

YOU SHOULD BE ASHAMED: ABORTION STORIES ON THE RADIO.

ABSTRACT

This paper explores issues that have emerged whilst co-producing a radio documentary *The Search for Edna Lavilla* (2007) about my grandmother's death from a backyard abortion in 1942. On the one hand it looks at similar approaches to interviewing, research and narrative story telling in oral history and documentary journalism – on the other it questions the contrasting ethical approaches to public presentation of stories when as in this case, they are dragged into the arena of journalism and current affairs. The author argues that with this particular story the public's right to know needs to be balanced against individual claims to privacy, and furthermore that narratives such as this have an important role to play in the human rights agenda for women.

In 2007 *The Search for Edna Lavilla* was the recipient of a Walkley Award for Journalism and a Honourable Mention Award at the Third Coast International Audio Festival in Chicago.

Introduction

Although both oral history and journalism use interviews as their primary sources one of the distinctions between them is that of timing. It has been said by Tisdale¹ that 'the journalist reports current events. The oral historian is more concerned with events long after they occurred'. Similarly Paul Thompsons² description of the use of oral evidence applies equally to journalism 'by transforming the 'objects of study into 'subjects' makes for a history which is no just richer, more vivid and heart rending, but truer'. But what happens when times and subjects collide? When the conflicts of the past are mirrored in current political and social debates and between the subjects themselves? This paper explores issues that have emerged whilst co-producing³ a radio documentary about my grandmother's death from a backyard abortion in 1942. It focuses on the competing demands experienced by myself as a radio documentary

producer and a member of a family that was 'unknotted' ⁴ by trauma and poverty, and draws attention to the balancing act that occurs when the confrontational politics of current affairs reporting clashes with the softly-softly approach of oral history. It also raises questions about who owns the memories of a family's history and what role politics and feminism play in its telling.

The Search for Edna Lavilla was always intended to be a journalistic investigation and not an oral history project. However, in the process of making the documentary we confronted many of the same dilemmas faced by oral historians who in presenting history traditionally excluded from Australian historiography to the wider public are faced with conflicting desires and subjectivities,⁵ and feminist oral historians who seek public arenas for their work as a way of strengthening social bonds and challenging existing power structures.⁶

Journalism and oral history have different technical and ethical approaches to interviewing and archiving of material in particular, but as the telling of history continues to expand in the arena of public presentation new challenges will arise for both, particularly in the area of ethics and story ownership.⁷

Family History and Journalism

Whilst I was growing up the story went like this: my grandmother (whose name was never mentioned) had died prematurely from pneumonia ... or was it food poisoning? My mother was a nurse and my father a doctor, but it was a symptom of their disintegrating marriage that they couldn't even agree on a cause of death. So far as I knew, mum's only living relative was a younger brother whom we rarely saw. My maternal grandfather was an occasional visitor until his death in 1967 but after that I thought of my mother as a virtual orphan - with no close family apart from my sister and myself.

Over the last couple of years mum began to talk about the hardship that she faced as a child, blaming in part as she described her 'alcoholic mother'. She'd confessed some

years before that her mother had died of an illegal abortion, but when she took on a minor battle with the bureaucracy to have her and her younger brother's illegitimate births officially recognised on her mother's death certificate I was surprised. Perhaps she did want to know more about her past and perhaps with my interest in women's issues and history I could assist.

The desire to explore my family history was added to by a more public one, in the guise of a political debate that centered around the abortion pill being made available for use by Australian doctors.⁸ This incident - the fact that further access to abortion was under attack - made my mother angry and then depressed. Not only had she lost her mother through an illegal abortion but she blamed the shame connected with the abortion procedure for obscuring my grandmother's life from her memory. She had no photos, no mementos and almost no recollections of my grandmother.

Thinking that this story could have a broader resonance, I approached former ABC colleague, Sharon Davis, whose interest in history mirrored my own. She had the investigative skills and tenacity to work on such a difficult project. We decided to find out what had happened to my grandmother and others like her. What was the impact of abortion on their families, especially where a death had occurred? And yes, as documentary makers, we were also looking for 'a good story'. All we had to begin with was my mother's childhood memory; the exact date of a funeral - a newspaper being whisked away. My grandmother had been buried on my mother's ninth birthday.

Digging up the Past

Our first line of inquiry in trying to establish the circumstances of my grandmother's death were Sydney newspapers, and in 1942 they are not short of killings. Three outstanding causes feature: the war itself, shark attacks in Sydney Harbour; and what the newspapers called 'illegal operations': in other words, botched abortions. In amongst the newspaper reports of women's bodies found in laneways, vacant lots and hospital wards we found my grandmother, Edna Lavilla Haynes. The shocking truth

was that she had not, at least initially, intended to have an abortion, but had instead gone along as support for her pregnant seventeen-year-old daughter.

Girl's Story of Operation

A seventeen year old told the Coroner's Court yesterday that her boyfriend had paid 45 pounds to have abortions performed upon her mother and herself. Later her mother Edna Haynes (35), of 5 Redfern St Redfern , died at the Crown St Womens Hospital from septicaemia following an abortion, she said.

Daily Mirror 15 January , 1943, p.4

After detailing the findings against Douglas Medhurst (the boyfriend) and Mrs Swanton (who performed the abortion) the article continues:

Marie Kezia Haynes, factory hand said that in October 1942 she found she was six months pregnant. When she told him Medhurst offered her 18 pounds to get 'fixed up' she declared.

'Later he took me and my mother to Mrs Swantons place' she added.

Daily Mirror January 15, 1943, p.4

Through reading transcripts of abortion trials we discovered that the abortionist, Mrs Swanton, had two years previously been charged with manslaughter and set free. In this case Swanton was gaoled for two years on a charge of manslaughter. My mother's step-sister Marie was the principal witness in Swanton's trial and the transcripts of police interviews for the coroners court made for dramatic reading:

Mrs. Thompson⁹ took Mum into a bedroom and I waited in the lounge room. Some time later I was asked to go into the bedroom too. I went into the same room as Mum. Mrs Thompson told me to lay on the bed. Mrs Thompson used a thin rubber tube on me. She put it inside of me. We laid down. Mrs Thompson changed the tube a few times a day as far as I was concerned. She did the same with Mum. I saw that myself. My mother and I later got dressed and went to bed. We stayed in bed at this place from the Saturday till the Thursday. The tube was changed a few times each day. The baby came away from Mum on either the Monday or the Tuesday night. I think it was the Monday night. The baby came

away from me on the Wednesday night. After the baby came away from my mother she was in a terrible condition suffering pain.

City Coroners Court, Sydney, 14 January, 1943.

According to Marie's evidence both mother and daughter were told by Swanton to leave the flat after an unexpected police visit six days after the abortions were performed.¹⁰ Marie also experienced septacemia, underwent a hysterectomy following the abortion and was critically ill in hospital for five weeks.

Reading the details in the court transcripts I felt angry and upset. No surprise in that. But what did surprise me in the blunt re-telling of this tale to others were the tears in the eyes of women whom I hardly knew. What caused them to cry for these strangers? Was it the brutal details of a seventeen year old girl watching her mother rot from the inside out? Perhaps the horror that I read on their faces sprung from something - or someone - closer to home.

How common was abortion for Australian women during this period? Although it will never be possible to know the actual figures due to the criminality and secrecy that surrounds it¹¹ extensive evidence collected during the 1903 New South Wales Royal Commission on the Decline of Birth Rate supports figures derived from Australian criminal court statistics and overseas studies and estimates the incidence of abortion in Australia as high as one in four pregnancies.¹² According to Lyn Finch and Jon Stratton '...abortion was a widespread practice playing a crucial role in the lives of most Australian working-class women.'¹³ Looking at figures from Melbourne Womens Hospital they assessed that the ratio of births to abortions was 2 to 1 in 1920, and with slight variation this figure remained constant up until 1935. We can read about abortion practices in hospital records, criminal trials, and government inquiries- but where are the first-hand accounts from the women themselves?¹⁴ Barbara Baird, whose work on Australia's history of abortion includes an oral history of abortion,¹⁵ argues that an accurate history of abortion practice for women has also been complicated by ideology - that is pro-choice activists

mobilisation of a position which sees illegal abortion as being inherently dangerous. Anti-abortion activists also use this argument in efforts to prevent further access. Despite all this what does seem to be clear is that during the first half of the twentieth century many women had knowledge of a range of abortion options and commonly used them. However Baird notes ‘...women speaking as “women who had had abortions” have been almost completely, but not entirely, absent as participants in public debate.’¹⁶

Edna’s family would’ve been horrified at the wide publicity surrounding the coroner’s investigation. *The Daily Telegraph* newspaper (January 17, 1943) special crime section uses a large bold, single word headline for its story. Simply titled: ‘Family’ the word might sound innocent enough in a contemporary context, but it needs to be remembered that the gruelling details of Edna’s death and Marie’s abortion were reported in wartime Australia where the declining birthrate was the subject of alarm. Kerreen Reiger¹⁷, describes a society where women who acted to limit children through abortion or even contraception were seen as traitors and according to Kate Darian-Smith¹⁸ ‘...in war, the status of the family was officially elevated as a means of maintaining social order, and reproduction was seen as essential to Australia’s future defence requirements’. Edna was in a de-facto relationship, and Marie not married at the time their pregnancies. Considering this and the wider politics of reproduction the use of the title ‘Family’ could hardly be seen as anything other than a peculiar if not cynical comment.

The newspaper reports and police evidence were crucial for our telling of Edna’s story. There was a chance those involved in the case would still be alive, and if so, interviews with them would be sought. However, there was also a role for interviewees who could describe Sydney’s illicit world of abortion during the 1940’s. The first was Stefania Siedlecky, a doctor¹⁹ whose job it was to ‘fix’ abortions at Crown Street Womens Hospital in 1943, the year after Edna’s death. Siedlecky tells of women who presented themselves at the hospital with what they called a ‘miscarriage’²⁰. Most did not die, but went home after a simple currette. Ninety–

one-year old former policewoman Nancy Martin²¹ was also interviewed. She described how, in searching for evidence that would lead to an arrest, she would take dying depositions from women hospitalised as a result of abortion. In particular it was these two women who painted for us a picture of Sydney's clandestine world of illegal abortions: the back street deals, the women whose loyalties towards their abortionists extended right up until their deaths. Both interviews were conducted in the style of a life history, searching for what Alessandro Portelli²² describes as the 'connection between biography and history, between individual experience and the transformations of society'. What did these women think about what they were doing at that time? Had their views changed on abortion, how and why? Our plan was to weave their personal and professional experiences of abortion into a wider social history and make an emotional connection with the audience through my grandmother's story.

Our research revealed that the police officers and witnesses connected to the trial of Swanton and Medhurst were all dead. But after months investigation we tracked down a couple of surviving members of my mother's close family. Thrilled at the prospect of meeting up with one of her siblings (not Marie who sadly had died some years ago) my mother realised that this was also a chance to discover more about Edna. We also found Edna's only living brother, my great uncle. He told us in a recorded hour and a half long interview²³ that they'd been a close family, and although times were tough he remembered Edna always smiling, sneaking outside for a roll your own cigarette. He found for us a single surviving photo of my grandmother. A short woman of average build with neatly coiffeured, wavy dark hair, she's dressed for an outing in Sydney's Hyde Park. Her adult niece stands beside her. A waist high shot, their arms linked together, it could be any friends in any photo, except for one detail. A deep, white crease separates the two figures. The photo has been kept folded, perhaps displayed in an album or frame with one of the women hidden face down. I asked my great uncle why Edna's reportedly close six siblings didn't stay in contact with their small niece and nephew following Edna's death. They had their own problems, he said.

From first contact with my newly found relatives we attempted to make clear that the documentary was centered around my grandmother's death. Again we took a life history approach to interviews asking for childhood memories, family circumstances and relationships, and recollections of Edna. Having already established how Edna had died we realised that just as important was how she lived, who she was, and how her story reflected and compared to the more common and successful attempts by women to control their fertility. They remembered Edna as a hard working and caring mother who did her best in very difficult circumstances. She had spent some time in a psychiatric hospital, and her relationship with my grandfather was not always happy. These two frail, elderly people described to me, a total stranger, what they had seen and heard when visiting my grandmother as she lay dying in Crown Street hospital. My uncle had given his blood in a bed beside her in a last minute unsuccessful attempt to save her life

Some weeks later they were given the opportunity to listen back to their recorded interviews and after speaking with one another by telephone (they had not spoken for over thirty years) told us that they didn't want the recordings used. My newly found cousin who took on the role of explaining my aunt's decision said that in retrospect her mothers words had been for 'family privilege'²⁴. She also said in that same phone conversation that they were not ashamed about what had happened, just very sad. My great uncle told me that if we did the story he didn't want to be included. Hearing this, my mother also had doubts. What would they think if she spoke out of line? Would she lose her family once again?

Finding Ednas Voice: the files.

We hoped that after a time my relatives might change their minds. But in the meantime the information they'd provided led us to apply for Edna's files from the psychiatric hospital²⁵ and Burnside Presbyterian Orphan Homes.²⁶ From these we pieced together a sad story. In 1929, twenty year old Edna was abandoned by her husband when pregnant with her fourth child. Soon after this baby was born, Edna

applied for her two girls (another had died at 14 months), to be admitted to Sydney's Burnside Presbyterian Orphans Homes. In her letter of application she says she receives one pound a week for her children but nothing for herself.²⁷ Just two years later with the girls still in Burnside she writes to the superintendent asking him to admit her youngest child.

The reason I am asking, I am in bad health. I am suffering from a nervous breakdown and have been in the hospital for a fortnight. The doctor advised me to keep as quiet as possible and said I would be better without the responsibility of my boy.

I am living with my mother and she doesn't have good health and has three young children of her own to look after.

Edna Lavilla Haynes letter to *Burnside Prebyterian Orphans Homes*, July 1932.

Her son Charles is admitted when he has his next birthday²⁸ and the three children live in Burnside till 1937 visited regularly by their mother.

Whilst Edna is living apart from her children she meets Thomas Rowe, the man who would become my grandfather. For some time they live together in a temporary unemployment camp at La Perouse on the shores of Botany Bay.²⁹ Euphemistically known as 'Happy Valley' it was a place where the poorest, black and white, toughed out the depression living in hessian humpies. Evidence suggests³⁰ that my mother may have been born whilst Edna and Tom were living here. A couple of years later they are living in a terrace house and Tom gets a job as a cook. With a stable relationship and income Edna applies to have her four children (now including my mother) released from Burnside. But in a dramatic turn revealed in the files her younger brother Charles Abraham urges the superintendent of Burnside not to release the children, objecting to the couple's unmarried state. 'I hate to think what will become of the poor mites if they are allowed to take them out' he writes in a letter. His objections could also be read as an oblique objection to Thomas Rowe's Communist Party connections 'I know that they are under good care with you people and receive good teaching and when turned out are useful citizens which will not be

the case if allowed to be taken out and receive the teaching that they will get from my Sister (sic) and Mr. Rowe.' Perhaps aware of her brother's lobbying, Edna takes events into her own hands and with the help of a female friend abducts the four children from Burnside³¹. A year later, still living with Rowe, Edna again becomes pregnant and once more is hospitalised for depression:

Patient feels worried because she has failed her family... she is lonely and unable to control herself while at home by herself in the daytime, has cried most all of the time.

Broughton Hall Psychiatric Clinic, patient notes, June 1938.

Edna's desperate poverty and illness- her contact with institutions in fact- gave her an official record, a detailed life history if anyone cared to know. In particular, Edna's own letters allowed us to hear her as the subject of her own story, not just the object of other people's stories. Here perhaps there was some explanation for my relatives reluctance: mental illness, illegitimate children, the abduction of her children and her de-factos Communist Party connections. Edna's story contained plenty of social taboos.

Similarities and Differences

The research and interview methods detailed so far demonstrate similarities between those of oral history and documentary journalism. Describing what it is that future historians will expect from oral histories, Donald Ritchie³² says that 'Researchers will want to hear the first-person observations of witnesses of events great and small, and to learn what sense those people made of events in their own lives.' Accordingly the production of the documentary was in part a historians job, in that we'd gathered 'a multitude of evidence from documents, objects, interviews, and other resources,' and were 'weaving them together to create a narrative that makes sense of the often conflicting evidence.'³³. The importance of the creation of narrative in telling history is addressed by Portelli³⁴ who uses as a case study an analysis of an oral history interview with a factory worker in Terni, Italy, to argue that a strong narrative structure is necessary in life stories that claim to be representative. Portelli was

referring to an individual life history account- its use of and creation of the narrative, the degree to which it included collective and shared elements of its time and place. We were wanting to use Edna's tale as one that 'represented' a generation of working class women, and through her story address the ongoing contemporary story- the consequences of that abortion for her now adult child, my mother. However, without the first person witness accounts related to Edna's individual story – the interviews with my aunt and great uncle - our narrative would suffer. A documentary also needs narrative patterns, structures and motifs to give it the widest possible impact, indeed this is the aim of all journalism. So the question became how to resolve the ethical question of the reluctant interviewees, whether their interviews should be used, and what to do about the narrative if they could not. Here then was the time when oral history and journalism revealed their differences. Although both have ethical codes that address the rights and responsibilities of interviewers and interviewees, any attempt to satisfy both demonstrates an uneasy relationship between the two fields.

In oral history, agreement and release forms are used to clarify copyright, the use of material, repository conditions with regard to use, confidentiality and the opportunity to review correct and or withdraw material.³⁵ However, accepted journalism practice relies on a simple verbal agreement between interviewer and interviewees- where permission is given to record, the interview becomes the property of the journalist or their employer in this case the ABC. The twelve point Media, Entertainment and Arts Alliance Code of Journalism Ethics³⁶ provides some guidance in the case where sources seek anonymity. However, my relatives objection was not a straightforward request for anonymity- they also didn't want their interviews used. Looking further for guidance, Point 11 of the code says that journalists should 'respect private grief and personal privacy'. My relatives claimed that Edna's death was a private family tragedy, but research had shown that her death was widely reported and already on the public record.³⁷

Our actions though had already veered from standard journalism practice.

Journalists, unlike oral historians, rarely give interviewees access to unedited

material, and almost uniformly no say in editorial decisions. Interviewees attempts to influence or change a story are seen as compromising the independent nature of reportage. In this case personal relationships- mine and my mothers with our re-discovered relatives- had persuaded us to take the unusual step of allowing access to the recordings but it was never intended that the interviewees would have control over the use of their interviews. Again this is thought necessary to protect the integrity of the story – but for whom? In describing the differences between journalists’ and oral historians’ interviews, Donald Ritchie³⁸ interprets an interview as oral history when it is ‘made available in an archive, library or other repository, or reproduced in relatively verbatim form as a publication. Availability for general research, re-interpretation, and verification defines oral history.’ With journalism archiving is generally a haphazard business dependent on both time restraints and resources available. According to Ritchie it is crucial that oral history be accountable in terms of its research value- that is- primarily its value for future historians. Whereas the bottom line for a media interview is its interest for, and use by a contemporary audience. A clause at the end of the journalist code of ethics explains ‘Ethical journalism requires conscientious decision making in context. Only substantial advancement of the public interest or risk of substantial harm to people allows any standard to be overridden.’ Does the public have a right to know – now? - and why? The potential strength of this story was its connection with current day concerns. Our research had revealed other recordings and published texts of oral histories with Australian women who’d experienced abortion during the mid to late twentieth century but most all are anonymous and restricted for access until well into the future.³⁹ The depth and detail of Ednas story would be unique as a public presentation and we were wanting to follow its impact into present day. How could we tell a story about secrecy and shame whilst taking refuge in yet more secrecy? The stories told by my relatives contained the only first hand descriptions my mother and I would ever have of my grandmother. The very phrases she used. I was aware that I couldn't ‘not know’ what had been told and felt these memories and stories had also become my own. Taking the circumstances into account we decided to shelve my relatives recorded interviews but present the information they had given in my

narrative script along with dramatic devices. My mother, having lived her life as a feminist decided that she wanted the story told despite the risk that she would alienate her family.

Through a newspaper advertisement we sought others to complete the narrative. We interviewed a woman who had experienced illegal abortion during the 1940's and a man who had lost his mother the year my grandmother died. His story echoed my mother's. No-one had spoken to him of his mother until the 1980's when as a result of family history research he'd discovered the facts about her death. People had been told that she died lifting a lawnmower over the back fence but in his childish nightmares lived the truth, that he and his baby brother had witnessed their mother's death from abortion. Both interviewees spoke about the shame and secrecy connected with abortion and how that had affected their lives. They used their names in the documentary knowing that their families might not approve.

In my quest to piece together my mother's history all I had for her were sad stories. And yet she now has a photo of her mother, has read her mother's short yet thoughtful letters to Burnside and has first hand descriptions of her mother, including how she liked to whistle. There is no mention in either hospital files, reports from social workers to Burnside or in the autopsy report that shows Edna was an alcoholic. In fact the picture painted by the documents and interviews is that of a hard working and caring mother. My mother had a chance to see Edna in another light 'I don't think it (alcohol) did take over her life...Perhaps there were times when the drink took over for a little while when things were desperate but I think there was quite a lot of strength in those letters she wrote and the way she could do it and work the system when she had to.'⁴⁰

Connections with the Present

So what does Edna's story say? It would be too simple to assume that it serves as a caution to the risk of returning to that dark time when abortion killed.⁴¹ Most abortions did not result in death even before the discovery of antibiotics. Besides, the

physical dangers of abortion was one of the arguments used by Australia's former Minister for Health, Tony Abbott in his attempts to restrict the reversal of the ban on the abortion pill RU486. For us to present current day Australian abortion practice as a potentially dangerous operation would only bolster arguments such as those used by Abbott and other anti-abortionist campaigners.

However, abortion remains governed by the Crimes Act in all states except the ACT and according to pro-choice activists such as Stephania Siedlecky there is a risk that we could once again create a system where class and money are the major factors in ensuring access. In the global context there are still millions of women who have to suffer the dangers of illegal abortions and 'the Australian government does not support the use of abortion in family planning activities in the aid program.'⁴²

Women's stories especially around the area of sexuality are not usually the stories of tribunals, nor truth and reconciliation commissions, and it may be that these forums are not the best places for them.⁴³ Yet if we believe that women have the right to control their fertility as a matter of human rights, then Ednas story belongs in the context of that struggle .

Was privacy in this case just another word for shame? And if so, does there come a time when you no longer accept 'privacy' as a reason not to tell? Our experience suggests that the reasons for the absence of this story from Australias history still apply today, and the families of those who died are still living with the consequences of it's secrecy. Although women may have good reason for remaining silent about abortion, by doing so we leave open a space for society to question the morality of those of us who have chosen to have one. My grandmother didn't die just from an abortion she died of an illegal abortion and poverty. If she'd had enough money and this holds true today she probably would've been just fine.

¹ John R. Tisdale, 'Observational Reporting as Oral History: How Journalists Interpreted the Death and Destruction of Hurricane Audrey', *Oral History Review*, 27/2 (Summer/Fall 2000): 44, cited in M. Feldstein, 'Kissing Cousins: Journalism and Oral History', *Oral History Review*, vol. 31, no 1, 2004, p. 5.

² Paul Thompson, *The Voice of the Past*, second edition, Oxford University Press, Oxford, 1998, p. 99.

³ *The Search for Edna Lavilla* (2007), radio documentary, ABC Radio National, Sydney, 9 June, co-produced by Sharon Davis and Eurydice Aroney.

⁴ Russ Aroney, interviewed by Sharon Davis, 12 May 2005, transcripts and recordings, Sharon Davis ABC Radio, Sydney.

⁵ For discussion of this point see Kate Darian-Smith & Paula Hamilton (eds), *Memory and History in Twentieth Century Australia*, Oxford University Press, Melbourne, 1997, pp.12-26.

⁶ See Karen Olson & Linda Shopes, 'Crossing Boundaries, Building Bridges: Doing Oral History among Working-Class Women and Men' in Sherna Berger Gluck & Daphne Patai (eds), *Women's Words: The Feminist Practice of Oral History*, Routledge, London and New York, 1991, pp.198-202.

⁷ For more on similarities and differences between journalism and oral history see M. Feldstein, 'Kissing Cousins, Journalism and Oral History', *Oral History Review*, vol. 31, no 1, 2004, pp. 1-22.

⁸ A 2005 inquiry into the approval of the abortion drug RU 486 in Australia received over 4,000 submissions, most of them wanting approval denied. On 16 February 2006 the Australian parliament voted to lift the ten year ban on the drug.

⁹ *Daily Mirror*, 15 January 1943, p. 4.

¹⁰ *Ibid.*

¹¹ Mrs Swanton was initially introduced to Marie Haynes as 'Mrs Thompson', and Marie Haynes used both names in her evidence to the court.

¹² City Coroners Court, Sydney, 14 January, 1943. Inquest on Dead Body of Edna Lavilla Haynes, City Coroner presiding E. T. Oram, S. M. Records held at NSW State Archives, Kingswood, NSW Container 10/8171. Held with trial papers 15.3.1943 REX vs Monica Mary Swanton and Douglas Medhurst, Central Criminal Court, Sydney.

¹³ The police were responding to a tip off from an unidentified source. Swanton refused them entry because they were without a warrant.

¹⁴ Difficulties of estimating abortion statistics are addressed by Jenny Bird, 'Abortion Techniques in Australia - A History', in Family Planning Association of New South

Wales, *Family Planning Information Service*, vol. 1, no. 6, 1981, p. 9; and Judith Allen, 'Octavius Beale re-considered: Infanticide, baby farming and abortion in NSW 1880-1939', in Sydney Labour History Group (eds), *What Rough Beast? The State and Social Order in Australian History*, Allen & Unwin, Sydney, 1982, pp. 118-119.

- ¹⁵ Judith Allen gives a convincing argument for her estimation using Australian criminal court figures and Frederick Taussig's classic study, *Abortion: Spontaneous and Induced*. Busby and Co., St Louis, 1936, based on a survey of cities in USA, England, France, Germany and Russia.
- ¹⁶ Lyn Finch & Jon Stratton, 'The Australian working class and the practice of abortion 1880-1939', *Journal of Australian Studies*, no. 23, 1988, pp. 51-52.
- ¹⁷ *Ibid.*
- ¹⁸ An exception is Jo Wainers (ed.), *Lost: illegal abortion stories*, Melbourne University Press, Melbourne, 2006. However, as is the case with most first hand accounts of abortion, most date from a later period than is concerned with here and almost all are anonymous.
- ¹⁹ B. Baird, 'I Had One Too: An Oral History of Abortion in South Australia before 1970', Flinders University of South Australia, Womens Study Unit, State Library of South Australia, 1990.
- ²⁰ Barbara Baird, 'The Self Aborting Woman', *Australian Feminist Studies*, vol. 13, no. 28, 1998, p. 326.
- ²¹ Kerreen M. Reiger, *The disenchantment of the home: Modernizing the Australian family 1880-1940*, Oxford University Press, Melbourne, 1985, pp. 110-125; Kate Darian-Smith, 'Remembrance, Romance, and Nation', *International Yearbook of Oral History and Life Stories Gender and Memory, Vol IV*, Oxford University Press, New York, 1996, pp. 156-157.
- ²² Stephaniea Siedlecky interviewed by Sharon Davis and Eurydice Aroney, 4 August 2005. Transcripts and recordings, Sharon Davis, ABC Radio, Sydney.
- ²³ Women were at risk of prosecution if they admitted having had an abortion, hence a 'miscarriage'.
- ²⁴ Nancy Martin interviewed by Sharon Davis and Eurydice Aroney, 5 October, 2006. Transcripts and recordings, Sharon Davis, ABC Radio, Sydney.
- ²⁵ Alessandro Portelli, in Mary Chamberlain & Paul Thompson (eds), *Narrative and Genre*, second edition, Routledge, New York, 2000, p. 25.
- ²⁶ Names and dates of the interviews with relatives remain anonymous at author's discretion. However as the legal rights to the recordings remain with the ABC, information and anecdotes will be referred to.
- ²⁷ Details of this phone conversation are in notes taken by the author. Names and dates withheld at the author's discretion.
- ²⁸ Broughton Hall Psychiatric Hospital Records, Edna Rowe, also known as Edna Haynes, patient at Broughton Hall, File 7940, May-June 1938, container 14/9142, file 7940, held at NSW State Archives, Kingswood; Burnside Presbyterian Orphans Homes, file of Edna Lavilla Haynes, held at Central Office Uniting Care, Burnside, North Parramatta.
- ²⁹ Letter to The Reverend Dr. McIntyre, Managing Director, Burnside Orphans Homes, July, 1930. Burnside Presbyterian Orphans Homes, file of Edna Lavilla Haynes, held at Central Office Uniting Care, Burnside, North Parramatta.
- ³⁰ Letter, Edna Lavilla Haynes to The Reverend Dr. McIntyre, Managing Director Burnside Orphans Homes, 11 July 1932. Burnside Presbyterian Orphans Homes, file of Edna Lavilla Haynes, held at Central Office Uniting Care, Burnside, North Parramatta.
- ³¹ Evidence for this comes from interviews with author's relatives; telegram to Reverend Dr. McIntyre, Managing Director Burnside Orphans Homes, 25 April 1938 (addressed from Malabar, which was close to La Perouse) in Burnside Presbyterian Orphans Homes, file of Edna Lavilla Haynes, held at Central Office Uniting Care, Burnside, North Parramatta; and from Edna's own psychiatric file interviews.
- ³² Broughton Hall Psychiatric Hospital Records, Edna Rowe, also known as Edna Haynes, patient at Broughton Hall, File 7940, May-June 1938, container 14/9142, file 7940, held at NSW State Archives, Kingswood. Burnside Presbyterian Orphans Homes, file of Edna Lavilla Haynes, held at Central Office Uniting Care, Burnside, North Parramatta.
- ³³ Letter from Charles Abraham to The Reverend Dr. McIntyre, Managing Director Burnside Orphans Homes, 15 November 1937, Burnside Presbyterian Orphans Homes, file of Edna Lavilla Haynes, held at Central Office Uniting Care, Burnside, North Parramatta.
- ³⁴ Burnside Presbyterian Orphans Homes, file of Edna Lavilla Haynes, held at Central Office Uniting Care, Burnside, North Parramatta.
- ³⁵ *Broughton Hall Psychiatric Clinic*, patient notes, June 1938.
- ³⁶ Donald Ritchie, *Doing Oral History*, Twayne Publishers, New York, 1995, p. 20.
- ³⁷ *Ibid.*, p. 21.
- ³⁸ Alessandro Portelli, *The Death of Luigi Trastulli and Other Stories. Form and meaning in Oral History*, State University of New York Press, NY, 2001, pp. 117-138.
- ³⁹ Guidelines of Ethical Practice provided by the Oral History Association of Australia, <<http://www.ohaa.net.au/guidelines.htm>>. Paul Thompson describes the emergence of archiving as a concern for oral historians, especially in a new media environment and as methods vary internationally, in his chapter 'Sharing and Reshaping life Stories; Problems and Potential in Archiving research Narratives', in Chamberlain & Thompson (eds), *Narrative and Genre*, pp. 167-181.
- ⁴⁰ Media Entertainment and Arts Alliance [hereafter MEAA], Code of Ethics at <<http://www.gwb.com.au/99a/ethics.html>>.
- ⁴¹ 'Operation results in Killing Charges', *Daily Telegraph*, 15 January 1943, p. 5; 'Family', *Daily Telegraph*, 17 January 1943, p. 19; 'Girl's Story to Coroner', *Sydney Morning Herald*, 15 January 1943, p. 9; 'Girl's Story of Operation', *Daily Mirror*, 15 January 1943, p. 5; 'Woman Gaoled for Two Years', *Daily Mirror*, 19 March 1943, p. 8.
- ⁴² Ritchie, *Doing Oral History*, pp. 5-6.
- ⁴³ MEAA Code of Ethics.
- ⁴⁴ Baird, 'I Had One Too'. Most interviewees are identified only by pseudonyms and most tape recordings are restricted until 2020; however transcripts are available.
- ⁴⁵ Russ Aroney interviewed by Sharon Davis, 4 September 2006. Transcript and recording, Sharon Davis, ABC Radio, Sydney.

⁴⁷ For a more detailed account of how abortion history has been used in abortion debates, see B. Baird, 'The Incompetent, Barbarous Old Lady Round the Corner: The Image of the Backyard Abortor in Pro-abortion Politics', *Hecate*, vol. 22, no. 1, 1996, pp. 7-26; J. Bird, 'Abortion techniques in Australia', pp. 9-15.

⁴⁷ Australian Agency for International Development, 'Family Planning and the AID Program: A Comprehensive Guide', 2002, p. 4, <<http://www.ausaid.gov.au/publications/pdf/fam-plan-guide.pdf>>.

⁴⁸ For a critical account of how women's stories around sexuality are used in the human rights struggle, see K. Schaffer & S. Smith, *Human Rights and Narrated Lives: The Ethics of Recognition*, Palgrave MacMillan, New York, 2004, p. 41.

- 1 Tisdale, John R, 'Observational Reporting as Oral History: How Journalists Interpreted the Death and Destruction of Hurricane Audrey', in *Oral History Review*, no. 27, 2000, p. 44.
- 2 Thompson, Paul, *The Voice of the Past*, Oxford University Press, Great Britain, second ed. 1998.
- 3 *The Search for Edna Lavilla* (2007), radio documentary, ABC Radio National, Sydney, 9 June, co-produced by Sharon Davis and Eurydice Aroney.
- 4 Russ Aroney, interviewed by Sharon Davis, May 12, 2005, transcripts and recordings, Sharon Davis ABC Radio, Sydney.
- 5 For discussion of this point Darian-Smith, Kate and Hamilton, Paula (eds) *Memory and History in Twentieth Century Australia*, Oxford University Press Melbourne, 1997, pp 12-26.
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- 7 For more on similarities and differences between journalism and oral history see Feldstein, M 2004, 'Kissing Cousins, Journalism and Oral History', in *The Oral History Review*, vol. 31, no 1. pp 1-22.
- 8 A 2005 inquiry into the approval of the abortion drug RU-486 in Australia received over 4,000 submissions most of them wanting approval denied. On the 16 of February 2006 the Australian parliament voted to lift the ten year ban on the drug.
- 9 Marie Haynes was initially introduced to Mrs.Swanton as Mrs Thompson and Marie Haynes uses both names in her evidence to the court.
- 10 The police were responding to a tip off from an unidentified source. Swanton refused them entry because they were without a warrant
- 11 Difficulties of estimating abortion statistics are addressed by Bird, Jenny, 'Abortion Techniques in Australia - A History', in *Family Planning Information Service*, Vol 1, No 6, 1981, p 9 and Allen, Judith, 'Octavious Beale re-considered: Infanticide, babyfarming and abortion in NSW 1880-1939', in *What Rough Beast? The State and Social Order in Australian History*, Sydney Labour History Group (eds), Allen & Unwin, Sydney 1982, pp 118-119.
- 12 Judith Allen gives a convincing argument for her estimation using Australian criminal court figures and Frederick Tuassigs classic study *Abortion, Spontaneous and Induced*, (1936) based on a survey of capital cities in USA, England, France, Germany and Russia.
- 13 Finch, Lyn; Stratton, Jon, 'The Australian working class and the practice of abortion 1880-1939' *Journal of Australian Studies*, no. 23, 1988, pp 51-52.
- 14 An exception is Jo Wainers (ed) book *Lost: illegal abortion stories*, Melbourne University, 2006. However as is the case with most first hand accounts of abortion most date from a later period than is concerned with here and almost all are anonymous.
- 15 Baird, B. 1990, 'I Had One Too: An Oral History of Abortion in South Australia before 1970' Flinders University of South Australia, Womens Study Unit, State Library of South Australia.
- 16 Baird, Barbara, 'The Self Aborting Woman', in *Australian Feminist Studies*, vol. 13, no. 28, 1998, p 326.
- 17 Reiger, Kerreen M, *The disenchantment of the home; Modernizing the Australian family 1880-1940*, Oxford University Press, Melbourne 1985, pp 110-125.
- 18 Darian-Smith, Kate, 'Remembrance, Romance, and Nation', in *International Yearbook of Oral History and Life Stories Gender and Memory, Vol IV*, Oxford University Press, New York, 1996 pp 156-157.
- 19 Stephania Siedlecky interviewed by Sharon Davis and Eurydice Aroney, 4th August 2005, Transcripts and recordings, Sharon Davis, ABC Radio, Sydney.
- 20 Women were at risk of prosecution if they admitted having had an abortion, hence a "miscarriage".
- 21 Nancy Martin interviewed by Saharon Davis and Eurydice Aroney, 5th October, 2006. Transcripts and recordings, Sharon Davis, ABC Radio, Sydney.
- 22 Portelli, Alessandro in Chamberlain, Mary, and Thompson, Paul, *Narrative and Genre*, Routledge, second ed. 2000 p 25.

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- 23 Names and dates of the interviews with my relatives remain anonymous at authors discretion. However as the legal rights to the recordings remain with the ABC, information and anecdotes will be referred to.
- 24 Details of this phone conversation are in notes taken by the author. Names and dates withheld at the authors discretion.
- 25 Broughton Hall Psychiatric Hospital, Sydney, May, June, 1938.
- 26 Burnside Presbyterian Orphans Homes, now known as Uniting Care Burnside. Records. Letters included in the file June 1930 - November 1937. File copy in possession of Eurydice Aroney, University of Technology, Sydney.
- 27 Ibid.
- 28 Burnside did not take children under three years old into care.
- 29 Evidence for this comes from interviews with my relatives, a telegram addressed from Malabar- which was close to La Perouse and Edna's own psychiatric file interviews.
- 30 Ibid.
- 31 Ibid.
- 32 Ritchie, Donald, *Doing Oral History*, Twayne Publishers, New York, 1995 pp 5-21.
- 33 Ibid
- 34 Portelli, Alessandro, *The Death of Luigi Trastulli and Other Stories Form and meaning in Oral History*, State University of New York Press, NY 2001. pp117-138.
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<http://www.ohaa.net.au/guidelines.htm>. Paul Thompson describes the emergence of archiving as a concern for oral historians, especially in a new media environment and as methods vary internationally in his chapter 'Sharing and Reshaping life Stories; Problems and Potential in Archiving research Narratives' Chamberlain, Mary and Thompson Paul (eds) *Narrative and Genre*, Routledge, New York, 1998, pp 167-181.
- 36 MEAA Code of Ethics at <http://www.gwb.com.au/99a/ethics.html>
- 37 'Operation results in Killing Charges', *Daily Telegraph*, 15 Jan.1943, p 5. 'Family', *Daily Telegraph*, 17 Jan. 1943, p 19. 'Girls Story to Coroner', *Sydney Morning Herald*, Jan. 15, 1943, p 9. 'Girls Story of Operation', *Daily Mirror*, 15 Jan. 1943 p 5. 'Woman Gaoled for Two Years' *Daily Mirror* 19 March 1943 p. 8.
- 38 Ritchie, Donald, *Doing Oral History*, Twayne Publishers, New York, 1995 pp 5-6.
- 39 Baird, B. 1990, 'I Had One Too: An Oral History of Abortion in South Australia before 1970' Flinders University of South Australia. Womens Study Unit. State Library of South Australia. Most interviewees are identified only by pseudonyms and most tape recordings are restricted until 2020 however transcripts are available.
- 40 Russ Aroney interviewed by Sharon Davis 4th September 2006. Transcript and recording, Sharon Davis, ABC Radio, Sydney.
- 41 For a more detailed account of how abortion history has been used in abortion debates see Baird, B. 1996, 'The Incompetent, Barbarous Old Lady Round the Corner: The Image of the Backyard Abortionist in Pro-abortion Politics', *Hecate*, vol. 22, no.1, p 7-26. Bird, J. 1981, 'Abortion techniques in Australia: a history', *Family Planning Information Service*, vol.1, no. 6. pp 9-15.
- 42 Australian Agency for International Development, 2002, 'Family Planning and the AID Program: A Comprehensive Guide' p 4.
- 43 For a critical account of how womens stories around sexuality are used in the human rights struggle see Schaffer, K. and Smith, S. 2004, *Human Rights and Narrated Lives; The Ethics of Recognition*, Palgrave MacMillan, New York. 2004, p 41.

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