry also briefly considered nationalising them during negotiations over the foundation of the National Health Service (NHS) from 1945 to 1946 but found the current arrangements satisfactory. As a result, local authority direct grants for homes and funding per case was established in precedent and grew dramatically, whilst religious and voluntary moral welfare workers went from a small, amateurish and fragmented group to a large, professionalised body running a network of more than 150 shelters and homes. The circular sanctioned and financed forced adoption as preferred policy, which was recognised in later exchanges within the civil service between government departments.[13]

There were a complex series of arrangements between the statutory and voluntary sector, local and central government, moral welfare and other social workers, and even between mother and baby homes and adoption agencies. The latter became even more complex when run by the same local authority or Church of England diocese, often with an interchange of membership. However, despite this wide variety of local circumstances and differences in manifestation, the apparatus of historic forced adoption was overseen and managed by central government throughout. There are dozens of legacy files and government department records showing the constant correspondence, reference to existing practice, financial frameworks, and exceptional cases which created precedent. These sought to comprehend and manage the range of local circumstances, as was the case for virtually all other aspects of the welfare state, but particularly personal social services concerning children and families were a ‘mixed economy’ of public statutory and private voluntary care prevailed. The forcible removal of 185,000 children from their unmarried birth mothers could not and would not have occurred without this sanction and direction from across the state.[14]

Fifthly, and finally, was the limited range of material, financial and social supports available to unmarried mothers within the welfare state. A 2004 article by American legal scholar Virginia Noble on attempts by unmarried women to claim welfare and benefits during the ‘classic’ adoption era is entitled ‘not the normal mode of maintenance’. This captures the underlying assumptions of normal family life which pervades postwar welfare legislation and social policy, whilst also showing how officials used their own discretionary power to deny claims as part of a punitive process continuing to push less eligibility in comparison to normal families. Similarly, a 2017 doctoral thesis by Robyn Rowe using the archives of the National Assistance Board (NAB), the central government department responsible from 1948 to 1966, found a policy of deterrence being pursued by senior officials which saw unmarried mothers as undeserving in comparison to other claimants. This meant that when unmarried mothers did keep their children, without family or other forms of support, they were condemned to poverty. This was widely recognised in sociological literature at the time.[15]

Many unmarried mothers did, in fact, keep their children throughout the ‘classic’ adoption era. This does not mean that force was not applied nor that it was not the desired outcome of policy by central government. When first encountered, all professionals saw the problem of prospective unmarried motherhood as the legitimate domain of the moral welfare worker. This referral then engendered a process where, if both the unmarried mother and their child were deemed to be redeemable or rehabilitated – that is, the mother could put the past behind her and her child could be given to another in secrecy, with both able to start their ‘normal’ lives as a consequence – adoption was seen as the preferred outcome in everyone’s best interests.[16]

The above circumstances did not apply to all cases. Many unmarried mothers lived in stable cohabiting unions which were, to all intents and purposes, akin to marriage. Others had several illegitimate children which, for many moral welfare associations, meant they could not be considered. Typically, it was also younger women under cumulative social and family pressure, along with that from social workers seeing adoption in their respective best interests, who were targeted. Moreover, such women were not the poorest and most vulnerable in society, but from respectable working or middle class backgrounds whose children were more desirable to prospective adoptive families. In short, there were a range of filters which created categories of coercion within unmarried motherhood by officials. These were discussed within professional circles, but also between local authorities and central government, and understanding them shapes the extent of force and exposure to professional power which led to children being taken without any exercise of meaningful choice by birth mothers.[17]

WHY APOLOGISE?

Formal apologies have been made for forced adoption in Wales and Scotland, whilst another has been made concerning the role of the UK Government in the migration of unaccompanied children to the dominions where the state was organised and operated in a comparable manner. An apology would go some way towards reflecting the historical record and opening the door to recommendations of redress advanced by birth mothers and adult adoptees.

The 2022 JCHR Inquiry for England and Wales concluded that:

> An apology by the Government and an official recognition that what happened to these mothers was dreadful and wrong, backed up by the other actions recommended in this Report, **would go some way to mitigate the pain and suffering of to those affected**.[18]

Calls for an apology have come primarily from campaigning groups with lived experience. In England these have been the Movement for an Adoption Apology (MAA) representing birth mothers and the Adult Adoptee Movement (AAM) representing adoptees. There are counterpart groups for Scotland and Northern Ireland as the JCHR Inquiry only covered England and Wales. Groups for Scotland and Wales have had more success with formal apologies coming from Holyrood by First Minister Nicola Sturgeon on 22 March 2023, and from the Senedd by the Deputy Minister for Social Services Julie Morgan on 25 April 2023.[19]

During her speech, Nicola Sturgeon presented many of the reasons why a formal apology is worthwhile for those with lived experience, and why acknowledging what present leaders can do to address the past is significant:

> Now, there’s a line of argument which says that because the government of the time did not support these practices, there’s nothing to apologise for. And that anyway, these events took place long ago – before this Parliament reconvened, and anyone in this Chamber held public office. But these are not reasons to stay silent. **Ultimately, it is the state that is morally responsible for setting standards and protecting people**. So as modern representatives of the state, I believe we – amongst others – have a special responsibility to the people affected.[20]

It is important to note that there was no formal devolution in either Scotland or Wales during the period. Administrative responsibility rested with the Scottish Office for many social, health and welfare functions from 1885 and the Welsh Office from 1964 – which expanded significantly from 1969 – but ultimate political authority continued to remain in Westminster. Whilst there were differences across the nations, there was no divergence, and **the Welsh and Scottish apologies remain incomplete until the question of historic forced adoption has been handled by England**.[21]

Prior to the JCHR Inquiry the question of an apology was previously, and most forcibly made by Labour Members of Parliament (MPs) Alison McGovern and Stephen Twigg 2018. This was underpinned by several years of lobbying, public advocacy and campaigning by MAA. Lived experience of harm inflicted by the state’s policies of forced adoption were crucial in enabling MAA to obtain political support for their demands, including an apology. These included Ann

Keen, a former Labour MP whose child was forcibly adopted as a young unmarried mother, and a relative of Stephen Twigg with similar recollections of harm and separation. Following this and recognition of wrongdoing by the Catholic Church for forced adoption in England and Wales in 2016, McGovern and Twigg raised the issue of an apology in the House of Commons to the Parliamentary Under Secretary for Education, Nadhim Zahawi. Education is the successor department responsible given the transfer of historic functions for children's services to the Department in 2002. The hearing discussed many of the issues but fell short of action or a formal apology at the time until the JCHR Inquiry in 2021.[22]

The JCHR was not a statutory independent Inquiry and relied heavily upon testimonies from those impacted to understand the lasting trauma and consequences of historic forced adoption. The JCHR Inquiry provided a balanced assessment of the demand for an apology, noting both the value many placed upon public recognition and its limitations in contrast to other, more meaningful forms of support. Along with the JCHR, both MAA and AAM have issued separate recommendations which speak to the demands of those affected and the forms of support they offer. These should be taken together to understand areas of convergence and divergence.[23]

There have been other instances of historic forced adoption over the same postwar period in other countries including Ireland, the Netherlands, Canada, the United States of America, Greece, and Spain. There have been investigations, inquiries and, in some cases, apologies. On 21 March 2013 Julia Gillard, the Labour Prime Minister of Australia, apologised for historic forced adoption in the country, which also included large numbers of Aboriginal and Torres Strait Islanders as part of expansive nation-building programmes of cultural imposition. Gillard's apology echoed Sturgeon's point about the state taking responsibility for its actions rather than attributing blame to older social values. This was also the conclusion of the 2012 Community Affairs Reference Committee Inquiry:

> Accordingly, the committee believes state governments and institutions should take responsibility for past actions taken in their hospitals, maternity homes and adoption agencies. **The conduct of the period was not the product of some uncontested acceptance about separating unmarried mothers from their babies. It was the product of decisions made, almost certainly at the institutional level, that decided to accept certain professional opinions, and to disregard (to varying degrees) the professional guidance of social workers of the time, and sometimes the manuals of the period. Taking responsibility means taking responsibility for those choices.**[24]

This conclusion mirrors the same set of organisational and professional circumstances which prevailed in England and Wales during the 'classic' historic forced adoption period. The lived experience of birth mothers and adoptees along with the findings of the JCHR Inquiry show very similar sets of harmful experiences which were catalogued in the Australian report.[25]

In 2010 the UK Prime Minister Gordon Brown made an apology on behalf of both society and the state for the migration of unaccompanied children from Britain to its Colonies from 1869 to 1970. The government arrangements which oversaw this policy were equally complex between different philanthropic bodies, small local children's homes, local and central government,

along with those of the white dominions and their own local child welfare officials. Nevertheless, research both at the time and subsequently has shown the extent to which individual children were identified and sent abroad being determined by senior civil servants and government officials. This, along with knowledge about the extent to which practice fell far short of envisaged ideals including physical, sexual and emotional abuse. Such transgressions were never made publicly visible at the time despite this knowledge being commonplace in official circles owing to concerns about individual and organisational reputation.[26]

The purpose of an apology is twofold. Firstly, it is a public acknowledgement that the lived experiences of trauma, separation and harm carried by thousands of birth mothers and adoptees constitute a historic injustice. This also serves as an opportunity to correct the historical record on the circumstances of relinquishment which remain shrouded in secrecy or tainted in accusations of willing surrender as an informed choice. Secondly, an apology opens the door to further action which addresses the legitimate demands of both birth mothers and adult adoptees to appropriate and meaningful forms of redress. The Australian apology was made in circumstances very similar to the historic policies which existed in Britain over the same period. These issues are further evident in both the Welsh and Scottish apologies. Moreover, the British apology to child migrants also sets a precedent in recognising the government as the ultimate arbiter of both social values and their realisation through state policy, however opaque or complex.

THE CURRENT POSITION AND THE HISTORICAL RECORD

The UK Government responded to the JCHR Inquiry's report and call for apology on 6 March 2023. The response recognised the collective weight of lived experience amongst those submitting evidence, that coercion was evident, and that forced adoption was an injustice:

> We agree that many women were not given the choice to keep their babies. These women did not give up their babies voluntarily and were effectively coerced into agreeing to adoption. **No mother should have been forced to give up their child. These practices were wrong, and we are sorry to all those that experienced this terrible injustice**.[27]

This acknowledgment fell short of recognising the role of the state in such practices. The position taken, in contrast to Wales and Scotland, was that:

> The Government agrees with the Committee that the treatment of women and their children in adoption practices during this period was wrong and should not have happened. Whilst we do not think it is appropriate for a formal Government apology to be given, since **the state did not actively support these practices**, we do wish to say we are sorry of behalf of society to all those affected.[28]

The response used the word 'sorry' fifteen times, although this lacked sincerity or significance without an apology which acknowledges the extent of state direction and involvement. Again, the UK Government position was that:

> The adoption practices during the time that this inquiry covers were carried out locally, in a range of different settings, at a time when the state's protections were more limited and guidance and procedures localised.[29]

The response suggests that:

> Adoption practices during this period were largely the responsibility of local authorities.[30]

This position is entirely unsustainable and unsubstantiated by the evidence or academic understanding of historical social policy to date. The position taken implies that the large-scale coercive removal of the children of unmarried mothers – which is identified in the UK Government response – took place without them noticing given 'more limited' protections and 'localised' guidance and procedures. It is highly fanciful that such actions occurred on the scale they did without notice from the government, let alone that such practices could occur without the resources, power and authority of the state and its welfare apparatus.

My research uses archival sources to follow decision-making in adoption for unmarried mothers from individual case files through local statutory and voluntary organisations to central government departments. It shows unequivocally that the UK Government's response cannot be sustained, and that coercion was widespread, sanctioned by professional practice, shaped by central government objectives and underwritten by financial arrangements to local authorities and voluntary organisations. Below are three examples.

Firstly, an appeal by the Standing Conference of Societies Registered for Adoption (SCSRA) at their 1951 conference to the Ministry of Health expressing their concerns at mother's lack of choice in adoption. The SCSRA would become the British Association for Adoption and Fostering (BAAF) in 1976 with the change in the law, and represented the key statutory and voluntary organisations involved in adoption. Bearing in mind that the 1949 Act had only been operating for two years, the 1951 conference wrote to the Minister of Health – Hilary Marquand – to express concern 'at the number of mothers of illegitimate children who are driven to adoption' owing to a shortage of accommodation. Mothers were 'often driven to seek adoption as her only way out' given the lack of employment opportunities, which could also cause maternal deprivation should the child be fostered or placed in a residential home. The conference wrote that in many areas of the country that 'the mother cannot be said to have a free choice at all. She is forced to part from the baby, whether she wishes it or not, and regardless of her innate capacity as a mother'. The letter was passed between progressively more senior civil servants over the course of a month before a reply was sent noting that the 'Minister has the matter very much in mind' but no action would be taken beyond that outlined in the previous year's annual report for the Ministry of Health. In short, officials acknowledged what social workers with firsthand experience of adoption practice said, but chose not to do anything because the desired policy outcome was already occurring.[31]

The exchange is held within a UK Government legacy file held at the National Archive, Kew. It relates to historic responsibilities discharged by the Ministry of Health under Section 22 of the 1946 National Health Service Act concerning 'Care of Mothers and Young Children'. Whilst the annual report to which the civil servants referred the SCSRA in 1951 said that there was 'no special provision' made for unmarried mothers, the legacy file suggests otherwise. Labelled 'National Health Service Act 22: Care of Unmarried Mother and Her Child', it concerns how the Ministry handled the divergent arrangements which existed across authorities, central negotiations with the NAB over financial responsibility for stays in mother and baby homes, and correspondence with leading religious and voluntary organisations. In just over one hundred documents within this one file, it demonstrates the just how much supposedly 'localised' practice was governed by state and central decision-making.[32]

Secondly, is an exchange between two senior civil servants in 1959. This follows discussion of an initial pilot survey of six mother and baby homes led by Dr Rachael Elliott, the Medical Officer responsible for unmarried mothers within the Ministry of Health. The purpose of the pilot study was to gather information about provision within mother and baby homes to better inform future policy and guidance. Thankfully, the pilot survey 'has at least revealed no scandals' reported the senior civil servant, but still raised many points of action to be pursued in individual cases as well as to consider future procedures. 'On the financial side', the minute noted, 'it is true that the present arrangements are not very tidy… but I see disadvantages in seeking to make them uniform'. After weighing up each side, the official favoured 'leaving matters as they are', deciding to 'go on collecting facts' with a view to reconsidering policy in the future once more information was available. On the other point of discussion, of local authorities inspecting mother and baby homes to ensure satisfactory standards of care when they are effectively subsidising them, the officials pointed to existing practice covered by the 1943 circular and another in 1947.[33]

This minute is held in another file labelled 'Maternity and Child Welfare: Homes for Unmarried Mothers and their Babies' covering the years 1949 to 1960, although it is part of a series covering the years 1942-63 showing change in policy over time. The minute constitutes two documents within the file and highlights how divergent local action did not represent a lack of control by central government, but a conscious decision to manage uncertainty and difference towards a common end. That is, the continuing practice of sending young, unmarried mothers to homes to give birth away from public view so that their children could be adopted in secret. Inspection centred not on the experience and needs of unmarried birth mothers, but the adequacy of maternal support for infants, and that proper training and equipment be provided, often through further government financial support.[34]

Thirdly, and finally, is a file covering the period from 1951 to 1953 about responsibility for registering mother and baby homes created by the Ministry of Health. This arose as a result of Section 22 of the 1946 NHS Act superseding previous inspection legislation under the 1936 Public Health Act yet being complicated by the 1948 Children Act and their schedule for registration of children's homes. It was unclear whether mother and baby homes fell solely within one purview or the other, and who had the associated responsibility to ensure appropriate standards of care were provided. This was further complicated as local health authorities paid for unmarried mothers to be confined whilst local children's committees paid for voluntary and religious societies to undertake moral welfare and adoption work, although some employed their own officials. The result was a detailed list of homes, distinct from shelters, collected centrally and allocated to regional officials to undertake inspections, often with Medical Officers from the Ministry of Health to ensure common standards were met. These visits are the subject of separate, individual files. This shows the extent and degree of state knowledge, support for, and backing of forced adoption practices in a granular way during the formative period of 'classic' adoption. There are subsequent chronological files dealing with later changes, including the new powers of inspection under the 1968 Health Services and Public Health Act.[35]

These three examples present a snapshot of the historical record using archival sources taken from the UK Government's own departmental legacy files. They show the unsustainable position held in refusing to apologise whilst acknowledging the injustice and the need to say sorry for what happened to unmarried mothers and their children. The response serves to delay and, in turn, deny justice by arguing against the weight of evidence in terms of both archival sources and the testimonies of those with lived experience.

ACTION ON AN APOLOGY

An apology for historic forced adoption practices concerning unmarried mothers from 1949 to 1976 is both necessary and timely. It is necessary because it recognises the role of the state and wider society in policies and practice, and that the historic record must reflect this public harm rather than constituting a series of private family tragedies. It is timely because many of the birth mothers and adoptees are growing older and action is imperative before they are no longer able to benefit from an apology and associated redress which recognises the magnitude of what is a historical injustice perptrated by the British state.

Given the weight of testimonies which informed the JCHR Inquiry and evidence from the UK Government's own legacy records and departmental archives, it is clear that historic forced adoption represented the outcome of interconnected policies and practices in by the British state from 1949 to 1976, if not earlier and later, extending from around 1940 to 1980. These reflected social attitudes, religious moralism, social work professionalism and understanding of child development, the financial, political and organisational power of the state, and its limits in offering social, material and financial support to unmarried mothers within the welfare state. The purported best interests of the child were advanced by removing from their own mother, who was deemed incapable by a range of experts, and transferring the child to a new, adoptive family as more suitable and stable. The blank slate approach of Bowlby's maternal deprivation normalised the age at which this occurred, normally between 10 days and 6 weeks, with young, respectable white unmarried mothers representing the ideal constituency.

Apologies have been issued for historic forced adoption in Wales and Scotland, although these remain incomplete until England acknowledged the role of the British state given the lack of devolution at the time. These have engaged with the recommendations advanced by campaigning birth mothers and adoptees around appropriate action and redress following from an apology. There are important precedents elsewhere with the apology for historic forced adoption in Australia, where a very similar position prevailed, and for child migration in Britain where the frontier between the state and voluntary societies in policy and practice was blurred and changed over time. The current UK Government's position that society was to blame, the state's role was limited, and forced adoption occurred locally beyond the regulation of government authorities cannot be sustained by the available evidence.

An apology is also timely as well as necessary given that both birth mothers and adoptees are ageing. Justice delayed is justice denied, and securing a political settlement within government is vital to ensuring an apology is forthcoming and that further actions of redress are pursued as a result. The needs of those impacted by the injustice of historic forced adoption policies and practices should be acknowledged, and concerted, timely action is of the utmost urgency.

REFERENCES

[1] House of Commons and House of Lords Joint Committee on Human Rights (2022) *The violation of family life: adoption of children of unmarried women 1949-1976*. London: House of Commons and House of Lords.

[2] Carol Smart (1989) Power and the politics of child custody. In: Carol Smart and Selma Sevenhuijsen (eds.) *Child custody and the politics of gender*. London: Routledge: 1-26; Bill Jordan (1994) Contested adoptions and the role of the state in family matters. In: Murray Ryburn (ed.) *Contested adoptions: research, law, policy and practice*. Aldershot: Gower: 7-18; Murray Ryburn (1995) Ideology and conflict: the place of adoption in English child welfare services. *Children and Youth Services Review* 17(5-6): 711-726; Jenny Keating (2008) *A child for keeps: the history of adoption in England, 1918-45*. Basingstoke: Palgrave Macmillan; Jatinder Sandhu (2012) *The birth mother and the evolution of adoption policy and practice in England since 1926*. Unpublished PhD Thesis: Nottingham Trent University.

[3] David Howe, Phillida Sawbridge and Dianna Hinings (1992) *Half a million women: mothers who lose their children by adoption*. Harmondsworth: Penguin; Stephen Cretney (2005) *Family law in the twentieth century*. Oxford: Oxford University Press.

[4] Mary McIntosh (1996) Social anxieties about lone motherhood and ideologies of the family: two sides of the same coin. In: Elizabeth Bortolaia Silva (ed.) *Good enough mothering? Feminist perspectives on lone motherhood. London: Routledge:* 148-156; Jane Lewis and John Welshman (1997) The issue of never-married motherhood in Britain, 1920-70. *Social History of Medicine* 10(3): 401-418; Michael Peplar (2002) *Family matters: a history of ideas about the family since 1945*. London: Longman; Pat Thane (2011) Unmarried motherhood in twentieth-century England. *Women's History Review* 20(1): 11-29; Pat Thane and Tanya Evans (2012) *Sinners? Scroungers? Saints? Unmarried motherhood in twentieth-century England*. Oxford: Oxford University Press.

[5] Regina G. Kunzel (1993) *Fallen women, problem girls: unmarried mothers and the professionalisation of social work, 1890-1945*. New Haven, CT: Yale University Press; Gillian Clark (2008) The role of mother and baby homes in the adoption of children born outside marriage in twentieth-century England and Wales. *Family and Community History* 11(1): 45-59.

[6] Audrey Leathard (1980) *The fight for family planning: the development of family planning services in Britain 1921-1974*. London: Macmillan; Jane Lewis (1998) The problem of lone-mother families in twentieth-century Britain. *Journal of Social Welfare and Family Law* 20(3): 251-283; Rickie Solinger (2000) *Wake up little Susie: single pregnancy and race before Roe v Wade*. New York: Routledge; Stephen Brooke (2011) *Sexual politics: sexuality, family planning and the British Left from the 1880s to the present*. Oxford: Oxford University Press.

[7] Penelope M. Hall and Ismere V. Howes (1965) *The Church in social work: a study of moral welfare work undertaken by the Church of England.* London: Routledge and Kegan Paul; Roy A. Parker (2015) *Change and continuity in children's services*. Bristol: Policy Press; Laura M. Ramsay (2016) The ambiguities of Christian sexual discourse in post-war Britain: The British Council of Churches and its early moral welfare work. *Journal of Religious History* 40(1): 82-103.

[8] John Bowlby (1951) *Maternal care and mental health: a report prepared on behalf of the World Health Organisation as a contribution to the United Nations programme for the welfare of homeless children*. Geneva: World Health Organisation; John Bowlby (1972) *Child care and the growth of love.* Harmondsworth: Penguin; Michal Shapira (2015) *The war inside: psychoanalysis, total war and the making of the democratic self in postwar Britain.* Cambridge: Cambridge University Press; Harry Hendrick (2016) *Narcissistic parenting in an insecure world: a history of parenting cultures 1920s to present*. Bristol: Policy Press; Shaul Bar-Haim (2021) *The maternalists: psychoanalysis, motherhood and the British welfare state*. Pittsburgh, PA: Pennsylvania University Press; Teri Chettiar (2022) *The intimate state: how emotional life became political in welfare-state Britain*. Oxford: Oxford University Press.

[9] Denise Riley (1983) *War in the nursery: theories of the child and mother*. London: Virago; John Stewart (2009) The scientific claims of British child guidance, 1918-1945. *British Journal of the History of Science* 42(3): 407-432; Mathew Thompson (2013) *Lost freedom: the landscape of the child and the British post-war settlement*. Oxford: Oxford University Press.

[10] Younghusband, Eileen (1978) *Social work in Britain, 1950-1975: a follow-up study, two volumes*. London: Allen & Unwin; Bob Holman (1998) *Child care revisited: The Children's Departments, 1948-1971* London: Institute of Child Care and Social Education; John Welshman (1999) The social history of social work: the issue of the "problem family", 1940-70. *British Journal of Social Work* 29(3): 457-476; Pat Starkey (2000) The feckless mother: women, poverty and social workers in wartime and post-war England. *Women's History Review* 9(3): 539-557; David Burnham (2012) *The social worker speaks: a history of social workers through the twentieth century*. Farnham: Ashgate.

[11] J. A. G. Griffith (1966) *Central departments and local authorities*. London: Allen and Unwin; James E. Cronin (1991) *The politics of state expansion: war, state and society in twentieth-century Britain*. London: Routledge; Geoffrey Finlayson (1994) *Citizen, state and social welfare in Britain, 1830-1990*. Oxford: Clarendon Press; James Hinton (2003) *Women, social leadership and the Second World War: continuities of class*. Oxford: Oxford University Press; Rodney Lowe (2004) *The welfare state in Britain since 1945*. London: Macmillan; Virginia A. Noble (2009) *Inside the welfare state: foundations of policy and practice in post-war Britain*. London: Routledge.

[12] Josephine Reeves (1993) The deviant mother and child: the development of adoption as an instrument of social control. *Journal of Law and Society* 20(4): 412-426; Murray Ryburn (1995) Secrecy and openness in adoption: an historical perspective. *Social Policy and Administratio*n 29(2): 150-68.

[13] Virginia Wimperis (1960) *The unmarried mother and her child*. London: Allen and Unwin; Iris Goodacre (1966) *Adoption policy and practice: a study*. London: Allen and Unwin; Jill Nicholson (1968) *Mother and baby homes: a survey of homes for unmarried mothers*. London: Allen and Unwin; Michael Lambert (forthcoming) Force or service? Adoption, welfare and the state in Britain, 1949-76.

[14] Michael Lambert (2022) Written evidence submitted to the Joint Parliamentary Committee on Human Rights Inquiry into the Right to Family Life: Adoption of Children of Unmarried Women, 1949-1976. ACU0024. Available from: https://committees.parliament.uk/writtenevidence/40260/pdf/.

[15] Virginia A. Noble (2009) *Inside the welfare state: foundations of policy and practice in post-war Britain*. London: Routledge; Robyn R. Rowe (2017) *Gender and the politics of welfare: a study of social assistance policies towards lone mothers in Britain, 1948-1966*. Unpublished PhD Thesis: London School of Economics and Political Science.

[16] Martine Spensky (1992) Producers of legitimacy: homes for unmarried mothers in the 1950s. In: Carol Smart (ed.) *Regulating womanhood: historical essays on marriage, motherhood and sexuality*. London: Routledge: 100-118.

[17] B. Jane Elliott (1991) Demographic trends in domestic life, 1947-87. In: David Clark (ed.) *Marriage, domestic life and social change: writings for Jacqueline Burgoyne, 1944-88*. London: Routledge: 85-108; Jane Lewis (2001) Marriage. In: Ina Zweiniger-Bargielowksa (ed.) Women in twentieth century Britain. London: Routledge: 69-85; Lori Chambers (2008) Misconceptions: unmarried motherhood and the Ontario Children of Unmarried Parents Act, 1921-1969. Toronto, ON: University of Toronto Press; Rebecca Probert (2014) The context of illegitimacy from the 1920s to the 1960s. In: Rebecca Probert (ed.) *Cohabitation and non-marital births in England and Wales, 1600-2012*. Basingstoke: Palgrave Macmillan, 2014: 145-57.

[18] House of Commons and House of Lords Joint Committee on Human Rights (2022) *The violation of family life: adoption of children of unmarried women 1949-1976*. London: House of Commons and House of Lords: 38.

[19] Scottish Government (2023) Apology for historical adoption practices: First Minister's speech -22 March 2023. Available: https://www.gov.scot/publications/apology-historical-adoption-practices-first-ministers-speech-22-march-2023/; Welsh Government (2023) People affected by historic adoption practices welcomed to Senedd for Welsh Government apology. Available: https://www.gov.wales/people-affected-historic-adoption-practices-welcomed-senedd-welsh-government-apology

[20] Scottish Government (2023) Apology for historical adoption practices: First Minister's speech -22 March 2023. Available: https://www.gov.scot/publications/apology-historical-adoption-practices-first-ministers-speech-22-march-2023/

[21] Arthur Midwinter, Michael Keating and James Mitchell (1991) *Politics and public policy in Scotland*. Basingstoke: Macmillan; John Murphy (1992) *British social services: the Scottish dimension*. Edinburgh: Scottish Academic Press;

Lindsay Paterson (1994) *The autonomy of modern Scotland*. Edinburgh: Edinburgh University Press; Russell M. Deacon (2002) *The governance of Wales: the Welsh Office and the policy process, 1964-1999*. Cardiff: Welsh Academic Press; Charles Webster (2006) Devolution and the health service in Wales, 1919-1969. In: Pamela Michael and Charles Webster (eds.) *Health and society in twentieth century Wales*. Cardiff: University of Wales Press: 240-269.

[22] UK Parliament (2018) *Forced adoption in the UK*. House of Commons. Hansard. Volume 644. 12 July 2018.

[23] Movement for an Adoption Apology (2022) Recommendations to the JCHR from the Movement for an Adoption Apology. Available: https://movementforanadoptionapology.files.wordpress.com/2022/04/maa-recommendations-to-jchr-april-2022.pdf; Adult Adoptee Movement (2022) Adult Adoptee Movement response to the JCHR Report: Violation of family life: adoption of children of unmarried women 1949-1976. Available: https://adultadoptee.org.uk/response-to-jchr-inquiry/.

[24] Senate Community Affairs References Committee (2012) *Commonwealth contribution to former forced adoption policies and practices*. Canberra, ACT: Commonwealth of Australia: 213-214.

[25] Senate Community Affairs References Committee (2012) *Commonwealth contribution to former forced adoption policies and practices*. Canberra, ACT: Commonwealth of Australia: 29-70.

[26] Roy A. Parker (2008) *Uprooted: the shipment of poor children to Canada, 1867-1917*. Bristol: Policy Press; UK Parliament (2010) *Child migration*. House of Commons. Hansard. Volume 506. 24 February 2010; Ellie Boucher (2014) Em*pire's children: child emigration and child welfare in the British world, 1869-1967*. Cambridge: Cambridge University Press; Stephen Constantine, Marjory Harper and Gordon Lynch (2020) *Child abuse and Scottish children sent overseas through child migration schemes report*. Edinburgh; Scottish Child Abuse Inquiry; Gordon Lynch (2021) *UK child migration to Australia, 1945-1970: a study in policy failure*. Basingstoke: Palgrave Macmillan.

[27] House of Commons and House of Lords Joint Committee on Human Rights (2023) *The violation of family life: adoption of children of unmarried women 1949-1976: Government's response to the Committee's third report*. London: House of Commons and House of Lords: 7.

[28] House of Commons and House of Lords Joint Committee on Human Rights (2023) *The violation of family life: adoption of children of unmarried women 1949-1976: Government's response to the Committee's third report*. London: House of Commons and House of Lords: 7.

[29] House of Commons and House of Lords Joint Committee on Human Rights (2023) *The violation of family life: adoption of children of unmarried women 1949-1976: Government's response to the Committee's third report*. London: House of Commons and House of Lords: 7.

[30] House of Commons and House of Lords Joint Committee on Human Rights (2023) *The violation of family life: adoption of children of unmarried women 1949-1976: Government's response to the Committee's third report*. London: House of Commons and House of Lords: 7.

[31] The National Archives, Kew: MH 134/67 Standing Conference of Societies Registered for Adoption to the Minister of Health, 27 June 1951 and the reply from J. T. Woodlock, 23 July 1951.

[32] The National Archives, Kew: MH 134/67 Dr Dorothy W. Talyor minute for Mr Woodlock and Mr Michael Read, 9 July 1952 concerning discussion for a reply to Miss. W. Coen on behalf of the Minister of Health concerning current policy positions on mother and baby homes.

[33] The National Archives, Kew: MH 55/1510 Mr Emery minute for Mr Herzmark, 13 May 1959.

[34] The National Archives, Kew: MH 55/1509, MH 55/1510 and MH 55/2330 concern the Ministry of Health's maintenance of a central register of mother and baby homes funded and used by local authorities.

[35] The National Archives, Kew: MH 102/2585 concerning the registration of voluntary mother and baby homes and BN 29/2593 concerning the new statutory powers of inspection for children's accommodation under the 1968 Health Services and Public Health Act