



Care Leavers Australia Network

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Protecting Victoria's Vulnerable Children Inquiry

Submission

Learning from the Past - Using Victoria's Child Welfare History to inform current practice

Care Leavers Australia Network (CLAN) would like to take this opportunity to comment on the **Protecting Victoria's Vulnerable Children Inquiry**, whilst also informing the government about a special needs group whose plight serves to highlight the need for the government, in protecting Victoria's vulnerable children, to ensure that the mistakes of the past are not repeated.

Care Leavers Australia Network (CLAN) is a national support and advocacy network for the 500 000 plus Australians who grew up in the 600 plus orphanages, institutions and Children's Homes Australia that once had. Individuals who grew up in 'care' still carry the burden of unresolved issues from their past and suffer through the shame and stigma associated with their experiences. Many care leavers left the system with little preparation for adulthood and parenthood and carry the scars of emotional, physical and sexual abuse. Being raised without a family has lifelong effects and therefore requires lifelong support services which CLAN aims to deliver.

Firstly, CLAN feels that although it may be outside the scope of the terms of reference of this inquiry, it is important to acknowledge that care leavers/Forgotten Australians deserve justice and redress for the abuse and neglect that they endured in 'care'. Redress will help to compensate all those care leavers who have suffered loss, grief and trauma and who have been deprived of many opportunities throughout their lifetime, as a result of their childhood experiences. Whilst redress schemes have been developed in Tasmania, Queensland, and Western Australia, other states, including Victoria, have chosen to ignore the recommendations of two Senate Committees and to deny care leavers access to the redress to which, in the interest of social justice, they are entitled. Any redress scheme must be open-ended in order to provide time for care leavers to become aware of the scheme and then to summon the courage and seek assistance to fill out the application forms and submit them.

In November 2009, the former Prime Minister Kevin Rudd and the former Opposition Leader Malcolm Turnbull apologised to those who were raised in care in Australia. Not only was the pain and suffering of care leavers acknowledged, but they were identified as a **special needs group** in Australia. *Forgotten Australians*, the 2004 report of the Senate Inquiry into Children in Institutional Care, described some of the long-term effects of care as the following:

- lack of trust and security – a fundamental, ongoing issue

- lack of interpersonal and life skills that are acquired through normal family life
- low self-esteem and lack of confidence, often leading to difficulties obtaining, and retaining, employment
- a lifelong inability, for many, to initiate and maintain stable, loving relationships
- depression, from mild to severe clinical depression
- post traumatic stress disorder
- fear, anger, shame and guilt
- physical and mental health problems often directly associated with beatings and lack of health care as a child, and with extended psychological abuse in childhood
- obsessiveness, social anxieties, social phobias and recurring nightmares
- substance addiction developed in an attempt to block out the pain of the past.
- an abnormally high risk of suicide
- lack of social capital to cushion adversity

In making this submission, CLAN hopes that those children who are identified as ‘at risk’ or ‘vulnerable’ are protected so as to make sure that the legacy CLAN deals with every day does not become the legacy of the current generation of vulnerable children.

As previously noted, children who are mistreated or neglected, whether emotionally, physically or sexually, and who end up in the welfare system suffer lifelong effects. These effects end up costing the individual as well as the community and government in a variety of ways. According to Access Economics Pty Limited, Australian Childhood Foundation and Child Abuse Prevention Research Australia in their paper entitled *The Cost of Child Abuse in Australia*, **the annual cost of child abuse and neglect in Australia in 2007 was \$4.0 billion.** This is a staggering amount and includes not just the cost to the government or community but also the cost to the individual.

Furthermore, children who are not protected adequately and who do suffer neglect, abuse, or are put through the welfare system, often lack the educational opportunities that others have had, as well as suffering from psychological or physical incapacities which make for difficulties in obtaining and retaining employment and consequently in maintaining a steady income. Their subsequent reliance on income support and other government assistance emphasises that the long-term impacts of this childhood trauma not only affect the individual but increase the cost on society.

In 2010 CLAN conducted a survey, to which 577 of approximately 1000 clients responded. A major reason for the lack of response can be attributed to the poor literacy rate amongst care leavers whose schooling was limited.

Of the 577 who did respond to the survey, 128 individuals identified themselves as living in public housing, 180 respondents were currently on the Disability Support pension and believed that their treatment whilst in care has caused their need to go on the DSP. The highest level of education for the majority of respondents was 'some secondary schooling but did not complete year 10'. The second highest response to this question was 'primary schooling only' which demonstrates why these individuals' working and earning capacity has been severely limited. It is our hope that by revealing these statistics we help to make evident that the long-term effects of a childhood in 'care' can be costly.

CLAN's survey, entitled *Struggling to keep it Together* will be released on 11 June and we will forward a copy of the results both to this inquiry and to the Victorian Minister for Community Services, Mary Wooldridge.

CLAN believes strongly that preventative strategies, assistance and support **must** be given to Victoria's vulnerable children before they reach the stage of having to deal with the welfare system. It is only by examining what did, and what did not, work for older care leavers, that governments and agencies will be best able to provide for the needs of the current children in care.

In CLAN's 2010 survey a number of reasons were identified by respondents as the cause of them being put into the 'care' system. CLAN feels that it is imperative that these reasons are known and understood as it is the only way that current risk factors can be identified and then preventative measures can be taken, to ensure that families are equipped to look after and support their children so that they do not end up in out of home care. The main reasons identified for individuals being put into 'care' were poverty, parental substance abuse, parental marriage breakdown, desertion by one or both parents, violence in the home, lack of suitable housing and no support for families in tough times.

Another factor that CLAN believes is prominent as a cause for children entering the 'care' system is a family history of experience of the welfare system. Every day CLAN hears stories

about our clients and the intergenerational effects of being put in 'care'. There were 72 respondents to our survey whose children or grandchildren have been taken into the care system, either currently or in the recent past.

Furthermore, 96 respondents claimed that either their parents or grandparents had been put into some type of 'care'. This high incidence of a family history associated with the welfare system leads CLAN to believe that having had a parent or grandparent in 'care' is a strong predictive factor for a child's also ending up in out of home care, or at the very least, as a vulnerable, 'at risk' child.

We would argue that there needs to be a greater focus on care leavers who have children or grandchildren and are in a guardian role. It must be remembered that older care leavers predominantly spent a much longer time in 'care' with the majority entering 'care' when they were less than 5 years old and the majority leaving 'care' when they were between 14 and 16.

Because of this, many care leavers find it difficult to understand how to parent and how to have a family as they were deprived of this experience when they were young. As well, many care leavers report that it is difficult to show love for their children and to receive affection in return. Furthermore, when care leavers left care for the last time they were provided with no services to assist them, no counselling to deal with any issues created from their time in 'care' and no skills courses to help them either in the workforce or to teach them the basics of parenting and having a family.

In CLAN's view, this is a gap in the current system's approach to preventing further generations from being dragged through the welfare system. In order to prevent this from happening we believe that greater focus needs to be on middle aged to older care leavers who may be looking after grandchildren due to problems with their children (as CLAN often hears) as well as those care leavers in their twenties and thirties who are starting to have children. Care Leavers of all ages need to be provided with adequate aftercare services including counselling and support and financial assistance and advice, as well as skills courses. Furthermore, a larger emphasis needs to be placed on Victorian care leavers receiving all records and files from their time in care. These records form an essential part of a care leaver's identity as they tell the story of their life when they have no family around to do it for them. In the past, record keeping has been inadequate and undervalued, however all

care leavers deserve to have comprehensive records kept and all original letters and other such documents given to them, on their request for their records. Victoria now lags behind NSW by not providing care leavers with their original letters from their files. If care leavers are not given assistance to deal with these and related issues, generations of vulnerable children are at risk of perpetuating the cycle of out of home care.

It must also be said that whilst, even if belatedly, various state governments, including Victoria, have set up funded services to help older care leavers, the terms of these services dictate to care leavers what they can and cannot get. Furthermore, services are reluctant to outline the entitlements of care leavers who already feel like they are a charity case by having to refer doctors, dentists, counsellors and other professionals to these services to pay for their treatment. Care leavers are made to feel inadequate by having to explain what their background is and why a particular service is paying for the treatment. To quote a CLAN member:

That put me in the position to explain to the receptionist who a forgotten one is and why open place will pay for it (the Dental work) it left me feeling very emotional, I tried to explain this to the Open Place staff of how I was feeling. I was feeling very much like Oliver 'Please Sir' (with cap in hand) asking a charity for help.

Additionally, whilst we do know that these services have helped many people, the tendering process for these services is one that should be examined, considering that a past provider now runs the Victorian service, something which has resulted in many care leavers refusing to access this service.

Another factor that CLAN has learnt contributes to the lifelong effects of being placed in 'care' was the transience of foster care placements and the separation of siblings once placed in the welfare system. Sixty-four per cent of respondents to our survey stated that they were in more than one foster home with 58% of children who were placed in care being separated from their siblings. Obviously any future planning to protect Victorian children must take into consideration the importance of the family unit, and that includes keeping siblings together and limiting foster care placements. The more stability created in out of home care, the better the outcomes will be for Victorian children.

Lastly, CLAN believes that it is the responsibility of the State to ensure that all organisations in the community who are engaged with children do fulfil their duty of care to protect

children. Unfortunately, when the majority of CLAN's members were growing up in the welfare system the State severely neglected their duty to ensure that vulnerable children were protected; we would hate to see this happen again. Take, for example, a quote taken from a CLAN member's state ward file in 1948, whereby a neighbour is commenting on the care of the child in question to the Child Welfare Inspector:

In conversation Mr D disclosed that F/M [foster mother] who he has known for years is a very undesirable person. She is addicted to drink. Her husband is a Spaniard or Peruvian he thinks but they do not cohabit. A mentally deficient sister of F/M resides in F/H. The girl to Mr D's knowledge has had a hard life and it was a shock to Mr D when he learned recently that the girl was a ward, to think that C W [Child Welfare] would approve of such a home.

To further exemplify the intergenerational effects of care, the girl mentioned in the quote above went on to have nine children who were also placed in 'care'. One of the children has also given their permission for excerpts from their state ward file to be used. In his file CLAN found yet more evidence of a lack of care by the State to ensure the children's welfare. In a report by an officer in the Children's Homes Section, in 1963, it was stated:

Owing to the staff situation in the Section, at the time it was not possible to continue regular contact with the family.

This highlights that due to staff shortages the State failed to properly exercise their duty of care by maintaining regular visits to assess the suitability of the home situation. Upon further discussion with this member CLAN found out that some of his nieces and nephews were placed in foster care in Victoria, again showing that the effects of care can be passed down through the generations.

No matter what organisation is dealing with children, the state needs to observe and enforce any laws or rules applicable as it would if it were a state-run organisation. Without an overarching body presiding over all organisations that deal with children and ensuring that all children are protected, the mistakes of the past are likely to be repeated.

In summary, childhood neglect and abuse can be costly to both the child and the community. Putting vulnerable children into out of home care is accompanied with lifelong effects that require long-term services to address the needs of the adults they become. The more stability children in care have, in terms of foster placements and keeping siblings together, the better the outcome will be. However, the best option is always prevention. Hopefully from this

submission it has been made evident that there is another risk factor which we feel is largely ignored and if addressed will help to prevent Victoria's 'vulnerable' children from being placed in out of home care.

That risk factor is having parents or grandparents who were in 'care' and it is the demographic that CLAN deals with on a daily basis. These individuals were deprived of a proper family and parental experiences and thus they find it difficult to know how to parent their children/grandchildren appropriately, which can create vulnerable children.

CLAN believes that if these individuals had access to appropriate help and support as soon as they left care, as well as in the years to come, there would be significantly fewer children in Victoria's welfare system. For example, CLAN currently has 270 members living in Victoria (which is nowhere near the amount of care leavers actually residing there) and whilst we provide support services now, when the Department of Child Welfare released them from wardship and sent a letter wishing them well on their 18th birthday, there was NO support for these vulnerable Victorian care leavers. State governments, as the legal parent, abdicated all responsibility towards their children over many, many years, at a great cost to the individual. Why haven't successive state governments been charged with neglect of their own children? families do not abandon their children at 18 years old. Good functioning families are always there to give support and assistance to their children through the lifespan.

It is essential that funding be provided for care leaver agencies to develop lifelong services to assist care leavers of all ages so as to ensure that they do have the appropriate skills and support when dealing with their own children or grandchildren, so that yet another generation of vulnerable children do not make their way through the welfare system. In the words of former Senator Andrew Murray, a Homie himself, "if you harm a child, then you will end up with a harmed adult".

CLAN would like to thank you for the opportunity to comment on the Protecting Victoria's Vulnerable Children Inquiry and in doing so to shed some light on a highly disadvantaged and largely ignored group of Australians. Furthermore, it is important that you realise this group has a direct link to vulnerable children now.

Enclosed with this submission is a newsletter regarding the Federal apology and a CLAN flyer/membership form. We hope that you will take the opportunity to read the *Clanicle* and learn more about our network. CLAN and its members look forward to your response to this inquiry.



**THE ENDURING LEGACY
OF
GROWING UP IN CARE IN
20TH CENTURY
AUSTRALIA**

Senator Andrew Murray and Dr Marilyn Rock

Paper presented to the Annual Conference of the
Australasian Society for Traumatic Stress Studies

The Impact of Childhood Trauma Across the Lifespan:
Historical Denial – Current Challenges

15 – 18 September 2005

Hyatt Regency
Perth Western Australia

www.andrewmurray.org.au

...institutional abuse does not stop when we age out of the system. Once in contact with the juvenile justice system we have a 90 per cent chance of becoming adult criminals. We have a one in three chance of leaving care at 16 as... girls pregnant or already with a child. We have a one in two chance of being homeless within that first year. Only one in 100 of us will get to university, but one in three of us will have attempted suicide. We are also highly likely to wind up addicted to drugs, engaged in prostitution, unemployed, mentally ill or incapable of sustaining loving relationships.¹

¹ Senate Community Affairs Reference Committee Inquiry, Committee Hansard, 4 February 2004, p.30.

Introduction

A trilogy of inquiries since 1997 reveals that upwards of and possibly more than 500,000 children experienced life in an orphanage, children's home or other form of out-of-home care last century.² Although some good stories have emerged, the sheer scale of damaged people is staggering. Research reveals that for far too many, the ongoing abuse and neglect experienced was devastating. It seems that for most, any childhood innocence or the equally precious sense of wonderment was quickly replaced with a state of fear and a sense of alienation. Although welfare policy was predicated on an ideology of benevolent charity, there was a sharp contrast between stated policy and how children were actually treated. Likened to being incarcerated in Solzhenitsyn's 'gulag archipelago',³ orphanages and homes effectively operated as closed entities with little, if any, accountability or transparency. That so many endured a childhood deprived of the love and security of their own families is certainly sad. That so many were abused and neglected – including criminal sexual and physical assaults – is unforgivable. That so many are scarred and live on the margins of society as adults without programs to assist them is scandalous. With few life skills and poor life chances, many have endured homelessness, welfare dependency, substance abuse, relationship and mental health problems. Premature deaths, often from suicide, are also not uncommon amongst these people. Indeed, the enduring legacy of their institutional care can only be described as tragic.

By extensively drawing on personal stories submitted to two Australian Senate Community Affairs References Committee Inquiries: the 2001 Child Migrant Inquiry and the 2004 Inquiry into Children in Institutional Care, this paper will elaborate on the issues associated with a childhood spent in care. These are but two of a long-line of inquiries that have examined child protection and child abuse issues in Australia, inquiries that date as far back as the 1930s. Accordingly, the expectation would be that significant advances have occurred for children at risk. Sadly, this is not yet the case. Although current child protection frameworks invoke 'the best interest of the child' principle,⁴ it is difficult to see past children at risk being more than mere objects requiring placement and social control. Much more is required.

The one sure truism to emerge from the above Senate inquiries is that if you harm and break the spirit of a child, you will have a harmed adult to deal with. And it does not end there. Unfortunately, it is the case that many survivors of childhood trauma go on to produce another generation of victims. In this respect, these adult survivors of institutional care need to be recognised professionally as a specific category of trans-generational trauma sufferers and politically as a negative consequence of inadequate social policy provisions. In particular, politicians and policy makers need to sincerely commit to understanding the scale and effects of child abuse. It is not a question of

² See Human Rights and Equal Opportunity Commission, *Bringing Them Home: Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families*, April 1997; Senate Community Affairs References Committee (SCARC), *Lost Innocents: Righting the Record*, Report on Child Migration, August 2001; and SCARC *Forgotten Australians*, Report on Australians who experienced institutional or out-of-home care as children, August 2004.

³ J. Penglase, *Orphans of the Living: Growing up in 'care' in twentieth-century Australia*, Curtin University Books and Fremantle Arts Press, Fremantle, 2005, p.64.

⁴ See Article 3(1) of the *Convention on the Rights of the Child*. Australia ratified this Convention in December 1990; it was scheduled to the Human Rights and Equal Opportunity Act in 1993.

isolated incidents that are sad or repugnant or of crimes from which you move on: it is a widespread social problem that carries with it huge costs for the individuals concerned and for society, costs that also constitute a huge drain on budgetary expenditures.

Moreover, it is imperative that the wellbeing of a nation not only be predicated on economic analysis as the pinnacle of policy making, as such an approach means all too often social values and non-economic considerations are sacrificed. If these are vital, which they are, and those with a primarily fiscal or economic perspective are letting such values and considerations pass them by because they do not 'get it', it is important to use language they recognise and react to. At the heart of the language of economics is the language of numbers. Cost/benefit analysis can be applied to the issue of abuse of children. The high direct and indirect costs of harming a child are long term. In the decades of adult life that follow for an abused child, there is often a psychological response that can and does include anti-social behaviour including violence and crime, substance abuse and significant relationship problems. These costs can be measured in policing, court and prison costs; in the costs of broken homes; in health system costs; in welfare costs; and as opportunity costs. The benefit of preventing or minimising the abuse of children, or, of adequately treating its consequences, is clearly justified by the huge costs of not doing so.

With the knowledge that now exists, the cycle of abuse must become a priority for those in a position to make a difference. The alternative is even more damaged children developing into dysfunctional adults with the potential to wreak havoc on society. It is clear that by committing more money and more resources to addressing the effects of child abuse and neglect, the long-term social and economic costs to society can be significantly lessened. Indeed, there is no better undertaking than to seriously invest in a nation's most important resource, its children.

Reportage as evidence

In just eight years in Australia, a number of inquiry reports have revealed not only shameful chapters in the nation's history, but also contemporary problems of child protection. Some reveal vulnerable children being institutionalised and subject to reigns of terror that have had devastating consequences for hundreds of thousands of adult citizens. They clearly describe an institutional culture characterised by all the features of what is now referred to as 'systems abuse' whereby "...harm [is] done to children in the context of policies or programmes that are designed to provide care or protection".⁵ Others reveal current and inadequate child protection systems that are regularly crisis-ridden, under-resourced, understaffed and have a high turnover of often inexperienced and overworked workers. Chronologically, these are:

- the 1997 Human Rights and Equal Opportunity Commission (HREOC) report on the Aboriginal 'stolen generation',⁶
- the 1999 Forde Report on the abuse of children in Queensland's institutions;⁷

⁵ J. Cashmore R. Dolby & D. Brennan, *Systems Abuse: Problems and Solutions*, NSW Child Protection Council, Sydney, 1994.

⁶ *Bringing them Home*.

⁷ *Commission of Inquiry into Abuse of Children in Queensland Institutions*, (Forde Report), May 1999.

- the 2001 Federal Senate report on child migration,⁸
- the 2002 Gordon Inquiry report into child abuse in Aboriginal communities in Western Australia;⁹
- the 2002 New South Wales report on child protection services;¹⁰
- the 2003 Layton Report on child protection in South Australia;¹¹
- the 2004 Tasmanian Ombudsman report on the abuse of state wards;¹²
- the 2004 Queensland report on the abuse of children in foster care;¹³
- the 2004 Vardon Report on children in care in the Australian Capital Territory;¹⁴ and
- the 2004 and 2005 Federal Senate reports on children raised in institutional and other forms of out-of-home care.¹⁵

Not included in this list are other tangentially linked reports such as the Australian Law Reform Commission and HREOC report on children and the legal process,¹⁶ and the Kimmins Report on paedophilia in Queensland,¹⁷ the Project Axis report on the sexual abuse of children, also in Queensland,¹⁸ the HREOC report of the national inquiry into children in detention centres,¹⁹ and the Interim Report of the ongoing South Australian inquiry into children in state care. There are also other reports that predate the ones referred to above, such as the 1976 Norgard Report of child care in Victoria,²⁰ the 1979 Australian Council of Social Services report of why children are placed in homes,²¹ the 1981 Western Australian report of children in long term care,²² and the 1985 Federal Senate report of children in care.²³

⁸ *Lost Innocents*.

⁹ *Putting the picture together: Inquiry into Response by Government Agencies to Complaints of Family Violence and Child Abuse in Aboriginal Communities*, (Gordon Report), July 2002.

¹⁰ New South Wales Legislative Council, Standing Committee on Social Issues, *Care and Support, Final Report on Child Protection Services*, Report 29, December 2002.

¹¹ South Australian Government, *Our best investment: A state plan to protect and advance the interests of children*, (Layton Report), March 2003.

¹² Tasmanian Ombudsman, *Review of Claims of Abuse from Adults in State Care as Children*, (O'Grady Review) November 2004.

¹³ Crime and Misconduct Commission, Queensland, *Protecting Children: An inquiry into abuse of children in foster care*, January 2004.

¹⁴ ACT Commissioner for Public Administration, *The Territory as Parent: Review of the Safety of Children in Care in the ACT and of ACT Child Protection Management*, (Vardon Report), May 2004.

¹⁵ *Forgotten Australians*; and *Protecting Vulnerable Children: A national challenge*, Second report on the inquiry into children in institutional and other forms of out-of-home care, March 2005.

¹⁶ HREOC, *Seen and heard: priority for children in the legal process*, Australian Law Reform Commission Report No. 84, 1997.

¹⁷ Criminal Justice Commission, *Inquiry into Allegations of Misconduct in the Investigation of Paedophilia in Queensland*, (Kimmins Report), August 1998 and February 1999.

¹⁸ Queensland Crime Commission and the Queensland Police Service, *Child Sexual Abuse in Queensland: The Nature and Extent*, Project Axis Report, June 2000.

¹⁹ Human Rights and Equal Opportunity Commission (HREOC), *A last resort: National Inquiry into Children in Detention Centres*, April 2004.

²⁰ Victorian Legislative Assembly, *Report of the committee of enquiry into child care services in Victoria*, (Norgard Report), Government Printer, Melbourne, 1976.

²¹ D. Hanson, 'Why are they in Children's Homes? Report of the ACOSS Children's Home Intake Study', Department of Social Security, AGPS, 1979.

²² Department for Community Welfare, *Children in Limbo: An investigation into the circumstances and needs of children in long term care in Western Australia*, 1981.

²³ Senate Standing Committee on Social Welfare, *Children in Institutional and Other Forms of Care: A National Perspective*, Parliamentary Paper No. 324, June 1985.

Even as far back as 1934, the NSW McCulloch Report documented concern about “... inadequate training and staff levels, cruel and excessive punishment and poor organisation”.²⁴ In the 1950s, the Moss and Ross Reports were produced following major investigations by British government officials into the quality of care of child migrants in Australian institutions.²⁵ Both were critical and left little doubt about the need for a major overhaul of existing practices. Also, in 1953-54, a prominent NSW public servant and head of the Department of Child Welfare, Richard Hicks, was commissioned to carry out an independent investigation of institutions caring for children in WA. His report was very critical and so embarrassing to the Hawke Labor State Government that it “... disappeared in circumstances worthy of a detective novel.”²⁶

Add to these reports, a body of literature in the form of academic books and journals, some dating back many decades, it is clear that extensive information has existed for some time regarding the maltreatment and abuse of children and more recently the suffering they endure as adults. Drawing on just some of this material in 1969, when addressing a seminar on child abuse, Dr Wallace Ironside, the then Professor of Psychological Medicine at Monash University, warned that:

... future social historians will look back on this age as one in which, in the affluent societies at least, children were paradoxically deprived of their birthright in spite of increasing knowledge of the developmental requirements for healthy emotional, mental and personality growth. The future social historian will also note that legislation aimed at improving services for young children in need not only failed to achieve its praiseworthy objective but, paradoxically, contributed to further deprivation for vulnerable children.²⁷

Certainly, the lack of political will to make a real difference for children at risk has been disappointing, if not disgraceful. This is noted by prominent anti-child abuse activist, Hetty Johnston, who writes:

Australia has a long line of great reports emanating from these great inquiries each with great research, great wisdom but equally, each one has been largely ignored by a long line of politicians. Meanwhile thousands of children suffer.²⁸

Nowhere is this neglect better demonstrated than with the Senate’s 2001 child migrant inquiry and 2004 inquiry into children raised in institutional care,²⁹ both of which delivered similar findings to those inquiries held many decades earlier. These reports not only stand as important historical and social records of shameful episodes in Australian history, they also comprise an important source of primary research material that has international relevance.

²⁴ R. Van Krieken, *Children and the State: Social Control and the Formation of Australian Child Welfare*, Sydney, Allen & Unwin, 1992, p.118.

²⁵ J. Moss, *Child Migration to Australia*, HMSO, London, 1953; and Ross, J. *Child Migration to Australia: Report of a Fact-Finding Mission*, HMSO, London, 1956.

²⁶ A Gill, *Orphans of the Empire: The Shocking Story of Child Migration to Australia*, Sydney, Vintage, 1998, pp.715-20.

²⁷ Cited in D. Scott & S. Swain, *Confronting Cruelty: Historical Perspectives on Child Protection in Australia*, Melbourne University Press, Melbourne, 1995, pp.xv-xvi.

²⁸ H. Johnston, *In the Best Interests of the Child*, Pluto Press, Sydney, 2004, p.251.

²⁹ More than 1,000 submissions were received for these inquiries.

Why were children taken into care?

Commonly, children went into orphanages and homes for economic reasons. Parents or single mothers could not keep their children as they existed in a milieu of hardship in which parents received little, if any, support to allow them to raise their children at home. Many other reasons were cited in submissions to the inquiries, including family violence, an inability to cope with children, mental illness, being born out of wedlock, divorce or death of a parent and child sex abuse within the family. Whatever the reason, poverty and/or falling outside of accepted social norms lay at the source of why children were either forcibly taken or voluntarily relinquished into care. It should also be mentioned that while some children had been orphaned, most did have parents, did have families. In fact, the child migrant inquiry revealed evidence contrary to the myth that Australia had accepted orphans or war orphans from the United Kingdom, Ireland and Malta under the child migration schemes last century; very few actually were.³⁰ By deceiving these children that they were orphans, a sense of loss, rejection and bewilderment remained with the majority of them for the rest of their adult lives.

For most, the trauma of being raised in care began with the actual separation from family and through being 'processed'. Many former state wards described in their submissions of being taken to State reception centres or receiving homes before appearing in court and facing charges of status crimes they had no control over, such as being exposed to moral danger or with neglect. The following description sums up the many stories received on what was a frightening process for vulnerable children:

After suffering the early morning trauma of being dragged away from my family, I was taken before the court, standing beside my brothers with the escort of police. We were charged with what? I can remember thinking what have we done wrong? I looked at my mother who was in tears, my grandfather with his head in his hands. I was then separated from [them all].³¹

Even for those who were placed into care 'voluntarily', the trauma of being separated from family members has remained imprinted in their consciousness. Many described the day of separation as the worst one of their lives. For instance:

I felt my life had come to an end after the door was closed behind me. I missed my mother enormously and [cried] myself to sleep, the feelings of loneliness and isolation were terrifying. I was scared and I wondered what would become of me.³²

Quite apart from the shock experienced on entering the intimidating environment characteristic of children's institutions, children were then subject to a number of health and hygiene procedures. Delousing by cutting and washing hair in kerosene was common, as was the traumatic practice of what is described as 'state sanctioned rape' whereby vaginal examinations were carried out on young girls, some who were

³⁰ Submission 132, Child Migrant Trust, January 2001, pp.8-10; and M. Humphreys, *Empty Cradles*, Doubleday, London, 1994, p.312.

³¹ Children in Institutional Care Inquiry (CICI), Submission 24.

³² *ibid.*, Submission 231.

not even teenagers.³³ Of this experience, one care leaver wrote that it was "... a humiliating, distressing and painful internal examination ... I had never been examined internally prior to this and was absolutely destroyed".³⁴ Additionally, when child migrants arrived in Australia by boat, they were often fingerprinted as they left the ships and before they were separated from friends and siblings and herded onto trucks to be taken to their respective institutions.³⁵ The promise of a new 'free' life in Australia, a land of sea and sunshine where there was plenty of food and where they could ride horses to school quickly faded on arrival.³⁶

Children were also subject to a complete process of depersonalisation. Any sense of identity was crushed with the confiscation of all personal and usually meaningful possessions. They were also instructed to remove their clothing and shoes that were then replaced with regulation clothing and, if lucky, shoes.

I was taken to a room where my bag containing everything I owned in my life was taken away and nothing was ever returned. Even the clothes I had on were taken from me as I was told to put on the stock clothing.³⁷

Depersonalisation was further entrenched by issuing children with a name change, or, more commonly, a number and a warning that it must be remembered and responded to. One former child migrant wrote that "we were made to feel we were not human. We were not called by our names. We were numbered ... everything we wore was numbered".³⁸ Once institutionalised, this process of identity-stripping was continued by the routine removal of any presents or gifts given to the children and letters were either regularly censored or withheld. For child migrants in particular, letters from family, relatives and friends in their countries of origin were destroyed or withheld. In some cases these were found in personal files many years later, sometimes decades later as a result of Freedom of Information applications. One submission noted that:

When I was 14 and started to work, which meant moving from the Home to the Hostel, I was given a bundle of letters from my mother. These had been written over the eight (8) years I had been there, in the meantime I had thought than my mother did not love me and did not want me back.³⁹

Identity and connection were further damaged by forms of psychological abuse. Impressionable children were constantly told they were worthless, were good for nothing, that they came from the gutter and would end up back there, that their mothers didn't want them, that they were scum, sluts and whores. As one survivor wrote:

The emotional abuse I received was demeaning and humiliating, it undermined my confidence and self-worth. The continual taunting of being told that I was

³³ *ibid.*, Submission 63.

³⁴ *ibid.*, Submission 284.

³⁵ *Lost Innocents*, p.74.

³⁶ Alan Gill, *Orphans of the Empire: The Shocking Story of Child Migration to Australia*, Vintage, Sydney, 1998, pp.9-10.

³⁷ CICI, Submission 351.

³⁸ Child Migrant Inquiry (CMI), Committee Hansard, 21 March 2001, pp.372-73.

³⁹ CMI, Submission 82.

nothing and would amount to nothing, that I was stupid and that I would be just like my mother who came from the gutter.⁴⁰

Moreover, child migrants were told their countries did not want them either and that Australia was their last chance.⁴¹

With an ethos that perceived children coming from deprived and contaminated families, they were seen as a possible source of social infection. This perception met with an institutional culture further typified by relentlessly strict regimes that thwarted any childhood spontaneity and meted out often cruel punishments for the most minor misbehaviours. In *Orphans of the Living*, Penglase uses the concept of ‘poison pedagogy’ to explain how adults can rationalise such behaviour towards children. Treated according to moralising rules and regulations, any resistance is often severely punished ‘for the good of the child’. Under this type of treatment, she writes that “... children learn to repress their feelings ... even from themselves; this is a major handicap to developing an authentic sense of self”.⁴² Nonetheless, almost every submission contained stories of a yearning to be nurtured, to feel wanted or to be praised: needs that are so vital for the emotional development of young children. However, to survive in what one care leaver refers to as the ‘emotional wasteland’ of state care, such feelings had to be suppressed,⁴³ just as a litany of abuse inflicted on defenceless children had to be endured. It is not surprising then that so many survivors have remained so scarred throughout their adult lives.

The special training I was to receive at Brougham was designed to make me believe I was unloved and unlovable, unwanted, worthless and a burden on society and would never amount to anything. Many of these thoughts I still carry.⁴⁴

And another touchingly wrote:

It was the most humiliating, degrading, soul destroying and cruel experience one could imagine I was told time and time again that I was no good, no wonder my parents left me ... I believed that I was bad and to be honest I still do to this very day feel that I am worthless and unworthy, despite raising 9 children and having 25 grandchildren and 2 great grandchildren.⁴⁵

The treatment and ‘care’ of institutional children

Apart from the general neglect of children’s emotional and physical needs, an overwhelming number of submissions to both inquiries revealed a pantheon of abuse, at times reflecting human depravity. All involved in the inquiries – from Senators and their staff to the committee secretariat and Hansard reporters – found the task of reading and recording the evidence painful. It was difficult enough to learn of the disregard for children’s self worth and that they had been deprived of sufficient

⁴⁰ CICI, Submission 111.

⁴¹ *Lost Innocents*, pp.82-84; and *Forgotten Australians*, pp.91-92.

⁴² Penglase, p.93.

⁴³ Frank Golding, *An Orphan’s escape: Memories of a lost childhood*, Lothian, North Melbourne.

⁴⁴ CICI, Submission 20.

⁴⁵ *ibid.*, Submission 67.

nourishment, education and basic health needs, but even more difficult was the finding that vulnerable children had also, at times, been subject to incredible violence. Both inquiries also received stories of the suspicious deaths of children in care, either through sickness or injury.⁴⁶ The argument that times and standards were different then fails to explain or recognise the severity of the documented abuses. As the *Forgotten Australians* report states: “When do the oft documented beltings and floggings become criminal assault? When did the ‘standards of the time’ change that condoned the perpetration of neglect, cruelty, psychological abuse, sadism, rape and sodomy?”⁴⁷

To illustrate how childhoods were vandalised in Australian orphanages and homes last century, the following citations are but a few of the countless narratives received.

I was vomiting up bile which stained my bedclothes. Even though I could barely move, I was flogged while still in bed, then made to get up and wash the sheets. They dried leaving a stain, for which I was flogged again. I was so sick. I defied the nun and went back to bed. Eventually the nun realised how ill I really was ...⁴⁸ (This former child migrant was then taken to hospital where she received an emergency appendectomy).

So he borrowed another strap. I was feeling pretty tough at this time, and I vowed and declared that if he hit me I would not cry. Six, six – no tears, and I am taking real hits. Six, six – no tears. Six, six, six, six – the tears were almost there – and then whack, whack across the head because I would not cry. Gentle people, aren’t they?⁴⁹

I was up-ended with no clothes on in the river up to my arm pits and the Brothers would hit the soles of my feet which would make my cry out, and I would end up near drowned from the river water.⁵⁰

As I was a bed-wetter, I used to be belted daily. They used to throw me under a cold shower then belt me really hard with a large strap while I was wet. This was extremely painful – especially in winter – and left big red marks on my body. They also used to rub my face in the wet sheets and then my brother had to wash them.⁵¹

Four kids would hold the offender down and a nun would hit the bare buttocks with a leather belt, anything up to six times. Once I was hit so hard I could not sit down for two days.⁵²

This man seemed to take great pleasure in humiliating us publicly, flogging us with his heavy leather belt while we knelt naked at his feet. You could receive

⁴⁶ See *Lost Innocents*, p.99; and *Forgotten Australians*, pp.122-24.

⁴⁷ 2004, p.141.

⁴⁸ CMI Submission 19.

⁴⁹ *ibid.*, Committee Hansard, 21 March 2001, p.407.

⁵⁰ *ibid.*, Submission 95.

⁵¹ CICI, Submission 181.

⁵² *ibid.*, Submission 364.

anything up to 60 lashes and you always ended up bleeding profusely. Sometimes boys lost consciousness. They were the lucky ones.⁵³

I had my hands held behind my back, hair held and my head bashed into a lot of sinks in the shower block and lost quite a few teeth.⁵⁴

The matron made the children stand for hours with their arms stretched up high above their heads. When our arms fell we were beaten. If this happened in a war prisoners camp it would be called torture by the international community.⁵⁵

Descriptions of sexual abuse and assaults were also common both in charitable and church-run institutions. The 2001 child migrant inquiry received stories of ‘quite exceptional depravity’, including systemic paedophilia, from ex-residents of the institutions run by the Christian Brothers..

Evidence was given of boys being abused in many ways for the sexual gratification of the Brothers, of boys being terrified in bed at night as Brothers stalked the dormitories to come and take children to their rooms, of boys as ‘pets’ of the Brothers being repeatedly sodomised and of boys being pressured into bestial acts.⁵⁶

That sexual crimes were committed against powerless children under the care of the Brothers is outrageous. That cover-ups allowed the assaults to continue is indefensible. Dr Barry Coldrey, a Christian Brother historian, wrote of ‘sex rings’ operating in some of their orphanages in *Reaping the Whirlwind: A Secret Report for the Executive of the Christian Brothers – Sexual Abuse from 1930 to 1994*. Extracts from this were used in the NSW Supreme Court in December 1994 during a class action that had been brought against the Christian Brothers.⁵⁷

What I mean by the term ‘sex underworld, or ‘sex ring; in the province is that monks doing the wrong things with boys ... are collaborating with one another in their activities. They know one another are acting against the rule and assist and cover for each other. In the orphanages they may have shared the same boys.

Paedophile brothers would tell other brothers which boys were vulnerable – they would share information – if one boy complained to one brother about the sexual abuse of another brother, he would be silenced or intimidated – and it went on more or less as a conspiracy and this conspiracy has been detailed – it is very clear that these complaints went as far as the Archbishops office.⁵⁸

⁵³ *ibid.*, Submission 141.

⁵⁴ *ibid.*, Submission 280.

⁵⁵ *ibid.*, Submission 87.

⁵⁶ *Lost Innocents*, p.76.

⁵⁷ For an account of how victims of the Christian Brothers fought for justice see Bruce Blyth, *In the Shadow of the Cross*, P & B Press, Perth 1997.

⁵⁸ Cited in *Lost Innocents*, pp.77-78.

This *Secret Report* is now just that, secret. It appears to have disappeared off the face of the earth and all that remains are the above court extracts. As *Lost Innocents* notes, this material was so explosive, Coldrey was pressured from the highest levels in Rome to remove it from the public domain.⁵⁹

Just as the child migrant inquiry had revealed widespread sexual assaults, so too did the 2005 inquiry. The Committee was provided with:

... many accounts of extremely graphic and disturbing descriptions of sexual abuse and assault on girls and boys by a wide range of perpetrators. [It] was widespread with reports covering all States and type of institution – government and non government, and between religions and in foster care. Care leavers retold being sexually abused or assaulted as very young children and through their teenage years. Stories were received of males assaulting males and females, and also of females assaulting females and younger males. Mostly the predators were staff members, including religious and lay, or adult workers.⁶⁰

The trauma continued for any child who decided to disclose what was occurring or who absconded to escape attacks on their person. For those who reported abuse as a reason to abscond, especially to the police, they were simply not believed and returned to the institution where they faced severe punishment.

After being caught I was made to bend over and cop six of the best with the side of a broken hockey stick, specially prepared for this purpose. This went on for 2 weeks non-stop every morning. I was only 10 years old.⁶¹

...if any girls ran away, when they were caught they were publicly flogged. Us girls used to have tears in our eyes watching this, but we couldn't do anything.⁶²

Another form of punishment for running away was to be locked in dark, airless cellars or rooms for many days with minimal or no food. Often isolation would follow a beating. Regular offenders were also sent to harsher and more secure training or reformatory schools and, in some cases, to mental asylums as they were then referred to.

Indeed, any allegations of abuse, especially if raised by 'ungrateful' children, were all too readily dismissed. Even though there were official reports into the care and conditions in children's institutions, as noted earlier, these received little recognition or response. However, the Committee did receive copies of a number of articles exposing abuses in various homes. For instance, in 1957 *The Sun* reported the escape of four girls from a Lynwood Hall in Victoria who detailed the harsh conditions in the home and there was also extensive media coverage of the riot at the infamous Parramatta Girls' Home in 1961.⁶³ In general terms though, there appears to have

⁵⁹ *ibid.*, p.78.

⁶⁰ *Forgotten Australians*, p.103.

⁶¹ CMI, Submission 73.

⁶² CICI, Submission 172.

⁶³ *Forgotten Australians*, p.127-28.

been a general reluctance by the press to report abuse allegations, as revealed in one submission.

The Goulbourn Penny/Evening Post's editors, reporters and staff all knew of the terrible happenings in this [Salvation Army] orphanage and even though they received letters, signed and unsigned, they suppressed it all. After I left the orphanage, I wrote a letter to this paper, outlining the activities within the orphanage. I received ... a reply [stating] that to publish such a letter would be bad for the Salvation Army's money appeal.⁶⁴

Undoubtedly, and although they would be unlikely to concede the point, suppressing evidence of crime made them accomplices to those crimes.

Essentially, the belief was that these institutions were staffed by selfless, benevolent and good Christian people and that children were fortunate to be there and should not complain. Nowhere is this better illustrated than in a 1956 speech given by the then NSW Minister for Child Welfare, F H Hawkins. He stated:

Throughout this State, thousands of excellent citizens, in many varied organisations, are doing outstanding work without thought of payment for the benefit of the community ... Those who assist in this noble honorary work have a wide scope for their effort, and the knowledge that everything they do to make better citizens of the less fortunate of our children is a valuable contribution towards the improvement of our society and our democratic and Christian way of life.⁶⁵

Little wonder that abused children were disbelieved and that orphanages and homes were able to operate as 'institutional islands' with little if any accountability or transparency.⁶⁶ In this respect, both Senate inquiries became part of a long journey for care leavers to be believed and understood. Importantly, they provided them with a forum in which they could at last tell their stories and know they were believed.

To reiterate, abuse in the form of criminal physical and sexual assaults were not isolated, one-off occurrences, rather it was endemic in some institutions over long periods of time. Together with the sense of displacement and loss of family, of emptiness and not belonging, institutional care has had a profound impact on the lives of so many survivors. One survivor wrote of "... spending the second half of my life sorting out the first half,"⁶⁷ while others stated:

I can't get some of the terrible things he did to me out of my head, they loom in the shadows of my life and haunt me. This man took my virginity, my innocence, my development, my potential.⁶⁸

⁶⁴ CICI, Submission 282.

⁶⁵ Cited in Penglase, p.213.

⁶⁶ *ibid.*, p.162.

⁶⁷ CICI, Submission 196.

⁶⁸ *ibid.*, Submission 239.

It took me 23 years to start dealing with [my abuse]. The past finally reared its ugly head and tormented me to the point that I was a danger not only to myself but to society.⁶⁹

[Care leavers] have spent their entire lives feeling lost or separated and even abandoned. From my own point of view, I have lived my life with a hole at the centre of my being.⁷⁰

Fortunately, the bruising experience of reading and hearing stories of abuse were partially tempered by stories of how some had triumphed over adversity, of how humanity, love and compassion of other human beings have helped these people heal their scars. Nonetheless, it is the case that many former State wards and home and foster children have grown into dysfunctional adults with major emotional problems.

The enduring impact of institutional care

The long-term impacts of a childhood spent in institutional care are complex and varied. In the main, after leaving care the outcomes have often been significantly negative and often destructive. Evidence was received of relationship problems, poor parenting skills, drug and alcohol addictions, homelessness, unemployment, anti-social behaviours and criminal activity. Also common are ongoing health problems and mental health issues including post traumatic stress disorder and depression. Tragically, the enduring and dark legacy of time spent in care has meant poor life chances for many. For some this tragedy has culminated in suicide attempts, and anecdotal evidence provided accounts of an abnormally large percentage of suicides among care leavers.⁷¹

A fundamental problem underpinning these negative outcomes is that care leavers have been denied the opportunities that a sound education can provide. With minimal formal education and in some cases, no education at all, their quality of life has been markedly reduced. It is the case that many children were exploited as, in the words of many submissions, 'slave labour' to gain economic advantage for the institution. This included work in commercial laundries, on farm plots and other ventures including, for some child migrants, the clearing of land and the erection of buildings. It was also common for children to perform the daily labour of running orphanages and homes, such as cleaning, gardening and other domestic duties. Those who received schooling stated that it was a waste of time as they were too tired from their early morning work and lack of nutrition to learn and consequently fearful of being punished. Generally, educational achievement was not a priority as children were being prepared for work in domestic service or as farm hands.⁷²

Together with the stigma and scars of being raised or having spent time in care, the skills required for normal social interaction in the outside world were absent. This was vividly expressed in many submissions. For example:

⁶⁹ *ibid.*, Submission 161.

⁷⁰ CMI, Submission 126.

⁷¹ *Lost Innocents*, p.101; and *Forgotten Australians*, p.155.

⁷² See *Forgotten Australians*, pp.109-14; and *Lost Innocents*, pp.86-97.

The stigma attached to being a former resident has a significant impact on securing employment. For example, ... you go along to apply for a job. They give you a form to fill in. Bang! There it is. It jumps out at you and belts you between the ears. It asks: "What is your educational standard?" You just walk away. ... That has had a very big effect on all of our people, for which this state stands accused.⁷³

In the 'outside world I found myself completely at a loss. ... Before long I was in trouble...and as predicted by the staff at Westbrook, found myself doing time in adult prisons ... I feel that I am entitled to blame the so-called 'care givers' who, by their own actions, had shaped the innocent boy into the troubled young man who was dumped without preparation in a society that was very different to anything he had ever known.⁷⁴

No person can come out of these experiences unscathed and many of the former 'girls' from the home have had horrible lives. I saw more than one as Street Walkers and was told about attempts at suicided and destructive relationships. Others have learned to rely on alcohol and more recently other drugs. None had had 'normal' relationships where they realised their potential both emotionally and intellectually.⁷⁵

To date I can't hold down a permanent job. I need a casual job because I have flashbacks. Some are so severe I have to go home ...Some days it's one flashback of horror, others it's moment by moment of hundreds of feelings, emotions, thoughts ...⁷⁶

I pretty much glided through life for years drinking heavily with no support. I went from job to job, house to house and at times living on the streets. At 17 I turned to heroin. I so had to numb the pain. I [then]... turned to prostitution. ... I am now 37 years old and have suffered Post Traumatic Stress Disorder, Borderline Personality Disorder, Adjustment Disorder, Panic Attacks and Depression. ... I am unable to work and I have no schooling. I accept my role in all this but feel very strongly that not only did my parent's fail me but DOCS did too.⁷⁷

Both inquiries also revealed the ongoing trauma associated with the loss of identity. From a life lived in institutional care, most suffer from a sense of dislocation and not belonging, of loss of family and of emptiness which has had a profound impact on their adult lives.⁷⁸ Family occasions such as Christmas, birthdays and anniversaries have little significance, there are no photographs, no school reports and other personal memorabilia and no family heritage to share with their own children. After leaving care, a former child migrant wrote:

⁷³ CICI, Committee Hansard, 12 March 2004, p.10.

⁷⁴ *ibid.*, Submission 141.

⁷⁵ *ibid.*, Submission 311.

⁷⁶ *ibid.*, Submission 246.

⁷⁷ *ibid.*, Submission 332.

⁷⁸ *Lost Innocents*, pp.137-76; and *Forgotten Australians*, pp.253-286

I felt desperately lonely and isolated; cut adrift in a world I was totally unprepared for. I had no identity ... that I feel led to many of the problems I experienced in later life, in particular problems in establishing and sustaining relationships.⁷⁹

While the loss of identity can certainly manifest itself in psychological trauma, evidence shows that it can also have enormous practical implications. For instance, as heart or other health problems have occurred in the advancing years of care leavers, with no medical records, they are often left wondering about possible genetic health problems, problems that could be passed on to their own children and grandchildren. Additionally, with no birth certificates, former child migrants have experienced difficulties in obtaining passports and other documentation. Moreover, most discovered as adults they were not even recognised as Australian citizens. One noted:

The simple questionnaire necessary to borrow money, obtain a passport or join the local golf club ask for personal details. Date and place of birth, nationality, mothers maiden name – simple questions that most child migrants cannot answer ... We have become invisible citizens.⁸⁰

Thanks to the wonderful tracing work of the Child Migrant Trust and other agencies involved in tracing work, many have since been able to learn of their roots and to reunite with family members. The child of one former child migrant recalled her father's reaction to receiving family birth certificates:

Dad was simply blown away by the very fact that he had a family and had done so for his entire life. He looked at me and said 'I have to learn new words now like Mother, Brother, Sister' ... it made me realise the enormity of the situation and just how much the rest of us take for granted.⁸¹

On discovering the existence of family members in Britain, another wrote that it "...was the start of the joy of discovery, the trauma of the realisation of the deceit and the reminder of a past I had learned to forget."⁸²

Indeed, the need for care leavers to piece together the jigsaw of their family histories emerged as a key issue in the inquiries. Many care leavers told of the frustration and trauma they experienced in their quest to seek out and access their childhood records.⁸³ Stories told of receiving little assistance from agencies, of finding no records at all, of receiving minimal or fragmented information, of receiving files with names and information blacked out. The *Forgotten Australians* report notes that:

Many who pinned their hopes on finding answers in the files to questions they have had for many years are disappointed. They may have to face the fact that the only record of their entire childhood is one or two lines in a dusty register.

⁷⁹ CMI, Submission 76.

⁸⁰ *ibid.*, Submission 126.

⁸¹ *ibid.*, Confidential Submission

⁸² *ibid.*, Submission 141.

⁸³ *Forgotten Australians*, pp.256-82.

Others will find themselves described by language which is both confronting and distressing. Others will uncover long-buried family secrets.⁸⁴

Stories were also received of the lack of support and empathy for those receiving their files. For instance, one care leaver was so traumatised from reading the disturbing information in his file that he was traumatised; and another 71 year old lady was totally unprepared for her file's contents. Inside were letters that her father and siblings had written to her and that had been withheld, and also letters she had written to her father that had not been posted. "This was a very emotionally draining day for an elderly woman."⁸⁵

The loss of family and identity has also meant many care leavers have sought to fit in through often dysfunctional relationships. In their desperate search for love and belonging, many entered relationships that were emotionally and physically abusive, and endured these rather than have no one. Indeed, relationship problems emerged as particularly difficult for care leavers, with many expressing problems sustaining stable, loving marriages or partnerships. One wrote: "I have never had a successful personal relationship, nor have I been able to give and receive love or show compassion."⁸⁶ Having not experienced love, affection and nurturing as children, and with a damaged sense of trust, they have been unable to demonstrate or express emotion physically or verbally. For those relationships that produced children, one of the most disturbing aspects of the inquiries was evidence of care leavers being ineffective parents. Two sadly wrote:

As a result of not having a role model ..., I found [rearing my own children] ... more difficult than most parents. If I had reared my children like I was brought up, I would have ended up in jail and having my children removed from my care.⁸⁷

The thing that really saddens me is the impact that my depression and anxiety, post traumatic stress disorder, life long inadequacies, low self esteem, and trust and fear issues, had had on my children and husband.⁸⁸

The 2004 inquiry was fortunate to actually receive evidence from wives and partners that gave valuable insights into the lives of care leavers. Often they have to cope with a partner who lacks trust, who is prone to excessive anger, who suffers from depression and low self-esteem and unable to cope with many daily events.⁸⁹ Especially moving, were the stories also received from children who had grown up with a care leaver as a parent. Although these were underpinned with a sense of compassion, most expressed many difficulties:

Growing up as a child is hard enough...but when you have a parent that has been exposed to so much evil, torture, both physical and mental abuse, your life is that much harder. My mother was more than over protective to the point

⁸⁴ p.271.

⁸⁵ CICI, Submission 22.

⁸⁶ CMI, Submission 66.

⁸⁷ *ibid.*, Submission 101.

⁸⁸ CICI, Submission 230.

⁸⁹ *Forgotten Australians*, pp.150-51.

it became suffocating, I wasn't allowed to play after school, and on weekends it was rare that I could socialize with my friends ...there was hardly ever any affection, any time I would go to hug her or just put my arm around her she would push me away. I think that hurt me the most... It wasn't till my mid teens that my mum started to open up and tell the horror stories at Lynwood hall.⁹⁰

My Mum ... spent years in psychiatric institutions due to the atrocious physical and mental abuse that herself and sister endured for many years at the cruel hand of the "so called carers" at the Salvations Army children's home.⁹¹

But when you think about it dad was brought up in a home to and terrible things must of happen to him for the things that he did to us.⁹²

At sixteen, I was forced to leave home, because my mother had become an alcoholic, which I believe was her way of coping with psychological effects of her tortuous experience at the Home. ... I knew if I wanted to survive emotionally, stay at school, pursue a healthy 'normal lifestyle I had to do it on my own.

Unfortunately, the cycle of inappropriate or socially damaging behaviour can perpetuate itself in too many families. Each new generation that lacks a sense of security and effective parenting models, is capable of not providing these vital and necessary foundations for the next generation. As one care leaver stated, "...my daughter is the first in three generations to stay with her mum. It has been a constant struggle...and she will ...and does have effects," and another, "I [was] the third generation in care; I reared the fourth".⁹³ It is imperative that this cycle of abuse is broken as the consequences of damaged lives are massive. It is far better and cheaper to address the impact of adversity on the development of vulnerable children than to address later adult problems.

Assessing the costs

One strong conclusion drawn from both inquiries is that the assaults, abusive treatment and neglect of children and the disconnections that result, result in a lifetime of social and economic consequences. Not only does this impact on individual survivors, it can also affect multiple generations and society at large. The potential scale is alarming, as are the associated economic costs. Although the direct and indirect costs have not been officially quantified, anecdotal evidence and disparate studies give some indication to the enormity of the social and economic costs. For instance, involvement in welfare related fields is indicated by one care leaver:

... institutional abuse does not stop when we age out of the system. Once in contact with the juvenile justice system we have a 90 per cent chance of becoming adult criminals. We have a one in three chance of leaving care at 16

⁹⁰ CICI, Submission 261.

⁹¹ *ibid.*, Submission 267.

⁹² *ibid.*, Submission 315.

⁹³ *ibid.*, Committee Hansard, 11 March 2003, pp..51 & 63.

as ... girls pregnant or already with a child. We have a one in two chance of being homeless within that first year. Only one in 100 of us will get to university, but one in three of us will have attempted suicide. We are also highly likely to wind up addicted to drugs, engaged in prostitution, unemployed, mentally ill or incapable of sustaining loving relationships.⁹⁴

This anecdotal evidence is backed up by a number of relevant studies. For instance, one study found that 80 to 85 per cent of women in Australian prisons have been victims of incest or other forms of abuse.⁹⁵ Another study of 27 correctional centres in New South Wales found that 65 per cent of male and female prisoners were victims of child sexual and physical assault.⁹⁶ It has also been found that maltreated children are more likely to offend in adolescence than those children who are not.⁹⁷ This finding is further supported by a study of risk factors for the juvenile justice system which found that 91 per cent of the juveniles who had been subject to a care and protection order, as well as a supervised justice order, had progressed to the adult corrections system with 67 per cent having served at least one term of imprisonment.⁹⁸ To further illustrate the generational effects, another prison study found that 65 per cent of women in Victorian prisons were themselves housed in institutions as children. It also found that 70 per cent of these women were mothers who were largely sole parents and that the cycle was being perpetuated as many of their children had become state wards while their mothers were imprisoned.⁹⁹

With many care leavers experiencing homelessness, resorting to prostitution to survive on the streets is not that uncommon. One sobering study released is a recent Child Wise report that documents the life experiences of a sample of young people involved in prostitution in inner-city Melbourne. Almost without exception, all the participants came from difficult backgrounds, with over half entering state care due to domestic violence, including being sexually assaulted as children. One case study also revealed being abused by a number of social workers while under state care – for which she had received compensation – and that she commenced sex work while still a state ward at the age of 16. After leaving state care at 18, she began regular work as a prostitute because she remarked: “I had nowhere to go. I went out [sex-working] because I thought I had to get used to it. Thought I may as well get paid for it.”¹⁰⁰ In fact, the 2004 inquiry received evidence that suggested many care leavers had become involved in the sex industry, often to support their drug addictions.

It is also the case that physically and sexually assaulted children are more likely to develop behaviours requiring mental health services. Ongoing problems with anger, grief, identity and self-esteem have meant many survivors of institutional care live

⁹⁴ *ibid.*, Committee Hansard, 4 February, 2004, p.30.

⁹⁵ Eastaer P, ‘Don’t talk, don’t trust, don’t feel’, *Alternative Law Journal*, 19(2), 1994, pp. 185-89

⁹⁶ T.Butler et al, ‘Childhood sexual abuse among Australian prisoners’, *Venerology*, 14(3), 1999, pp.109-15.

⁹⁷ A. Stewart, S. Dennison & E. Waterson, ‘Pathways from Child Maltreatment to Juvenile Offending’, *Australian Institute of Criminology: Trends & issues*, No. 241, October, 2002.

⁹⁸ L. Lynch, M.J. Buckman & L. Krenske, ‘Youth Justice: Criminal Trajectories’, *Australian Institute of Criminology: trends and issues*, No. 265, September 2003, p.2.

⁹⁹ K. Colvin, *The Women and Poverty Report ‘More than half – less than equal’*, Victorian Council of Social Services, October 2001, p.15.

¹⁰⁰ Child Wise, *Speaking for Themselves: Voices of Young People Involved in Commercial Sexual Activity*, August 2004, p.79.

with the symptoms of post-traumatic stress and other associated disorders for their entire lives. One researcher notes:

The mental health system is filled with survivors of prolonged, repeated childhood trauma ... abuse in childhood appears to be one of the main factors that lead a person to seek psychiatric help as an adult.¹⁰¹

As already mentioned, anecdotal evidence to the inquiries reveal that emotional pain has often resulted in contemplation of or actual suicide. Similarly, evidence from the family members of care leavers indicating the difficulty or impossibility of living with parents haunted by their past.

There were many stories received by the Committees of people being 'released' from care and surviving as best they could, only to find in their latter years that 'their demons' came back to haunt them. For instance, one wrote:

In later years, aged 30 or so, I found I could no longer cope emotionally and psychologically. I was placed in to intensive Psychiatric Treatment...I was treated for compulsive obsessive ... behaviours and disorders...and Clinical Depression and [am] a chronic migraine sufferer, all stemmed from anger, resentment, fear, guilt and shame.¹⁰²

In fact, a deep sense of anger about abandonment and abused childhoods became very clear in both written and verbal contributions. Many told of this anger intensifying with age and the underlying reason why they had remained totally alone. There were so many tragic stories, for instance:

My life has been terrible, I've been lonely all my life until I was 62 years old...I get very angry when something goes wrong in my life, I fly off the handle quickly and don't know how to handle my feelings of anger. I've never been in a relationship, cos I didn't know how to go about it ... I have trouble trusting people, I don't let people get close to me.¹⁰³

and:

...i now am 47 years old and am a hermit. i find it hard to communicate and get very anxious at times or with other people. i constantly see counsellors and have learned some life skills and that i am just as important as anyone else. i still feel angry at the things i had to go through growing up in the home as a state ward.¹⁰⁴

Part of this anger is also about the denial of justice. Those care leavers who have been through the court system expressed extreme annoyance and disappointment with the legal system. One wrote that he " ...felt let down by the legal crap that was so unbelievable. I reverted back into my world of hatred and depression".¹⁰⁵ Similarly, in seeking compensation claims through the civil courts, most feel aggrieved at the obstacles they face. Limitation periods, establishing liability, the adversarial nature of

¹⁰¹ J. Herman, *Trauma and Recovery*, Pandora, London, 2001, p.122.

¹⁰² CICI, Submission 203.

¹⁰³ *ibid.*, Submission 283.

¹⁰⁴ *ibid.*, Submission 229.

¹⁰⁵ *ibid.*, Submission 161.

the system and the cost of litigation constitute what care leavers refer to as a form of 'secondary abuse'.¹⁰⁶ Undoubtedly though, the statute of limitation laws are what angers them most. A very bitter former child migrant stated:

Change the laws so that filthy paedophiles and child bashers are brought to justice, and don't hide behind old age or frail health. They had no mercy on their victims. They deserve no mercy now, only justice. Statutes of limitations save paedophiles from facing justice.¹⁰⁷

Additionally, the Churches use their considerable financial resources to prevent cases going to judgement.¹⁰⁸

Tragic as all the above outcomes are for the individual concerned, society at large also suffers the effects of criminal and anti-social behaviours, effects that translate into a drain on taxpayers' dollars. This is clearly indicated in a historic national report published by the Kids First Foundation in 2003. This report comprises the findings of a study into the cost of child abuse and neglect in Australia. The study characterised the costs under the headings: human cost of those abuse, long-term human and social costs, cost of public intervention and costs of community contributions. The long term human and social costs included mental disability, increased medical service usage, chronic health problems, lost productivity, juvenile delinquency, adult criminality, homelessness, substance abuse and intergenerational transmission of abuse. Public sector intervention involved child protection services including abuse prevention programs, assessment and treatment of abused children, law enforcement and victim support. The report estimated that child abuse and neglect costs Australian taxpayers almost \$5 billion a year. The long-term human cost and the cost of public intervention accounted for around three quarters of the total cost, with the long-term human and social cost estimated at just on 2 billion per annum.¹⁰⁹

Similar high costs were revealed in an earlier study carried out by the South Australia Department of Human Services conservatively estimated the cost of child abuse and neglect in 1995-96 to be A\$354 million in that small state with a population of just over 1.5 million. That figure is more than the A\$318 million this state earned in the same period from wine exports, or the A\$239 million from the export of wool and sheepskins.¹¹⁰ Also, another South Australian-based study funded by a Criminology Research Council Grant, conservatively estimated the (tangibles) cost to society of child sexual assault to be in excess of \$180,000 per child.¹¹¹ Moreover, in NSW, young state wards considered to be particularly troublesome and unable to be placed in foster or group home care were costing the Government inordinately large sums of money. For instance, it was reported in 2003 that some 400 'high risk' children cost the Department of Community Services (DOCS) about \$60 million a year, and a

¹⁰⁶ *Lost Innocents*, 217-24; *Forgotten Australians*, pp.201-10.

¹⁰⁷ CMI, Submission 12.

¹⁰⁸ For an account of actions brought against the Christian Brothers by former child migrants, see B. Blythe, *In the Shadow of the Cross: The Story of VOICES*, P & B Press, Perth, 1997.

¹⁰⁹ Kids First Foundation, *The cost of Child Abuse and Neglect in Australia*, 2003.

¹¹⁰ H. McGurk, *The Economic Cost of Child Abuse and Neglect in South Australia*, A Report prepared jointly by the Office for Families and Children and the Australian Institute of Family Studies, Adelaide, 1998.

¹¹¹ F. Briggs, *A cost-benefit analysis of child sex-offender treatment programs for male offenders in correctional services*, Adelaide, Child Protection Research Group, University of South Australia, 1999.

DOCS ‘snapshot’ indicated that 182 kids cost more than \$250,000 each annually, the highest coming in at \$850,000.¹¹²

International research also indicates the massive costs involved. For instance, one submission revealed that the United Kingdom National Commission of Inquiry into the Prevention of Abuse estimated that the cost of child protection services, as well as the additional mental health and correctional services associated with child abuse, was over one billion pounds per year in England and Wales.¹¹³ The same submission also told of an American study, *Prevent Child Abuse*, which conservatively claimed that US\$94 billion was spent annually in response to child abuse. Of this amount, 75 per cent was spent on treating all the long term effects, including special education, mental and physical health care, juvenile justice, lost productivity and adult criminality.¹¹⁴

The above social and monetary cost studies certainly indicate the widespread social and economic problem that is child abuse and neglect. Politicians and policy makers would do well to take note of these, as well as both Senate reports and other associated material. Otherwise, the continued neglect of what is a major public health issue does not bode well for the future wellbeing of society. This was recognised by child health researcher and the 2003 Australian of the Year, Professor Fiona Stanley, who warned some three years back that Australia faced a looming social crisis and a lifetime of costly government expenditure if a national program for children’s welfare was not established.¹¹⁵ It is vital that those who matter accept the moral responsibility that comes with the knowledge now available. Far better to ensure Australian children reach their full potential, than to neglect those at risk and in danger of developing into dysfunctional adults unable to effectively contribute to society.

A paradigm shift required

First and foremost, for real and effective change, it is essential that those who matter actually ‘get it’. That is, get to understand the lifetime of pain and alienation that can come from being raised in out-of-home care, if that care is bad in any way. Get to understand the true costs, individual and social as well as economic. Get to understand that a harmed child is more likely than not to become a damaged adult and that a badly harmed child will definitely become a damaged adult. Get to understand that, when multiple generations are affected, the long-term social and economic costs are massive. Get to understand that it makes sense to reduce the effect of harm on those already harmed and to stop as much harm developing in the first place. Get to understand that the most vulnerable and underprivileged groups in society require a broader social and human rights approach instead of just being considered in short-term economic and budgetary concerns.

All those involved in both Senate inquiries know only too well what ‘getting it’ means. Quite simply, no one emerged from these inquiries the same person as before, precisely because they do now get it. The second unanimous report of the 2004

¹¹² Radio National, *Background Briefing*, ‘High Risk Kids’, Transcript, 19 October 2003, p.3.,

¹¹³ CICI, Submission 35.

¹¹⁴ *ibid.*

¹¹⁵ *West Australian*, 9 November 2002.

Inquiry, *Protecting Vulnerable Children: A National Challenge*,¹¹⁶ which covers the more contemporary problems of out of home care for Australian children, including foster care, the care of children and young people with disabilities and in juvenile detention centres, suggests that not many who matter have got it because not enough has changed over recent decades. Notwithstanding numerous reports and myriad recommendations, child protection systems are often judged to be in crisis. Children at risk continue to suffer and experience poor life chances. Moreover, there is still a tendency for matters affecting children to be seen as the province of one minister, and of adults as another. What is needed is a whole-of-government and coordinated approach involving many portfolios such as treasury, justice, welfare and health.

The problem of getting the message across was recently experienced by the authors. On learning of a Gallop Labor Government program on crime prevention in WA, a meeting was requested with the Director of the Office of Crime Prevention (OCP), Mr Michael Thorn. The intention of this meeting was to convey the importance of addressing the pathways to crime – notably, from child abuse to later offending – rather than the strategies of more policing, improved detection methods and increased penalties. The request for a meeting was met in a formal letter from the Director. However, the outcome of this meeting was most disappointing. On the one hand, the Director failed to attend the meeting, sending in his place two policy officers. On the other, the suggestion that cross departmental research be carried out on the early causes of crime was all but dismissed. Although the OCP has access to a pool of research funds for such studies, it was suggested that the authors, with no access to funds, undertake to organise the required research. This was a most displeasing outcome indeed.

In contrast, a more favourable response to child abuse and the problems faced by adult care leavers, has been forthcoming from the WA Minister for Community and Development, the Hon. Sheila McHale. Two of these have been in response to two of the unanimous recommendations of the child migrant report, *Lost Innocents*. First was the launch of *Signposts* in 2004, a substantial publication to assist those wishing to access records about their time in institutional care.¹¹⁷ It lists entries for both government and non-government run facilities and provides care leavers with contact details to access any available records. Second and also in 2004, a memorial dedicated to British and Maltese child migrants was unveiled at the New Maritime Museum in the WA port of Fremantle, the place of arrival for child migrants last century. This was a momentous occasion as the memorial symbolises the very important part played by child migrants in Australia's history. Importantly, both the design of the memorial and the wording on the accompanying plaque had the input of former child migrants themselves. Additionally, in April 2005 and in line with a recommendation of *Forgotten Australians*, the WA Premier, the Hon. Dr Geoff Gallop, issued a statement of apology to those who suffered abuse and neglect while in the care of its agencies last century. While such statements will not necessarily heal the harm done, they do go some way to acknowledging and recognising the hurt and that their stories have been heard and believed. It is now important that positive measures accompany such apologies to ensure they are not seen as empty gestures.

¹¹⁶ SCARC, March 2005.

¹¹⁷ Department for Community Development, *Signposts: A Guide for Children and Young People in Care in WA from 1920*, 2004.

Although constitutionally child protection is the responsibility of the States, the Federal Government contributes to programs related to child abuse prevention, parenting and early childhood and stronger families via funding provided by the Department of Family and Community Services (FaCS). In this sense, there is an awareness of what needs to be done. However, much more is required and the Federal Government needs to take the lead. Rather than moving the deck chairs through a range of state-based and often inconsistent, short term 'fix the problem' programs, what is needed is a whole-of-government approach, a larger and national reform agenda across policy areas such as health, education, housing and welfare and community services. This can be achieved by child protection being placed front and centre on State and Federal Government agendas through the Council of Australian Governments. A commitment is required to undertake serious research to both measure and analyse the scale of child abuse and its enduring, generally negative outcomes and associated financial costs.

Not only will this require political will, it will also require a fundamental paradigmatic shift. For too many years, policy has been guided by the dictates of economic rationalism that have become distanced from people's values and needs.¹¹⁸ The ideological notion that increased competition and the unlocking of market forces can always deliver better outcomes for society than governments, bureaucracies and the law needs to be balanced with direct government intervention and reforms that will benefit the disadvantaged in society. It is time for the dismal science of economics to shake off its dismal tag and engage with values that are not purely economic, especially those relevant to the 'best interests of the child' and so the long term wellbeing of a nation. Historians will have the last say on whether this challenge has been met, not economists.

Conclusion

By looking back, both the 2001 child migrant inquiry and the 2004 inquiry into children in institutional care have been invaluable. On the one hand, they complement the already existing research and literature into child abuse, especially as it relates to the long term social and economic consequences. On the other, they provide a very useful source of primary research material in the form of many personal submissions from those who have spent traumatic childhoods in care and whose adulthoods have been scarred as a result. A reading of these experience-based stories are essential to gain a complete understanding of the truism that being condemned to an abusive childhood, can also entail being condemned to a lifetime of social and psychological problems and lost economic opportunities. Specific patterns of consequences are revealed such as living on the margins of society and welfare dependency, medical and mental health problems and relationship and parenting problems. These consequences have a ripple effect through society and comprise a drain on the public purse. It is also possible that they can be transmitted through the generations whereby the flow-on effects are almost incalculable.

¹¹⁸ See G. Whitwell, 'The Triumph of economic rationalism: the Treasury and the market economy', *Australian Journal of Public Administration*, No.49, 1990, pp.124-40; and M. Pusey, *Economic Rationalism in Canberra: a nation-building state changes its mind*, Cambridge University Press, Cambridge, 1992.

Something is terribly amiss if the Federal Government continues to ignore the extensive body of knowledge that reveals just how widespread the problem of child abuse is and has been, and just how tragic and costly the consequences are. It is imperative that governments accept the moral and social responsibility they hold to finally address this urgent need in a substantial and meaningful way. A three-pronged approach is required:

First, concerted and targeted research to measure the scale and costly lifespan effects of child abuse must be carried out;

Second, the Government must display the political will to translate this research into long-term policy reform that can really make a difference; and

Third and for optimal effect, these reforms need to be implemented under the umbrella of a coordinated national approach that is sufficiently funded and with adequate resources.

Although a difficult task, it is achievable. Importantly, it is only just that all Australian children have the right to reach their full potential as a productive and functional citizenry. They deserve nothing less and the future wellbeing of Australian society depends on it.