

To:

The Secretariat
Community Affairs
References Committee

10 July 2003

"Inquiry into children in institutional care"

Parliament House

Canberra ACT 2600

Dear Secretariat,

I am Marnie V Dekker. I am writing to
ask for a hard copy of my submission
to the "Inquiry into children in institutional care".

Thanking you, in advance, for your
attention to this matter,

Yours faithfully
M V Dekker

(MS) MARNIE VOLVON DEKKER

sent
15/7/03

S SUBMISSION
To:
The Secretary
Senate Community Affairs Committee
Suite S1 59
Parliament House
Canberra ACT 2600



“ EXTENDING KNOWLEDGE OF LIFE-TIME IMPACT OF HISTORICAL ABUSE ON THOSE ABUSED IN CHILDRENS”HOMES and similar PLACES.”

Preamble:

I am Muriel Valmai Dekker nee ^{W(2003)}Wilson. In or about 1937 or 1938 I was in Dr Dill Mackey's Childrens' Home Sydney. Then while still in Sydney I was later, transferred to another home - a foster home. From about 1941 or 1942 I was placed in W. R. Black Childrens' Home in Chelmer Brisbane, Queensland. A record in Queensland shows that I was a State Ward under Care and Control. I understand that this was because I was Status Offender because my mother, a widow, was too poor to keep me.

I am not subject to court action.

TERMS OF REFERENCE

I now respond to the terms of reference.

- 1 (a) in relation to any government or non-government institutions, and fostering practices, established or licensed under relevant legislation to provide care and/ or education for children:
 - (i) whether any unsafe, improper or unlawful care or treatment of the children occurred in these institutions or places
 - (ii) whether any serious breach of any relevant statutory obligation occurred when the children were in care or under protection and
 - (iii) an estimate of the scale of any unsafe, improper or unlawful care or treatment of children in such institutions.

RESPONSE TO ITEM 1 OF TERMS OF REFERENCE

THREATS:

We were threatened in the Sydney Home that if we didn't behave the boys' penises would be cut off and the girls' private parts sewn up. The we would be put, or rather locked, under the house ^{small} a dark place without a window with the rats and spiders.

Muriel

PROBABLY ILLEGAL EXPERIMENT : EDUCATION

From an add in a magazine I received calls and letters from around Australia. I had asked for others who had been in Dr Dill Mackeys Home to contact me.

One of the callers told me that she had been another childrens home in the same street as Dr Dill Mackeys. "We never saw any of the children from Dr Dill Mackeys Home going to school ever. We saw other children from childrens homes going to school but not from Dr Dill Mackeys. There seems to have been some kind of experiment going on with the children from Dr. Dill Mackeys; either not to give them any education or to only educate them in some experimental way in the home," or words to this effect she told me.

ABCESSES and ANEMIA

I got many abcesses while in this childrens home and I was very weak and tired indicative of anemia. Later anemia was diagnosed. I feel that the poor quality of food and its limited amount affected my immune system, causing

The abcesses were lanced by holding me down. No anaesthetic was used. But to be fair to the home staff they did wake me up at night to give me sulphur and molasses or treacle to try to help me.

A STAFF MEMBER GIVES AN UNSAFE IMPROPER ORDER

A staff member who told us to call her "nurse" got a severe bout of influenza. As a result she filled a large bathtub full to the top with her mucous filled handkerchiefs. "Nurse" ordered me to kneel down and plunge my hands into the slimy mess. I knelt there for a long time before I could plunge in my arms. I feel something died in me that day..

THE FOSTER HOME : SLAVE LABOUR

It is apparent that a breach of statutory obligation occurred when I was used as slave labour in the foster home.

"Nurse" would have observed that I was a very passive compliant child on the whole. When she resigned from the childrens home she prevailed on my mother to let her take in my half-brother and me as foster children. Then "nurse" used this opportunity to use me as slave labour.

For example, when she went out for a drive with her married daughter and her children she left me behind to scrub the whole house upstairs and downstairs and mind the baby too. "Mind you get it all done by the time we get home," nurse said.

THE SECOND CHILDRENS HOME

IN OR ABOUT 1941 or 1942 I was made a ward of the State under Care and Control because my mother was too poor to pay for my keep in the Childrens Home, IN QUEENSLAND AFTER WE LEFT SYDNEY.

I recall unsafe, improper, and unlawful treatment and breaches happening in this childrens home as follows.

UNLAWFUL ASSAULTS

The Forde Enquiry of 1999 in Queensland, into abuse of children in the past in children's homes shows that the matron continuously assaulted the children. The Report says how one girl was even hit with a hot iron. The matron bashed us with anything that came to hand including bits of wood.

I was hit across the nose with the leg of a chair. It was not attached to the chair. My nose was gashed open and bloody.
"What happened to your nose?" my mother asked me on one of her rare visits. To-day and since then I have to sleep holding up my cheek to open my nostrils to get enough air to breathe to go to sleep.

TORTURE

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.

EDUCATION IS INTERFERRED WITH

The matron stopped us from studying. "You needn't bother studying. You're nothing. You'll always be nothing. You're from the gutter. You'll end in the gutter" she said.

The verbal abuse not only damaged my education it humiliated me and damaged my self esteem. My school work suffered.

As a result when I was taken out of the home at about 13 years of age, the Kelvin Grove State Primary School found it necessary to put me back two grades from grade seven or grade eight. TO GRADE 5

I was a 12 year old or thirteen year old put with children of about ten year old. But when my education was no longer interfered with and I could study before and after school I went from near bottom of the class to the top five, I submit that I was not backward and it was only the interference in the childrens' home with my education that held me back.
WARD OF THE STATE I was still a ward of the State then but in my mothers care.

BREACH OF LAW

The law in the 1940s was that children had to attend school to 14 years of age. This would include their 14th year.

I understand that the State also had a duty of care to ensure that wards of the State had ~~EDUCATION~~ employment.

But when I was 13 and my mother asked the officer of the State to let me leave school, this illegal permission was given. The State never even ensured that I had a job either. As a result I was left at 13 without education, life-skills or job.

TERMS OF REFERENCE

- (b) The terms of reference refer to the extent and impact of the long-term social and economic consequences of child abuse and neglect on individuals, families and Australian society as a whole, and the adequacy of existing remedies and support mechanisms
 - (c) Whether there is a need for a formal acknowledge by Australian governments of the human anguish arising from any abuse and neglect suffered by children while in care.
 - (e) In cases where unsafe, improper or unlawful care or treatment of children has occurred, what measures of reparation are required;
- (7) Whether statutory or administrative limitations or barriers adversely affect those who wish to pursue claims against perpetrators of abuse previously involved in the care of children; and
- (9) The need for public, social and legal policy to be reviewed to ensure an effective and responsive framework to deal with child abuse matters in relation to:
- (i) Any systemic factors contributing to the occurrences of abuse and /or neglect,
 - (ii) Any failure to detect or prevent these occurrences in government and non-government institutions and fostering practices, and
 - (iii) And any necessary changes required in current policies, practices and reporting mechanisms.

RESPONSE: LONG-TERM EFFECTS OF ABUSE

In response to item (6) as an individual affected by abuses the long-term effects included having to take low-paying jobs such as cleaning. Not having the life skills to know about studying at night. And even had I known I would not have had enough money from my wages to pay for books and study.

If the State had performed its duty it could have helped me to find a way to continue my studies.

As a result of the State's lack of duty of care I had to take low-paying jobs. I had no life-skills. And poor literacy skills. I suffered two nervous breakdowns; the first when about 14 or 15 years of age. The second breakdown was when I was bullied and harassed at work in a big institution, I had no capacity to stand up for myself against a

supervisor because I had no self-esteem as a result of being abused in childrens' homes. To-day a psychiatrist writes that I continue to suffer post traumatic stress. *And* SVICIDE because of the effects of being abused in childrens homes *and being* unable to protect myself when harassed and bullied again at work in a big institution, I suffered another breakdown and tried to commit suicide.

Due to the breakdown I was put on an invalid pension. I lost my job of 21 years service.

The cost to Australian society is obvious. *Then multiply that by similar effects on others.* The irony is that I could have served my country as a nurse. Paid tax and had happy fulfilling life.

Instead I was so disturbed that I could not care for my only child, tried to commit suicide and was put onto an invalid pension, *(but not in this order), AND ALSO LOST my job.*

REMEDIES REVIEW

Existing remedies in some areas are an improvement. A new childrens' centre in Queensland has a swimming pool and exercise room. Instead of children being assaulted they are counselled.

But for other children support mechanisms appear inadequate. For example where are the homes for thousands of children living in moral danger on the streets?

Health care is inadequate for those abused in the past who because of abuses have poor health and health needs that are not being met. Many of those abused in the past die early. They had drugs to quiet them forced on them, and inadequate nutrition. *IN THE HOMES?*

As well as early deaths there are suicides. These factors indicate that existing remedies and support mechanisms are not meeting all needs.

An example is that two years of psychological counselling is all that will be paid for. But when 18 years of abuse affects a former resident in childrens homes and places it may well take longer than two years to assist such a person. The arbitrary cut-off at two years is an inadequacy in the care system.

Being able to meet at the Aftercare Resource Centre A R C, and at the ESTER CENTRE is helpful. ARC gives COUNSELLING + PROJECTS helping self-esteem. That is funded by the Queensland government. At the Ester centre we receive training in advocacy, leadership, public-speaking. We have a special drop-in day for those who were in the childrens homes. We advocate for priority access for dental help for example. We now have priority access for dental care. *BUT SOME COMPLAIN THAT EDUCATION IS NOT AVAILABLE FOR THOSE WHO MAY NOT WORK, WHEREAS QUALITY OF LIFE OUGHT ALSO TO APPLY. THEREFORE LIMITED EDUCATION FOR THOSE WHO MAY NOT WORK SHOULD BE ALLOWED.* REFERRING TO ITEM (d):

In respect to (d) There is most definitely a need for a formal acknowledgement by Australian governments for the human anguish arising from abuse and neglect suffered by children while in care. Tough Queensland under the Beattie government, has given this apology many of those who were abused sent them back,

The reason for sending back the apologies is that those abused felt the apology was too watered down. For example, the apology said that the perpetrators, "did their best in the light of the day", or words to this effect. But they did not do their best. *THEY DID THEIR WORST.* The laws of the day clearly shows that assault, for example, was unacceptable. And how old are the ten commandments?

REPARATION

- In response to item (d) measures of reparation should include an apology without qualifications.
- The amount of psychological counselling that is necessary for the particular individual. *SHOULD BE AVAILABLE*
- Financial assistance to study, *FOR QUALITY OF LIFE, AS WELL SHOULD BE ALLOWED.*
- Compensation like other countries have given to those abused in childrens home and places in other countries such as Ireland, Holland, Canada, *SHOULD BE GRANTED.* In respect to financial assistance to study. Some assistance is given from funds from the Forde Enquiry. But some recipients are told only limited amounts may be granted.
- Therefore a full course may not be able to be completed. *IT APPEARS.*
- The problem is that insufficient money is available in capital so the interest is minimal.

BARRIERS TO PURSUING CLAIMS

IN RESPONSE TO ITEM (7)

The statute of limitations bars cases from court. Those who have nevertheless gone to court have in one instance lost their house it is claimed. Others are told their case cannot be heard.

The stroke of a pen by state Premiers could overcome this difficulty.

But there are administrative barriers too. Many documents are alleged to be destroyed or not to have been kept. As concrete evidence is required in court, the court would not hear such cases.

Many of the perpetrators are dead, so there could not be a court case.

But fiduciary care may be able to be applied.

Though costs of court would be prohibitive to many people abused in the childrens homes.

Therefore tribunal hearings as arranged in other countries would be the best avenue. This is reasonable and has been successfully applied in other countries.

REVIEW OF SOCIAL POLICY

In response to item (g).

Endemic systemic failures continue to plague our society. I now refer to the service providers in the system. Many in the system feel that they are invulnerable. That they can do anything they like and get away with it. That they will not be made accountable.

NB The writer is aware that abuse could have been prevented in a childrens home, that the authorities knew, that a former resident says she has the evidence they knew but did nothing to remove the perpetrator or to stop the abuse.

The problem for a child reporting being abused, ^{is} that further abuse can result because they reported abuse. Even adult Whistleblowers are finding that in practice protection is not there when they need it. This remains true even though the Whistleblowers act gives them protection. In practice it is not there. Many Whistleblowers do the ethical thing and report wrong-doing then suffer the consequences of loss of jobs, harassment and so on. But a child would need greater protection. Finally it comes down to a lack of conscience and compassion in the Australian *ATTITUDES.*

A method that has had some success is victim impact statements. Also victim-survivors having face to face sessions with perpetrators has awakened some perpetrators to see the effects on others of the wrong they are perpetrating.

ENDS