

Senate Legal & Constitutional Committee,

Parliament House,

Canberra.

ACT,

2010-06-08

Dear Sir,

I am writing to in regards to the implementation of a national redress scheme for those children who, through no fault of their own were the victims of institutional care.

I was orphaned at age four and ended up being looked after by a person, who was no relation of mine, had no legal right to look after me, failed to notify any government authorities that she was looking after me and who eventually placed me in an institution.

The name of this institution was ***The Gill Memorial Home for Boys*** at Goulburn NSW which was administered by the Salvation Army.

During the time that I was with my guardian and in the Gill I was subjected to various forms of abuse.

As a child in the care of the Salvation Army I was abused physically by being hit, punched, caned and forced to crawl around the floor whilst supporting a large officer on my back. This has led to on – going back problems.

I was also emotionally & psychologically abused with one officer stealing some of my possessions.

When I left the Gill I walked out with a small school case containing all my worldly possessions and nothing else.

The Salvation Army kept my clothes and possessions and these would have been given to numerous children until they were worn out.

After leaving the Gill I lived for a short time in the back of a burnt out car and then moved to a boarding house where I was forced to share a room with an elderly man dying of cancer.

I suffered from a lack of care and security and was unable to pay for new clothes or any of the real necessities of life as I was at that time trying to exist as an apprentice chef. This is the only way I was able to eat, and when I was not working I was unable to buy food due to lack of money.

I am aware of those states which do have redress schemes but as I was in a NSW home there is no redress available.

The other concern I have is that through no fault of my own I was not made a ward of the state and if I was in Tasmania I would miss out on any compensation.

This is obviously an inequitable situation and ignores the fact that people were abused regardless of their legal standing.

The other concern for me is the seemingly inequitable payment system with each state and the fact that in South Australia only those who were sexually abused are able to claim redress.

As I live in Queensland I am unable to access any form of help or assistance due to the seemingly endless roadblocks that are place in front of those such as me who apply.

The apology given by Kevin Rudd acknowledged that there was on – going systemic abuse and this brought to the fore the fact that churches/charitable organizations and the various state governments all knew that abuse was happening but chose to ignore the suffering and abusive practices because it was the easy option.

Redress is important because it is an acknowledgement of the abuses that were committed and because it also means that those organizations such as the Salvation Army are held accountable for their illegal practices.

Redress also provides a warning to others that these actions will not be tolerated. As a result of being in care I still suffer from the experiences that occurred to me and these have had an on – going impact upon my ability to gain promotions and thus reach my true potential.

I believe that all children who were in care should be eligible for some form of compensatory payment. There cannot be any discrimination nor can there be a categorising of one form of abuse being worse than another.

We were all abused, we were all beaten, we were all starved, and we were all neglected and we were all Australian children who should have been protected by governments and other statutory authorities.

Unfortunately we were ignored in our suffering and the time is long overdue for that to be rectified and the only way that that can begin to be accomplished is by recognizing that there needs to be a redress scheme that is fair and equitable.

This has to involve those perpetrators such as the churches. The made money out of us by the work we were forced to do, they ignored repeated requests for help until they could deny it no longer, they have lied and tried all kinds of legal wrangling in order to escape their responsibility and they and the government must now assume their moral and ethical responsibility and provide a reasoned and just redress system applicable for each sufferer and applicable for each state.

Yours faithfully,

James Luthy