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AUSTRALIAN GOVERNMENT RESPONSE

to

The Senate Community Affairs References Committee Report

Lost Innocents & Forgotten Australians Revisited

*Report on the progress with the implementation of the recommendations
of the Lost Innocents and Forgotten Australians Reports, June 2009*

November 2009

INTRODUCTION

The Australian Government welcomes the Senate Community Affairs References Committee's report on the *Lost Innocents and Forgotten Australians Revisited Inquiry* and thanks the Committee members for their efforts in bringing to light the tragic accounts of past care practices and community attitudes that led to the systemic neglect and abuse of many former child migrants and Forgotten Australians.

Those Australians who identify as Forgotten Australians are generally now aged from around 40 years of age and older. They are the survivors of the estimated 500,000 children who found themselves in orphanages, Homes or other forms of out-of-home care in the last century.

Former child migrants were unaccompanied children generally under the age of 16 years who were brought to Australia from the United Kingdom and Malta under government approved child migrant schemes during the 20th century. It is estimated around 7,000 child migrants were sent to Australia from the early 1920s to the late 1960s, with more than 3,000 child migrants arriving in the post-war period 1947 to 1967. The children were placed in charitable and religious institutions in New South Wales, Queensland, South Australia, Tasmania, Victoria and Western Australia.

The vast evidence submitted to the Committee can leave no doubt that many children in institutional care were treated appallingly. It is also evident that the effects of this treatment, the lack of love, affection and emotional support, the deprivation of food, education and healthcare, have left an indelible mark on them now as adult survivors and on their families, with some struggling to lead happy and productive lives.

The compelling testimonies to the Committee from Forgotten Australians and former child migrants tell a moving story of the pain and suffering they experienced and how the effects of childhood abuse and neglect have had life long impacts on them and on their families.

There is evidence that the effects on some adult survivors include life long risk and incidence of mental illnesses such as depression, anxiety, post-traumatic stress disorder, dissociation and personality disorders, being at higher risk of suicide, self harm and substance abuse and other dangerous behaviours such as, poor family relationships, difficulty forming and maintaining loving and trusting relationships, difficulty in parenting effectively and generally being at a higher risk of poor health, housing, education and employment outcomes.

In addition, many former child migrants experienced a loss of cultural identity and connection to their heritage as well as loss of contact with their natural families. Trauma and feelings of loss, abandonment and alienation due to removal from their birthplace and family have impacted on adult survivors and their ability to lead productive and rewarding lives.

While Forgotten Australians and former child migrants may have shared similar experiences of abuse and neglect as well as facing similar problems later in life, the Australian Government acknowledges the unique circumstances they encountered.

Central to the Australian Government's response to the Committee's Report is the national apology to Forgotten Australians and former child migrants, delivered by the Prime Minister, on behalf of the nation on 16 November 2009.

The national apology was a significant step in the healing process for many Forgotten Australians and child migrants by acknowledging that what happened was real and wrong. It celebrated the strength of those who survived and remembered those who did not.

It has also helped the community to understand the experiences of more than half a million Australians and the lifelong pain and suffering they continue to endure.

The Australian Government is funding the National Library of Australia and the National Museum of Australia to host two key history projects to assist scholars, support organisations, the public, Forgotten Australians and former child migrants and their families better understand, reflect on and remember the experiences of those involved.

These projects will chronicle, through the public sharing of items, pictures, memories, voices and other historical information, this period. Not only will this provide poignant recognition and a reminder of the past, but also an expression of hope for a better future.

All children have the right to be safe, to receive loving care and support and have access to the services they need to enable them to succeed in life. This basic right is fundamental to the wellbeing of a child and his or her healthy development and is no different now from when former child migrants and Forgotten Australians were in institutional care but who were cruelly denied this in many instances.

The Australian Government acknowledges families as the central system of support, nurture and guidance for children and young people and in turn places priority on the importance of effective supports for vulnerable parents and families. We are committed to providing child-centred, family focused responses as the most effective way to help children and young people who are disadvantaged or at risk of disadvantage later in life.

It is a national shame that for former child migrants and the Forgotten Australians the basic right of all children to receive protection, support and loving care was not enforced by governments, past care providers and the community at large.

RESPONSE TO RECOMMENDATIONS

The Committee made sixteen recommendations. The Government response to specific recommendations is provided below.

NATIONAL LEADERSHIP

Recommendation 1

The Committee recommends that the Commonwealth government issue a formal acknowledgement and expression of regret to former child migrants in accordance with recommendation 30 of the *Lost Innocents* report; and that this statement be issued in conjunction with, or as a part of, a broader Commonwealth apology to people who experienced abuse and/or neglect in institutional or out-of-home care as children.

Recommendation 2

The Committee recommends that the Commonwealth government issue a formal statement of acknowledgement and apology to children who suffered hurt and distress, or abuse and assault, in institutional care, in accordance with recommendation 1 of the *Forgotten Australians* report.

Response to Recommendations 1 & 2

The Australian Government supports recommendations one and two.

The Australian Government made a formal national apology to Lost Innocents and Forgotten Australians on 16 November 2009 in the Great Hall at Parliament House. The Prime Minister, the Hon Kevin Rudd MP, delivered the apology address to an assembly of more than 800 care leavers. The Leader of the Opposition, the Hon Malcolm Turnbull MP, also spoke in bipartisan support of the apology. The motion to support the apology was moved in both Houses of the Parliament and supported unanimously.

The text of the apology motion is as follows:

We come together today to deal with an ugly chapter in our nation's history.

And we come together today to offer our nation's apology.

To say to you, the Forgotten Australians, and those who were sent to our shores as children without your consent, that we are sorry.

Sorry, that as children you were taken from your families and placed in institutions where so often you were abused.

Sorry, for the physical suffering, the emotional starvation and the cold absence of love, of tenderness, of care.

Sorry, for the tragedy of childhoods lost, childhoods spent instead in austere and authoritarian places, where names were replaced by numbers, spontaneous play by regimented routine, the joy of learning by the repetitive drudgery of menial work.

Sorry, for all these injustices to you as children, who were placed in our care.

As a nation, we must now reflect on those who did not receive proper care.

We look back with shame that many of you were left cold, hungry and alone and with nowhere to hide and nobody to whom to turn.

We look back with shame that many of these little ones who were entrusted to institutions and foster homes, instead, were abused physically, humiliated cruelly and violated sexually.

We look back with shame at how those with power were allowed to abuse those who had none.

And how then, as if this was not injury enough, you were left ill-prepared for life outside, left to fend for yourselves; often unable to read or write; to struggle alone with no friends and no family.

For these failures to offer proper care to the powerless, the voiceless and the most vulnerable, we say sorry.

We reflect too today on the families who were ripped apart, simply because they had fallen on hard times.

Hard times brought about by illness, by death and by poverty.

Some simply left destitute when fathers, damaged by war, could no longer cope.

Again we say sorry for the extended families you never knew.

We acknowledge the particular pain of children shipped to Australia as child migrants, robbed of your families, robbed of your homeland, regarded not as innocent children but regarded instead as a source of child labour.

To those of you who were told you were orphans, brought here without your parents' knowledge or consent, we acknowledge the lies you were told, the lies told to your mothers and fathers, and the pain these lies have caused for a lifetime.

To those of you separated on the dockside from your brothers and sisters; taken alone and unprotected to the most remote parts of a foreign land, we acknowledge today the laws of our nation failed you.

And for this we are deeply sorry.

We think also today of all the families of these Forgotten Australians and former child migrants who are still grieving, families who were never reunited, families who were never reconciled, families who were lost to one another forever.

We reflect too on the burden that is still carried by your own children, your grandchildren, your husbands, your wives, your partners and your friends, and we thank them for the faith, the love and the depth of commitment that has helped see you through the valley of tears that was not of your making.

And we reflect with you as well, in sad remembrance, on those who simply could not cope and who took their own lives in absolute despair.

We recognise the pain you have suffered.

Pain so personal.

Pain so profoundly disabling.

So, let us therefore, together, as a nation, allow this apology to begin healing this pain.

Healing the pain felt by so many of the half a million of our fellow Australians and those who as children were in our care.

And let us also resolve this day, that this national apology becomes a turning point in our nation's story.

A turning point for shattered lives.

A turning point for Governments at all levels and of every political colour and hue, to do all in our power to never let this happen again.

For the protection of children is the sacred duty of us all.

The Australian Government notes and welcomes the announcement on 16 November 2009 by the British High Commissioner to Australia, The Rt. Hon Baroness Amos, that the United Kingdom Government plans to make an apology to former child migrants early in 2010.

Recommendation 3

The Committee recommends that the Prime Minister write to relevant churches and religious agencies requesting that they provide formal statements concerning the need for such bodies to make reparation to children who suffered abuse and neglect in their care in the last century, and addressing in particular the issues of apology, redress and provision of services to care leavers, and the implementation of the recommendations of the *Forgotten Australians* report; the Committee further recommends that the Prime Minister cause the statements provided by churches and religious agencies to be collated and tabled in parliament.

Response

The Australian Government supports this recommendation in principle.

The Australian Government notes that the issue of reparation to children who suffered abuse and neglect in the care of past care providers is a matter for each past care provider to consider and supports the intent of the recommendation to see the issues raised formally addressed by the relevant churches and religious agencies.

The Australian Government wrote to past care providers inviting them to participate in the development of the national apology to Forgotten Australians and former child migrants. Reciprocal dialogue occurred during the broad consultation period and in the lead up to the apology, to identify appropriate actions by past care providers to restore the dignity of those who are the focus of the apology and put right the wrongs of the past.

The Australian Government notes that a number of relevant past care providers are addressing the recommendations outlined by the Committee.

REPARATION AND REDRESS SCHEMES

Recommendation 4

The Committee recommends that the Commonwealth government pursue all available policy and political options to ensure that South Australia, New South Wales and Victoria establish redress schemes for people who suffered neglect and/or abuse in institutional settings or out-of-home care in the last century; and that the remaining States make provision to ensure continued receipt of redress claims.

Recommendation 5

The Committee recommends that the Commonwealth government pursue the establishment of State redress schemes through the Council of Australian Governments (COAG) and other appropriate national forums.

Response to Recommendation 4 & 5

The Australian Government notes these recommendations.

Redress is a matter for each State and Territory government and past care providers to consider.

The Australian Government raised this issue at the meeting of the Community and Disability Services Ministers' Conference on 11 September 2009.

The Australian Government notes that a number of States and Territories and past care providers have provided redress.

Recommendation 6

The Committee recommends that churches take steps to ensure that processes for handling abuse allegations are consistent across all jurisdictions; and that such processes conform to recommendation 7 of the *Forgotten Australians* report.

Response

The Australian Government supports this recommendation in principle and notes it is a matter for the churches to consider.

The Australian Government notes that some churches have already implemented this recommendation.

DELIVERY OF SERVICES

Recommendation 7

The Committee recommends that the Commonwealth government provide further financial and other support for former child migrants to re-establish and develop family connections.

Response

The Australian Government supports this recommendation in principle.

The Australian Government recognises the difficulties many former child migrants have in connecting or reconnecting with their families.

Between 2009 and 2012, the Australian Government will provide funding of \$600,000 to the Child Migrants Trust. This takes the total funding committed to the Child Migrants Trust since the *Lost Innocents* report was delivered in 2001 to around \$1.4 million.

This funding allows the Child Migrants Trust to work on behalf of former child migrants who are seeking information about their family, childhood and migration history or who want to be reunited with their mothers, fathers, brothers or sisters. The Trust also assists former child migrants to obtain birth certificates, conduct world-wide family tracing, prepare for family reunion and with their applications for Australian citizenship.

The Australian Government will also fund a new national Find and Connect Service that will provide Australia-wide coordinated family tracing and support for care leavers, including former child migrants, to locate personal and family history files and assist them to reunite with members of their families, where that is possible. This will complement the ongoing work of the Child Migrants Trust. Details of the national Find and Connect Service are provided in the Government's response to Recommendation 9 of the Senate report.

Recommendation 8

The Committee recommends that State governments which have not yet done so commit funding to the Child Migrants Trust for at least the next three years.

Response

The Australian Government supports this recommendation in principle.

It is a matter for state governments to develop and implement appropriate support and redress arrangements for care leavers and former child migrants. Such arrangements may include support for the Child Migrants Trust. This matter was raised at the Community and Disability Services Ministers' Conference on 11 September 2009 for consideration by State and Territory Ministers.

As noted in the response to Recommendation 7 above, between 2002 and 2012 the Australian Government will have provided approximately \$1.4 million to the Child Migrants Trust.

Recommendation 9

The Committee recommends, in accordance with recommendation 33 of the *Forgotten Australians* report, that the Commonwealth and States commit, through COAG, to implementing a whole-of-government approach to the provision of programs and services for care leavers across policy areas such as health, housing and welfare and community services and other relevant policy areas.

Response

The Australian Government supports this recommendation in principle.

This matter has been raised at the Community and Disability Services Ministers' Conference and the Australian Government will pursue better coordination of services for Forgotten Australians and former child migrants as part of the ongoing work agenda of the Conference.

The Australian Government will fund a new national Find and Connect Service that will provide an Australia-wide coordinated family tracing and support service for care leavers (including former child migrants) to locate personal and family history files and assist them to reunite with members of their families, where that is possible.

The service will provide a national database that will collate and index existing state identified records into a national searchable database, accessible to state and other care leaver services and also directly to care leavers themselves. Care leavers will be assisted to access and search the data base and apply for relevant files, including through Freedom of Information applications.

Further, in July 2009 the Australian Government provided funding of \$3.1 million under the National Child Protection Framework to non-government organisations to deliver fifty projects across each state and territory to help protect Australia's children. This included funding to the Adult Survivors of Child Abuse (ASCA) and Heartfelt House to deliver projects to adult survivors of childhood abuse.

The Australian Government notes that State and Territory jurisdictions have also developed and implemented a number of specialist programs and services to respond to the needs of care leavers and their families. The Australian Government notes that a number of states have announced new investments in specialist services for these groups in response to the Senate Inquiry. These services will be connected and coordinated with the new Find and Connect service and mainstream Commonwealth services outlined below.

Better targeting of mainstream services

There is a wide range of mainstream services and supports at both the Commonwealth and State and Territory levels to meet the primary health, housing, welfare and community needs of care leavers and their families.

The Australian Government has provided funding of \$285 million over 5 years for the Personal Helpers and Mentors program (PHaMS) which assists people with severe mental illness by helping them to overcome social isolation and increasing their connections to the community.

Forgotten Australians and former child migrants have been identified as a target group under this program, along with members of the Stolen Generations.

To enhance the effectiveness of existing services for Forgotten Australians, specific training was provided on the unique needs of vulnerable groups, including Forgotten Australians, to PHaMs Round 3 service providers. Members of the Alliance of Forgotten Australians and the Care Leavers Australia Network gave presentations about the trauma and abuse experienced by care leavers, the impacts this had had on their lives and the type of support that would be most beneficial. Additional training on the needs of Forgotten Australians and former child migrants will be implemented in 2010.

In addition, the Department of Families, Housing, Community Services and Indigenous Affairs will work closely with Forgotten Australian and child migrants groups to ensure that PHaMs services are accessible and that care leavers are aware of the services.

The new Family Support Program administered by the Department of Families, Housing, Community Services and Indigenous Affairs will provide a range of counselling and parenting services available to people in need, including Forgotten Australians and former child migrants. These services are also available to the families of Forgotten Australians and former child migrants helping them deal with the inter-generational consequences of institutionalised abuse. Service providers will refer to specialist mental health or other intensive services as required.

The Department of Families, Housing, Community Services and Indigenous Affairs will work with peak family support industry representative bodies to inform them of the particular needs of Forgotten Australians and former child migrants.

Under the new Community Investment Program, the Volunteer Management and the Volunteer Grants strategies have been refocussed to include Forgotten Australians as a priority target group and service providers have been informed about issues affecting the Forgotten Australians and former child migrants.

As part of their funding agreements, Volunteer Resource Centres have been asked to develop strategies to support Forgotten Australians in accessing volunteering opportunities to ensure social participation.

Volunteer Grants 2009 will target organisations that support Forgotten Australians as part of the Australian Government's social inclusion priorities to support disadvantaged groups in the community.

The Community Investment Program will continue to work with funded community organisations to ensure that they recognise the difficulties faced by care leavers and ensure that their services provide support and are accessible to care leavers. To meet the Australian Government's vision of social inclusion, as new community strategies are developed under the Community Investment Program, service providers will be required to ensure that their services adequately support care leavers.

The Department of Families, Housing, Community Services and Indigenous Affairs will also work with Centrelink to help their staff more appropriately respond to the needs of Forgotten Australians and former child migrants through investigating options for training and provision of information to increase staff awareness and understanding of the issues.

Centrelink will liaise with relevant governments to determine how to create greater awareness of services with its customers and how to more effectively link people with support offered through government and non-government services.

Recommendation 10

The Committee recommends that the Commonwealth and State governments reconsider the previous responses to recommendations 25 to 28 of the *Forgotten Australians* report with a view to explicitly recognising and meeting the needs of older care leavers in the funding and development of health, housing, aged care and education programs; and ensuring that appropriate services are provided.

Response

The Australian Government supports this recommendation.

The Australian Government recognises that the aged care sector must be sensitive to the needs of Forgotten Australians and former child migrants and provide care appropriate in this context.

As a matter of priority, the Government will identify care leavers as a special needs group for aged-care purposes by amending the *Aged Care Principles 1997*. This will ensure that the needs of care leavers will be considered by the Department of Health and Ageing in the planning and allocation of aged care places.

The Government will also support the development and distribution of education materials to assist providers and carers in the aged care sector to recognise the special needs of care leavers and provide appropriate and responsive care, including access to counselling and support services.

The Department of Health and Ageing will also ensure the needs of Forgotten Australians and former child migrants are reflected in the agendas of the Ministerial Conference on Ageing and the Ageing Consultative Committee, which will broaden awareness of the experiences and challenges of each group.

Further, the Commonwealth will support state and territory governments in disseminating information about state and regional specific programs funded under the Home and Community Care Program to Forgotten Australians and former child migrants.

Pilot projects under the Department of Health and Ageing 'Innovative Pool' also remain a possibility to the extent that applications are made that would test innovative models of aged care services for care leavers.

The Department of Health and Ageing will continue to consider the needs of this group in the context of other broad reviews of the sector presently underway, including the Government's response to the National Health and Hospitals Reform Commission and the pending public inquiry into aged care (to be conducted by the Productivity Commission).

Centrelink has a range of programs that target vulnerable groups and can provide access to a national service delivery framework to support services to older care leavers.

Recommendation 11

The Committee recommends, in accordance with recommendation 39 of the *Forgotten Australians* report, that the Commonwealth, in co-operation with State Governments, establish courses of study at selected tertiary institutions that focus on child protection and related issues, especially early childhood and family studies, psychology, conflict management, the impact of institutional care and social policy to address issues in these areas.

Response

The Australian Government supports this recommendation.

The Australian Government is committed to ensuring that the abuse and neglect suffered by many children must not be repeated, now or in the future. Education is a key aspect of achieving this commitment. Funding has been allocated to assist in increasing the awareness of child protection matters in the community and support for those wishing to study child protection and related fields. In addition to existing courses and qualifications in relevant disciplines across many tertiary institutions, there are a number of specific initiatives outlined below.

Build the Capacity and Expertise of the Child Protection and Welfare Workforce

On 11 September 2009, Australian and State and Territory governments reaffirmed a commitment at the Community and Disability Services Ministers' Conference to progress the 12 priority actions underpinning the first Implementation Plan (2009-2012) for the *National Framework for Protecting Australia's Children 2009-2020*, including the need to build the capacity and expertise of the child protection and welfare workforce.

Through this forum, the Australian and state and territory governments have committed to support the education, professional development, and retention of the child protection and welfare workforce. Professional development training in child and family-sensitive practice will be developed and trialled and opportunities to influence workforce reforms across other disciplines by harnessing professional expertise to guide these developments are being considered.

Building Capacity for Early Childhood Education

The Australian Government provided a grant of \$2.1 million in December 2008 from the Diversity and Structural Adjustment Fund for a project by Charles Sturt University to build the capacity for early childhood education, particularly in inland and Indigenous Australia, through tertiary sector partnerships and collaborations with local communities. The project commenced early 2009 and is scheduled for completion by mid-2011.

It will deliver new certificate/degree pathways and professional learning modules for qualified early childhood educators (including teachers) and child and family workers, a suite of online teaching and learning resources to be shared across the TAFE / university sector and three pilots of community-based early childhood education pathways; and support programs with a particular emphasis on attracting, supporting and qualifying Indigenous early childhood educators.

Chair in Child Protection at the University of South Australia

In March 2004, the then Minister for Education, Science and Training announced funding for the establishment of the Chair in Child Protection at the University of South Australia's Australian Centre for Child Protection. This Centre aims to improve the lives of children in Australia who have experienced, or who are at risk of experiencing abuse or neglect. The chair leads and promotes research into child protection and assists researchers working to combat child abuse across disciplines.

Now administered by the Department of Innovation, Industry, Science and Research, funding of \$10 million over 10 years (2004 to 2013) has been committed to continue this work.

Child Protection Courses at Universities

In line with the Government response to recommendation 39 of the 2004 *Forgotten Australians* report, the then Department of Education, Science and Training wrote to the Australian Vice-Chancellors Committee (AVCC, now known as 'Universities Australia') in February 2006 to notify it of the Senate Community Affairs References Committee's recommendations concerning higher education (also including other recommendations of the *Forgotten Australians and Protecting Vulnerable Children* reports).

The Department's letter indicated that the Australian Government had supported the recommendations in principle while noting that universities are self-accrediting institutions. The AVCC notified the Department in March 2006 that it had written to all universities. The AVCC noted that it expected that universities teaching in relevant disciplines would consider the recommendations as part of their curriculum development.

IDENTIFICATION AND ACCESS TO RECORDS

Recommendation 12

The Committee recommends that the Commonwealth government pursue the reform of national freedom of information (FoI) and privacy legislation to ensure that care leavers are not hindered in their access to information about their childhoods and families; and that current and future reviews of Commonwealth and State FoI regimes explicitly address this issue.

Response

The Australian Government supports this recommendation in principle.

As outlined in the response to Recommendation 9, the Australian Government will fund a national Find and Connect Service that will provide an Australia-wide coordinated family tracing and support service for care leavers (including former child migrants). The service will provide a national searchable database. Care leavers will be assisted to access and search the data base and apply for relevant files, including through Freedom of Information applications.

The Australian Government notes however that each state and territory government administers its own Freedom of Information (FoI) legislation. The Commonwealth *Freedom of Information Act 1982* only applies to information held by the federal public sector.

The Cabinet Secretary, Senator the Hon Joe Ludwig, will write to state and territory Ministers with responsibility for administration of privacy and FoI legislation, to draw Recommendation 12 to their attention, as care leaver records are predominantly held by state and territory authorities.

The Australian Government is also amending the FoI Act with the principal objective of promoting greater disclosure and building a stronger foundation for more openness within government.

Although of general application, care leavers will directly benefit from the proposals to abolish all application fees for FoI requests to agencies and Ministers and to make access to an individual's own personal information free of charge.

It is also proposed that a public interest test will be applied to the personal privacy exemption in the FoI Act which will ensure that public interest factors favouring disclosure of third party information can be taken into account in the circumstances of a particular request for access to information. In the course of developing guidelines on the application of the public interest test, the Information Commissioner (which is being established as part of the Government's FoI reforms) will be able to consider implications where a care leaver seeks access to a third party's personal information.

Former child migrants can be assisted to locate and access records held in the United Kingdom and Malta through family tracing services offered by the Child Migrant Trust. The Trust is funded by the Australian Government to provide family tracing support, including reunion preparation and counselling.

All state and territory governments provide varying degrees of assistance, including locating records, responding to FoI applications and providing support while viewing records. Many have published comprehensive guides to providing assistance for the location of records, with family searches or arranging reunions and counselling while viewing files.

ROLE AND OPERATION OF SUPPORT GROUPS AND OTHER BODIES

Recommendation 13

The Committee recommends that the Commonwealth government provide recurrent funding to the Alliance for Forgotten Australians and Care Leavers Australia Network to enable these groups to continue providing adequate services to care leavers on a national basis.

Recommendation 14

The Committee recommends that the Commonwealth government provide funding to the Department of Families, Housing, Community Services and Indigenous Affairs to administer a fund for providing operating grants to care leaver advocacy and support groups.

Response to Recommendations 13 & 14

The Australian Government supports these recommendations.

The Australian Government recognises the important role these groups play in supporting care leavers, and notes that a broad range of services and supports exist at both the Commonwealth and State and Territory levels that are widely available to all care leavers and former child migrants.

The Australian Government has provided \$300,000 over two years (2009-10 and 2010-11) to the Alliance for Forgotten Australians (AFA) as the peak body to continue the important work of advocating, coordinating and building a stronger national structure representing Forgotten Australians. This support will be pivotal in promoting the interests of Forgotten Australians more broadly and for stronger engagement across government and community sectors to facilitate the input of its members into national issues.

The Australian Government has also provided \$300,000 over two years to the Care Leavers Australia Network (CLAN); a national support group for people brought up in homes, orphanages or other forms of out-of-home care. This financial assistance will support CLAN to continue its work to enable care leavers to tell their stories, confront the trauma of their past, locate historical documentation and raise public awareness.

The Australian Government will continue to provide ongoing support for these organisations in their critical role.

The Australian Government also already provides recurrent funding under the National Secretariat Program to support a number of peak organisations in the community sector to contribute to government policy and service delivery and to channel information between government and their membership. These organisations often provide a range of services and supports to smaller groups and advocate for a wide range of disadvantaged Australians and their families.

Families Australia is an independent, peak, not-for-profit organisation dedicated to promoting the needs and interests of families and is supported in its role under the National Secretariat Program.

Families Australia has provided significant secretariat and support services to AFA and undertaken education of health and welfare service providers about the experiences and needs of the Forgotten Australians. Families Australia assisted AFA in its production and distribution in 2008 of the booklet *Forgotten Australians: Supporting survivors of childhood institutional care in Australia*, which was funded by the Department of Families, Housing, Community Services and Indigenous Affairs.

PROSECUTION OF HISTORICAL CRIMES

Recommendation 15

The Committee recommends that the Ministerial Council for Police and Emergency Management (Police) develop and implement a national policy on the prosecution of, and data collection and sharing about, historical crimes of sexual and physical abuse of children in care; and that the establishment or further development of specialist State police units be considered as part of this policy development process.

Response

The Australian Government does not support this recommendation.

The sharing of criminal intelligence and criminal history information already occurs on a national basis. The question of specialist State police units is a matter for individual State and Territory governments and does not require national coordination through Ministerial Council for Police and Emergency Management.

As far as prosecution is concerned, Directors of Public Prosecutions have statutory independence and it would not be appropriate for Ministers to direct them as to how to perform their prosecutorial functions. State Directors of Public Prosecutions operate according to prosecution policies and guidelines that apply the public interest as the paramount criterion in determining whether a prosecution is to be undertaken, as well as within the laws of the relevant jurisdiction.

The Australian Government notes that the Council of Australian Governments (COAG) at its meeting on 29 September 2008 affirmed the importance of a framework to improve access to inter-jurisdictional criminal history information by child-related employment screening schemes and that an inter-jurisdictional exchange be put in place as soon as possible. COAG has endorsed a set of implementation actions, with jurisdictions to prepare, introduce and seek passage of legislative amendments.

MEMORIALS AND REMEMBRANCE

Recommendation 16

The Committee recommends that the States consider establishing an annual remembrance day for care leavers, similar to that held by Queensland each year during Child Protection Week.

Response

The Australian Government supports this recommendation in principle.

The Australian Government supports activities and events that promote recognition and remembrance for care leavers. The national apology and anniversaries of this event will provide an opportunity for ongoing remembrance as part of the healing process.

The Australian Government is supporting two key history projects that will provide a material and visual historical record of the experiences of Forgotten Australians and former child migrants to serve as perpetual remembrance of the history that has occurred.

The aim of these history projects is to provide better awareness and understanding about what happened and to provide a permanent record to the general public, educational institutions, support organisations and, most importantly, Forgotten Australians and former child migrants and their families.

The Australian Government is providing the National Library of Australia with funding of \$1.7 million, including \$500,000 for counselling support for those who participate in sharing their experiences, and further funding of \$1.2 million to the National Museum of Australia to fund a material culture collection and exhibition.

The history projects will involve an oral history project, material culture collecting and a smaller touring exhibition. Both projects will commence early 2010 and be guided by an advisory committee, including appropriate stakeholder representation, and overseen by a steering committee comprising officers of the Library, Museum and the Department of Families, Housing, Community Services and Indigenous Affairs.

The projects will provide a record to assist scholars, support organisations, the public, Forgotten Australians and former child migrants and their families better understand, reflect on and remember the experiences of those involved. These projects will chronicle through the public sharing of items, pictures, memories, voices and other historical information, this period. Not only will this provide poignant recognition and a reminder of the past but also an expression of hope for a better future.

