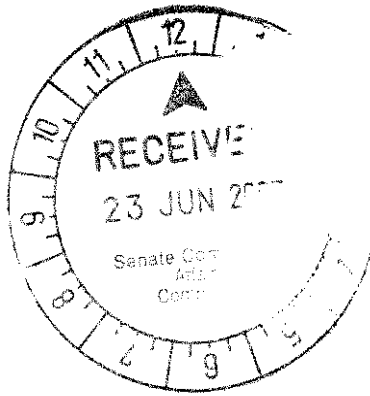


William James Allen



Dear Sir/Madam,

I wish to make a submission to the Senate Community Affairs References Committee Enquiry into children in Institutional Care. I am hoping that the material provided in this letter is evidence enough to demonstrate to the Senate that children in Institutional Care in Queensland have been subjected to many years of abuse and neglect.

My name is William James Allen. I was born on the 4<sup>th</sup> of November 1964 in Rockhampton. This letter deals with the abuse I was subjected to while under State care.

In 1973 I was removed from my mother's and grandparents care and placed in a Catholic orphanage outside Rockhampton. The name of this orphanage was St Joseph's Home, Neerkol. The media has dubbed it the notorious, Neerkol orphanage. The priest that was in charge of this orphanage was Father Reginald Durham. This particular priest was supposed to protect the children under his care, but instead this evil man hid behind the holy cloth of the church and molested, raped, tortured, belted and starved children as well as committed numerous other atrocities. In regards to my treatment concerning this particular priest I consider myself to be very fortunate and lucky. This particular priest was engaged in inappropriate touching and fondling of children; rubbing children's backs, legs etc. I consider this as a second form of molestation because I was not exposed to the first form of molestation - sexual penetration or rape. I did not escape Fr Durham's physical punishments (being beaten with a belt, flogged with a cane or punched with a clenched fist). I could tell the Commission about other cases of sexual abuse at this orphanage, but I am unable to verify this as these occurred behind closed doors and no proof can be obtained. I did however witness other children being physically abused.

The Nuns were also supposed to be there to protect the children. Some of these Nuns were particularly vicious and cruel towards the children under their care. I remember one particular incident clearly. I was nine years old and developed an earache one night. I knocked on the door where Sister Baptist, one of the Nuns slept. I still remember I was crying because of the pain. I knocked on the door, and woke the Nun up, upon which the Nun repeatedly bashed me for awakening her. The next day I was taken to Doctor Duffy's clinic in Bolsover St, Rockhampton. In other incidences, if you wet your bed, they would make you wash your sheets, regardless of the weather conditions and on other occasions you would be forced to sleep in the urinated sheets and pyjamas. If you did not eat your dinner one night, you were forced to eat the same meal for breakfast the following day. Sometimes punishment was dealt out, whereby the older boys at the orphanage would hold you, while the Nun belted you with a cane. One of their favourite antics was to hit you on the knuckles with a ruler, which I still remember looked like a

Toblerone chocolate bar, however when it hit your knuckles at the least it hurt severely, at the worst, it broke your knuckles. Sometimes they would place children on a verandah, enclosed with steel mesh and children were placed there regardless of the weather conditions. Sometimes children were placed under the building, in the dirt. If children in the orphanage had a brother or sister, once a week they were allowed to visit. One of the punishments frequently incurred was to be stopped from seeing your brother or sister for misbehaviour. Although the brothers and sisters lived in the same orphanage and saw each other daily, speaking to one another would result in harsh punishment.

When I was about 10 years of age I was transferred to another facility. This was towards the end of 1974. I was transferred from St Joseph's orphanage outside of Rockhampton to a State Government run facility called Wilson Youth Hospital at Tenth Ave in Windsor, a near northern suburb of Brisbane. Although I had done nothing criminally wrong, I was handcuffed like a common criminal and flown to Brisbane, unescorted. I was picked up at the Brisbane airport by a man whose name was Mr Sortel (or Sawtell). He was an employee of the Childrens Services Department. I was then taken to the Wilson Youth Hospital. I was told I would be there for two weeks, but ended up staying for about two years. Society seemed to forget that I existed as a human being, mind you I was only a child, and during this time of incarceration I endured a living hell.

I would like to point out to you that while I was in this Government facility many hurtful things (both of a mental and physical nature) were done to me.

During this time I was subjected to a variety of medications. I was frequently placed in isolation. From my file notes it is evident that in the last six months of my time there I was displaying 'acting out' behaviour, which brought about further attempts of control through medication, seclusion and disciplinary action. Given my age and family circumstances, the management of this facility was highly unprofessional and breached the legal requirements for the Director of Childrens Services department, to provide adequate care for myself or any other child in this facility. It is arguable that the placement of myself at my age in a place like Wilson Youth Hospital, for almost two years, was an act of child abuse.

There is profound disagreement between the professionals in arriving at an assessment of my behaviour, situation and personality. In the first instance, I was labelled a 'psychopath', by persons who arguably were not qualified to arrive at this conclusion. I stress that this diagnosis of 'psychopath' was made when I was only nine years of age. Given my family background and circumstances, which are easily obtained from my file (obtained under Freedom of Information), this is an entirely unreasonable and unprofessional assessment. Given my subsequent behaviour and current status, it is obvious that I never was, or now in my adult life, a psychopath. However, this type of labelling and stigma, has stuck with me all my life. I believe that it was an unreasonable and unprofessional diagnosis, conveniently made by those people in a position of trust and influence.

In relation to the differing points of view, regarding the assessment of my behaviour, I point out to the Senate Enquiry, that the staff who dealt with me, frequently contradicted each other in their so-called assessments. One report for example, from Wilson Youth Hospital dated 24.05.76, states that William Allen has been in this institution for a considerable amount of time, during which there has been conflicting reports on his behaviour from therapists, training officers, nursing staff and doctors. On the whole however it seems that my behaviour is deemed reasonable - overall. The report goes on to recommend that I be given a trial stay at home. The point here is that no one seemed to take real responsibility for my well-being and the management of my needs. It is utterly reprehensible that a child of my age should have been and indeed should be the subject of such contradictory and in my view, incompetent management. I remind the Senate that under the Childrens Services Act back in the 1970's, the director of the department had a clear legal responsibility to provide adequately for every child in care. It is impossible to regard my treatment at Wilson Youth Hospital, including the contradictory professional positions, as fulfilling the requirements of adequate care.

I now turn to an issue that I consider to be profoundly important. In doing so I remind the Senate that as a child under the care and protection of the Department of Childrens services, my legal guardianship was vested in the director. Therefore, the director had a legal responsibility towards my well-being, that of William James Allen. Section 58 of the Childrens Services Act of 1965 clearly lays down the duties of the Director in relation to a child in care and protection. I remind the Senate Enquiry that my admission to the Wilson Youth Hospital was itself a special case requiring the approval of the Minister as laid down under Section 58, Part 2 of the Act.

Section 58, Part 1 of the Act, states that when a child is submitted to the care and protection of the Director, it shall be the duty of the director to utilise his powers and the resources of the department, to further the best interests of such a child. Section 40 of the Services Act provides that a person in charge of an institution, shall secure for any child, adequate education - as is in the best interests of the child. In the light of these legal obligations, I would like to ask your Senate Enquiry to consider the plain fact that during the time I was in the Wilson Youth Hospital, I was denied an education. I did not have, unfortunately, the scholastic opportunities afforded to other children. In fact throughout the whole time that I was a resident in the Wilson Youth Hospital I had no formal education whatsoever. In my view, my being denied the basic right of a child to have an education, is a direct breach of law and a breach of duty of care by the then Director of Childrens Services. I believe that this situation constitutes an undeniable breach of legal obligation, namely the provision of adequate care, the provision of education and a duty to act in the best interests of a child, myself, in this instance. I honestly believe that if the State Government did not hide behind the Statue of Limitations, I would also be able to sue the Government of Queensland for denying me a proper education, as well as for physical and mental abuse and for my exposure to experimentation with drugs designed to treat the terminally ill.

I would ask for your enquiry to consider the enormous impact that my experience would have on any child and the impact on such a child's life opportunities. It is surely severe enough for a child to be held in a secure, custodial institution for nearly two years and to be subjected to a variety of crimes by the state – let alone while under the said protection of the State. The people that I have made referrals to, from the fore-mentioned facilities, knowingly broke their own laws that were laid down in policy, by the governments of the day.

I would like to continue to outline to you further cruelties that were bestowed upon me and other children within the Care facilities.

The medical staff at the hospital were also very cruel in their management of children. The female nursing staff would administer sedatives, whether by way of injections or orally. During the administering of sedatives the nurses would call on two male staff members to hold you down – the purpose of this being to either see that you were injected or have tablets forced down your throat. Then there were the experiments with radiation and chemotherapy, intense medical procedures that I was subjected to on numerous occasions – ALL OF WHICH WERE UNAUTHORISED. I do not in any way understand why this type of experimentation was carried out. I did not have any medical or behavioural problems that would require the administration of sedatives or the experimentation of such medications. I still to this day cannot get an answer from the Queensland Government as to why this was done. Perhaps, Senator Murray, you might be able to obtain the answer to this question for me, and provide me with a sense of closure to this sad and sorry chapter of my life.

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Punishments at this hospital were also particularly cruel. Such punishments included being forced to clean old and filth-ridden bathroom tiles with toothbrushes and being forced to stand still with your arms raised straight out from your sides, for indiscriminate amounts of time – the pain evoked from having to do this is almost inexplicable. In these cases, when your arms dropped down by your side from sheer pain and exhaustion, an officer would come past and belt you and you were forced to raise your arms back up and the entire painful process would begin all over again. I remember one particular incident when I was incarcerated for three days without food and finally when I was let out from remand, I was put into observation. As a result of absolute hunger I climbed over my 'entrapment' and into the office and stole an apple and I was able to eat half of it before being caught. I was severely belted for stealing and locked back up for a further two days. I'll remind you yet again that I was a child, a child under the care of the State.

It seems fitting at this point to make a brief reference to the isolation cells. Sometimes I would be locked up in these isolation cells for various amounts of time, often for up to a week at a time. In these isolation cells I had no drinking facilities, no toilet facilities and so I was forced to go to the toilet where there were no facilities provided at all. In being held in these isolation cells the clothes on your back were often removed and you were left naked, cold and alone. At best in these cells you were sometimes fed, but there were certainly times when you were not fed, on such occasions you went without food for up to two to three days.

In beginning to draw this submission to a close, I would like to mention that along with this text I will be sending several forms of evidence. I will be sending a video tape as one source of information to refer to, along with some documents of questions that I proposed to the Attorney General of Queensland. I will also include letters from the Premier's Office and relevant information from Family Welfare Services, from the time in which Anna Bligh was the overriding Minister for these services, while now Judy Spence is in the top position. I will also include important documents from the Roman Catholic Church of Rockhampton. I am more than willing to appear in person to attest my claims at a future hearing, should the Senate Enquiry require me to do so.

I sincerely hope that this Senate Enquiry has got real measure to do the right thing by these innocent children who have now grown into adults, but who still carry the heavy burden of childhood atrocities committed against them. I hope that Senate Enquiry will do their best to achieve something towards helping those who have suffered and are still suffering silently in their own way. This will only be achieved however if the Senate chooses not to hide behind the Statue of Limitations like the Queensland Government has done in the past and continues to do so now. Despite having had opportunities to do so, Premier Peter Beattie as yet has not changed the Statue of Limitations so as to allow victims (including myself and other children) to get justice for atrocities committed against them. Four years ago in Queensland, the Forde Enquiry was held and despite high expectations for sound and just outcomes, I would have to say it was the biggest joke that I have ever heard of or participated in. Despite millions of taxpayers money being spent, the end result was that it achieved very little for those it was set out to assist. As far as I am aware not one perpetrator was or has been brought to justice because the Statue of Limitations still stands.

I have collated so much evidence, that I would surely win my case in a court of law, but unfortunately I cannot even get a lawyer in Queensland that will take on my case, due to the laws that are put down to protect the State Government of Queensland and various religious organizations that have in the past 'managed' orphanages. I therefore hope the people behind the Senate Enquiry can reach into their hearts and do the right thing by victims. I also certainly hope that this submission is adequate in its entirety and that the forces that drive this enquiry are decent and honest and rightly concerned with obtaining justice. Unfortunately Premier Peter Beattie, Leanne Ford and Anna Bligh have, overall, proven to be cowardly in their approaches in the past. I am aghast to know how people can maintain positions of power and trust when, even though they are presented with strong evidence that is put up right in front of them from their own government archives, they can pretend that such terrible things never happened, never existed or can cite facts as mere unfounded 'accusations'. If my information was based purely on mere accusations then why was it substantial enough to be presented on the ABC's 7.30 Report, the Inside Program on SBS and also placed on the front page of the Courier Mail on more than one occasion. If I was a liar and these were mere accusations and innuendos then why have I not been sued for slander or defamation by the Catholic Church, the State Government of Queensland or by individuals from both parties.

In my heart I feel if there is to be real peace for myself and others like me, I expect some acknowledgement, some justice (nothing major, but noteworthy) from society. I would like to be treated respectfully and fairly – to be given a fair hearing, the Australian 'fair-go'. It would be nice to see the Statute of Limitations lifted, in order for me, and others like me, to have a 'fair-go' in court. Justice is determinably, the responsibility of society. Lawful institutions, whether under the State or Federal Government, the Churches or different religious organizations, play a legitimate role in creating justice for victims. There is no simple way for society to shirk the responsibility of recognising the torture and pain that was inflicted upon innocent children. The Australian and State Governments are compelled to deal with these issues once and for all and get it over and done with, in order to finally bring about an end to all the pain and suffering of the innocent victims. It is by no understanding a charitable act to provide care and protection for children under the guidance of people who are placed in positions of power and trust and who then subsequently abuse these positions. It is their duty and responsibility to protect the vulnerable, which they have failed (and fail) to do and they have betrayed an undeniable trust that was bestowed upon them.

Finally, I genuinely hope that the Australian Senate are not a group of grand-standers, influenced only by the media and only by what can be gained for themselves (notoriety, for example). The Queensland Government has let us (the victims) and society down in the past. During the Forde Enquiry, they promised the earth and said they would deliver justice, but there was no justice awarded and our pain did not subside or simply go away. I hold faith in the fact that the Australian Senate will be full of 'guts and honesty' and will be steadfast in working towards the truth. Only time will tell if the Senate is made up of the kind of individuals this country has been built on since the first World War put us on the map – decent, honest, proud human beings, who care about their fellow Australians and want the best outcomes for those who have suffered and still suffer today.

I am available to appear in person if required. As you have no doubt already realised, this is an issue very, very close to my heart. For any further information please do not hesitate to contact me on either 07 552 2222 or 07 552 2223.

Yours sincerely

  
William Allen.