

CHAPTER 4

INSTITUTIONAL CARE AND TREATMENT

I lost my childhood. I lost my confidence, my right to live without fear.

4.1 This chapter moves on to the story of the child migrants after they arrived in Australia. It deals with term of reference (a) that posed the questions whether any unsafe, improper, or unlawful care or treatment of children occurred in government and non-government institutions responsible for the care of child migrants: and whether any serious breach of any relevant statutory obligation occurred during the course of the care of former child migrants.

4.2 The major inquiries that have examined child migration to Australia all commented in the strongest possible terms on the care and treatment of the children in institutions. The UK House of Commons Health Committee reported that:

These children were placed in large, often isolated, institutions and were often subjected to harsh, sometimes intentionally brutal, regimes of work and discipline, unmodified by any real nurturing or encouragement. The institutions were inadequately supervised, monitored and inspected.

[The Committee concluded]

What we have heard from former child migrants, and the accounts they have given us in writing, leave us in no doubt that hardship and emotional deprivation were the common lot of child migrants, and that cases of criminal abuse were not infrequent.¹

4.3 The Interim Report of the Western Australian Select Committee into Child Migration and the Closed Report of the Commission of Inquiry into Abuse of Children in Queensland Institutions both report significant levels of child abuse. The strong inference is that in Australia, to a greater or lesser extent, the institutional treatment of children in care was profoundly unsatisfactory.

4.4 The abuse suffered in institutions in Australia was in direct contrast to the memories for many, though certainly not all, of life in British orphanages. Numerous submissions referred to happy childhoods and the affection shown by staff; and of being warm, well-fed, properly clothed and medically checked. As one witness emphasised ‘we were NEVER, NEVER physically or mentally abused, which is contrary to what was part of the reasoning behind the Child Migration Scheme’.² However, for many others, their memory of the time in British institutions was one of hardship, deprivation and regular beatings, and of being lied to.

1 House of Commons, Health Committee, *The Welfare of Former British Child Migrants*, HC 755, Session 1997-98, paras 13 and 73.

2 Submission No.68, p.3 (Goodwood, SA).

4.5 The Committee understands that for many child migrants their experiences in the Australian institutions were positive and that they have proceeded to lead happy and prosperous lives. The Committee recognises that an inquiry such as this was unlikely to attract these people because the whole subject is not such an issue for them.

Abuse in institutions

4.6 As noted above a number of reports have referred to the abuse or assault of children in many institutions. The large number of submissions and evidence received by the Committee graphically illustrated the disturbing extent and level of abuse and assault inflicted upon many child migrants. The evidence indicated that abuse occurred over many years, though with differences appearing between institutions and even from one period to another in particular institutions. A strong connection has been seen between escalating forms of abuse in an institution. ‘Severity, violence, physical abuse, sexual abuse; these were on a continuum. The more severe the regimen the more likely the prevalence of sexual abuse.’³

4.7 Broadly speaking, the abuse and assault referred to in evidence fell into three categories – sexual, physical and psychological, and occurred in many forms including:

- Sexual assault – children experienced the humiliation and degradation of criminal sexual assault including extreme pain associated with sexual penetration and rape. Sexual assault was perpetrated by a range of persons including priests at the institution, members of families to whom children were sent on holidays or to work, workers at the institution, regular visitors to the institution, and also in some institutions by other older children. Children who were sexually abused and assaulted referred to their shame, about carrying this guilt around for a lifetime and never being able to confide in a family member, any detail of their childhood or adolescent experiences.
- Physical assault – children experienced physical pain, fear and terror resulting from beatings, including beatings which then and now would justify criminal charges. Beatings were often with specially made leather straps, belts, canes, pieces of wood or other weapons. Some beatings were viewed as lawful punishment by the institutional authorities, though clearly very often such discipline was excessive. Complaints were made of indiscriminate bashings that often led to physical impairments later in life. Brutality was endemic at some institutions and at times descended into what can only be described as torture.
- Depersonalisation – many migrant children made reference to their becoming totally depersonalised in their childhood. Their names were changed, they were lied to about the existence of their parents, possessions were removed, gifts and

3 Coldrey, BM, ‘Caring and Corruption: Church Orphanages and Industrial Schools’, *Studies*, Vol 89, No.353, Spring 2000, p.9.

letters were not passed on, and they were referred to by number and not by name. Children learned to keep their heads down and so reduce the likelihood of a random beating by a brother, nun or lay carer. A lifetime lack of self esteem resulted from such actions leaving a yearning for identity and connection.

- Psychological abuse – was manifested through deliberate, sustained cruelty and emotional deprivation. Constant reference was made to the lack of individualised care and attention, with disparaging and insulting comments about identity being common. Psychological trauma evidenced itself most frequently in high incidences of bed-wetting. Children from several, geographically separated institutions referred to the consequences of bed-wetting in terms of embarrassment, physical beatings and public humiliation in front of their child peers. Bed-wetting flashbacks have plagued mature adults. Many child migrants spoke about the feeling of exile and isolation and the yearning for close contact with a protective, human figure.
- Work practices – daily chores, especially in rural institutions, were so exhausting or time-consuming that children were too tired or had insufficient time for education. Some children were forced to undertake arduous and unsafe manual labour as part of construction work at the institution. Many submitted that wages earned when they were placed in work never materialised and they are still deeply aggrieved.
- Education – educational standards were so limited or virtually non-existent that some child migrants have progressed through life with minimal literacy skills. This educational deprivation has led to lifetime effects, especially for employment prospects and adopting itinerant job habits.
- Food and clothing – children were inappropriately clothed for the extreme Australian conditions, often cold, often lacking footwear. Children were not provided with adequate protective clothing to undertake the physical labour they were expected to perform. In many institutions there was a common experience of being constantly hungry and of being aware the nuns and brothers in charge of them always had better quality food. Scavenging and stealing food was reported as a common practice at some institutions.
- After-care – the provision of after-care services was often very poor. Constant reference was made to leaving an institution and being dumped into the alien environment of an unknown community without any experience of that community; about having poor social skills, limited life skills apart from a survival instinct, and little in the way of material and financial resources.

4.8 These forms of abuse or assault are detailed below by using the words of the child migrants as much as possible. While different forms of abuse were widespread between institutions, the Committee acknowledges that not every form of abuse occurred in every institution.

Depersonalisation

4.9 This process began upon arrival with evidence that migrant children were fingerprinted as they left the ships in Fremantle and Geraldton.⁴ Many former migrant children referred to the small number of personal possessions they had brought from Britain being removed from them on entry into the orphanage, including money, toys and clothing – ‘We had nothing of our former lives’. At some institutions gifts or other personal items children may have received while on holiday or from people who had befriended them were often removed and generally not returned, even on their departure from the institution. One submission recounts that when a new matron arrived an old cupboard was discovered to contain watches, rings, bracelets, necklaces, pendants, unopened letters and other addressed papers. ‘Now I knew what happened to our belongings that were taken from us.’⁵

4.10 Contact with their former life in Britain was deliberately prevented, ostensibly to allow ‘a new start’. Letters from family, relatives and friends in Britain were destroyed or withheld from children, in some cases being found in personal files many years later.

There was no effort at all to reunite children and parents; in fact, the reverse was the case. 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 that my mother did not love me and did not want me back.⁶

4.11 The process of depersonalisation through the crushing of individual identity was further entrenched by names being changed and by referring to children by numbers. Even clothing was tagged with the child’s number and not their name.

We were made to feel we were not human. We were not called by our names. We were numbered... Everything we wore was numbered.⁷

Our clothes were numbered and we were not a name just a number. Any names we were given were terrible racist taunts.⁸

Individual birthdays were not recognised, and evidence was given that children were often unaware, in some cases until adulthood, of their correct date of birth, and even of their correct name. Some child migrants referred to these tactics as reminiscent of stratagems employed in concentration camps and in the Gulag.

4 Submissions No.129, p.22; No.36, p.1.

5 Submission No.23 (Barnardos, Burwood, NSW).

6 Submission No.82, p.2 (St Johns, Canterbury, Vic).

7 *Committee Hansard*, 21.3.01, pp.372-3 (Neerkol, Qld).

8 Confidential submission No.87 (Clontarf, WA).

4.12 The rigid separation of sexes that occurred in many institutions resulted in the separation of brothers and sisters, causing considerable distress at being unable to maintain any ongoing sibling relationship that sometimes continued into adult life. Siblings were sent to different institutions, often in different States, thereby losing contact for the rest of their childhood. In some cases as a result the separated siblings' relationships were permanently damaged and never recovered even when reunited. Evidence was also given of instances where children were not aware that they had siblings at the same institution, or if they did, were never encouraged to be a family unit.

4.13 A sense of abandonment and not belonging was reinforced in the children through constant derision and abuse, by being repeatedly told that family or country did not want them, or that their parents were dead or had been killed in the war, and that Australia was their last chance. Deception over the existence of parents and family was common in both catholic and non-catholic institutions.

4.14 Based on the evidence it has received, the Committee cannot but agree with the UK Health Committee's comment that:

The level of deception, the deliberate giving of wrong information or withholding of information, the policies of separating siblings, all make it very hard to accept that everything was done simply for the benefit of the children. It indicates an abuse of power and a disregard for the feelings of the mothers and children, and it was certainly felt as such by many former child migrants.⁹

Sexual assault

4.15 The accounts of sexual assault while in the care of institutions are undoubtedly the most serious form of criminal abuse perpetrated against the child migrants. Boys and girls were subjected to sexual assault in a variety of forms while in the care of a number of institutions. The Committee heard stories of boys being subjected to explicit sexual acts such as fondling and genital touching, of being forced to perform oral sex, of being repeatedly sodomised, and of girls being assaulted and raped.

4.16 Sexual assault as a child has the most damaging impact throughout life. Abused children often develop personal problems of lack of trust and confidence, anxiety, depression and suicidal tendencies, and an inability to establish and maintain personal relationships. Sadly, many of the personal testimonies of sexually abused child migrants refer to such impacts upon their lives. A particularly unfortunate impact is that a proportion of children who are sexually abused may themselves become child molesters and pederasts as adults. The Committee heard evidence that a number of sexually abused child migrants had as adults suicided and that a small number had been jailed for sexual offences against minors.

9 Report of UK Health Committee, para.45.

4.17 The stories of sexual abuse provided in the evidence to the Committee were not new. They have been recounted in earlier books and reports. The UK Health Committee was so moved by these accounts that it reported:

It is hard to convey the sheer weight of the testimony we have received. It is impossible to resist the conclusion that some of what was done there was of a quite exceptional depravity, so that terms like ‘sexual abuse’ are too weak to convey it.¹⁰

4.18 The Committee notes from the evidence it received the allegations of regular sexual assault involved children in the care of only a small number of institutions. It is very important to recognise this point. Of the 207 public and confidential submissions received from individual child migrants, 38 recounted episodes of sexual assault. All but 14 of these, almost two-thirds, were from the Christian Brothers institutions in Western Australia – Bindoon, Castledare, Clontarf, and Tardun.¹¹ Of the other 14, only 10 institutions were named though some of the assaults involved incidents occurring outside the institution. Of the 38 submissions reporting assault, all but 4 occurred between 1947 and 1963 with the vast majority in the late 1940’s to mid 1950’s.

4.19 A particularly disturbing aspect of institutional culture reported in a few submissions was bullying and sexual assault by older boys against some younger boys or new arrivals¹², sometimes encouraged by their teacher supervisors. Again, the spectre of concentration camps was raised with evidence given of the use of ‘trusties’ in these institutions.

The Christian Brothers: Bindoon, Castledare, Clontarf and Tardun

4.20 The accounts of sexual abuse and assault at these four institutions are horrendous, supporting and amplifying the UK Committee’s description of ‘quite exceptional depravity’. The stories from the ex-residents of Bindoon, Castledare, Clontarf, and Tardun provide an account of systemic criminal sexual assault and predatory behaviour by a large number of the Brothers over a considerable period of time. 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.

4.21 The Committee received evidence that boys who reported abuse or assault were beaten by the Brothers or abused by the very Brother to whom they had

10 Report of UK Health Committee, para.51.

11 The Committee discusses elsewhere in the report the 1993 legal action brought by some 220 former residents of Christian Brothers homes seeking damages for physical and sexual abuse (though not all were former child migrants).

12 For example Submission No.87, p.12 (Bindoon, WA). Dr Coldrey comments in *The Scheme*, Argyle-Pacific Publishing, 1993, pp.389-393, on teenage sexual activity based on visitation and other reports.

complained. Some boys ran away to escape the abuse, but when caught, police or lay people did not believe them - usually due to the aura of the cloth. While not being believed was a terrible experience, even worse for the children was when they were believed and still sent back to the institution and the matter was covered-up. In Western Australia it was most likely that the strong connections between the Christian Brothers run institutions and the police with links to the Knights of the Southern Cross (as discussed in chapter 2) meant that there was 'a closed system' with little likelihood of such complaints being either believed or examined.¹³ For many abused children there was an overwhelming sense of powerlessness with nobody they could turn to.

4.22 Sexual abuse and assault of children within these institutions was referred to by Dr Coldrey in *The Scheme*, his history of the Christian Brothers in Western Australia. In the book he wrote that 'there is very strong evidence that five Brothers were multiple offenders', though they were not named and four were dead. He also referred to six Brothers who admitted an offence with a teenage boy.¹⁴ When the book was published in 1993 it was strongly criticised by many former child migrants as a 'whitewash'.¹⁵

4.23 However, Dr Coldrey understood that the level and extent of sexual abuse by Brothers was on a much larger scale. He subsequently expanded his account in a monograph *Reaping the Whirlwind: A Secret Report for the Executive of the Christian Brothers – Sexual Abuse from 1930 to 1994*. Extracts from this document were read in the New South Wales Supreme Court in December 1994 during the case that had been brought against the Christian Brothers. The reports of these extracts appear to be all that exists in public of this document, as even Dr Coldrey has indicated that he does not have a copy now and that it 'seems to have disappeared off the face of the earth'.

4.24 The most serious revelations from the document concerned the existence of 'sex rings' at Bindoon and Castledare. It is reported that in *A Secret Report* Dr Coldrey wrote:

What I mean by the term 'sex underworld' or 'sex ring' in the province is that monks doing the wrong thing 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

13 Mr Alan Gill refers to this as 'clannishness' in *Orphans of the Empire*, Random House, Sydney, 1998, pp.351-2.

14 Coldrey, *The Scheme*, p.393

15 Dr Coldrey had been commissioned by the Christian Brothers to produce the history, and as such the people who commissioned it had editorial rights.

detailed – it is very clear that these complaints went as far as the Archbishops office.¹⁶

4.25 The research and publication of material by Dr Coldrey exposing the predatory sexual activities of members of the Catholic Church apparently made the Church hierarchy so uncomfortable that he was pressured from the highest levels – Rome – to remove material from the Internet and cease the publication of reports on the subject.¹⁷

4.26 Brothers who sexually abused migrant children have been named in previously published books and material. The names recurred in the submissions and evidence before the Committee. To date only Brothers Philip Carmody (1920), Gerard Dick (1994) and Fabian Jordan have been before the courts and successfully prosecuted. Most of the other named Brothers have since died either during or before prosecution could be launched. Brothers ‘Pop’ Angus, Col Beeden, Doug Boulter, Con Campbell, Serenus Cooke, Matt Dawe, C Fricker, Hubert Hansen, Sal Marques, LH Murphy,¹⁸ C O’Neill, BS Smith, and Matt Thyer have also been accused with a ‘good deal of precision and accuracy’¹⁹ as perpetrators of sexual abuse and assault. Others named by a number of witnesses were Brothers Bruno Doyle, FP Keaney, PC Mohen and GP Moore.²⁰

4.27 The Christian Brothers were ‘very insistent that the abuses were not known to those who controlled the institutions’ when they appeared before the UK Health Committee. This claim was moderated in the Catholic Church Joint Liaison Group’s submission to the Committee by stating that ‘we are now also aware that in some cases...sexual abuse occurred...It seems that these abuses did not come to the notice of the supervising authorities, be they congregational, diocesan, federal or state’.²¹ Yet reference is made in *The Scheme*, using the Church’s own records, of knowledge by the Brothers’ Executive in Melbourne, Provincials and Superiors.

4.28 The Committee considers that, based on the personal testimonies given in evidence and like the UK Health Committee, it cannot accept this argument. Evidence is available to warrant further criminal investigation and action. The Committee

16 Submission No.15, p.16 (Dr Coldrey) copy of document *The Secret Report which damned the Christian Brothers*. See also Gill, pp.480-84 and Submission No.95, pp.26-7.

17 *Committee Hansard*, 15.3.01, pp.227-8, 231-2. The Joint Liaison Group confirmed the Vatican’s request that Br. Coldrey withdraw work posted on the Internet, though ‘we are not aware of what reasons, if any, were given for this action’, Submission No.54, Additional information 23.4.01, p.3 (JLG).

18 LH Murphy was committed for trial in 1998 for sexual offences against boys in the WA orphanage system, but in early 1999 was declared unfit to plead on grounds of advanced age and mental/physical decline.

19 Submission No.15, Additional Information 19.3.01 (Dr Coldrey).

20 This is not a complete list of those named in submissions, only those with multiple references. The numbers alleged to be involved in sexual abuse at these institutions is much larger than this list.

21 Submission No.54, p.11 (JLG).

discusses previous court actions and the impact that the Statute of Limitations has in undertaking legal action in each Australian jurisdiction later in the report.

Other Institutions

4.29 The incidents of sexual abuse or assault of children in care at other institutions described in submissions covered a range of other Catholic and non-Catholic institutions. The major difference in the nature of the abuse, compared to the four Western Australian Christian Brothers' institutions, was the lack of systemic abuse perpetrated by a number of carers at the same institution. In nearly all the descriptions provided to the Committee, the abuse or assault was mostly by a single perpetrator or was a single incident.

4.30 In most instances the abuse occurred outside of the institution, or if at the institution not by those directly responsible for the care of the children at that institution. The evidence indicated that the sexual assault was more individualistic and opportunistic. Submissions referred to abuse by Brothers at a high school attended by the child, by a gardener and by a handyman working at the home, by a carer who regularly visited the home, by a known church visitor, and of the rape of girls who had started working.

4.31 It is highly likely that in a couple of cases involving girls in their mid to late teens assaulted or raped when they were working outside the institution, their innocence and worldly naivety as a result of their upbringing in an orphanage made them more at risk of attack.²²

4.32 While sexual abuse in some of these cases may not have been by a staff member as was the case with the Christian Brothers, the children were still at the time the responsibility of that institution. The institutions named in submissions were Murray Dwyer, Newcastle; Goodwood, SA; Salesians, Tas; Dhurridge, Vic; Fairbridge, Molong and Pinjarra; Barnardos, Normanhurst; Magill, SA; St Vincents, Westmead; and Melrose, Parramatta. The Committee accepts that this list is anecdotal but equally it is unlikely to be exhaustive.

4.33 The Forde Commission recorded that 'a number of former [Neerkol] residents reported sexual abuse from a range of persons: members of foster families to whom they were sent on holidays, male workers at the orphanage, regular male visitors, and priests stationed at the orphanage'.²³

4.34 The Committee also received evidence of sexual activity at other institutions. In May 1958 the Superintendent at Barnardos, Mowbray Park, Picton discovered that

22 Dr Marion Fox has noted that NSW Child Welfare social workers who dealt with teenage pregnancies of unmarried girls and the adoption of their babies commented on the way 'the young people were seeking affection' and criticised the religious staff 'for keeping the children isolated in the institutions and failing to prepare them for transition to work and society'. Submission No.148, p.4 (Dr M Fox).

23 Commission of Inquiry into Abuse of Children in Queensland Institutions, (Forde Commission), *Closed Report*, 1999, p.4.

there was ‘serious sexual perversion and malpractice’ occurring between boys and staff, chiefly at the Farm School, but also between some employers when the boys were placed with them. A report was prepared for the New South Wales Director of Child Welfare, police were called and within a month the then Minister for Immigration, Mr AR Downer, personally banned the arrival of further parties of Barnardos boys into Australia until the affair had been resolved. Barnardos sent its senior staff from London. Subsequently, eight adults implicated in the systemic abuse were tried and convicted. The ban was lifted in August 1958. It appears from the records, that in this case, the Australian authorities and Barnardos took quick and decisive remedial action.²⁴

Physical assault

4.35 The incidence of criminal physical assault on children appears to have been much more widespread than sexual assault. Beatings were commonplace. While it is argued that beatings as punishment was much more acceptable then as a disciplinary measure than it is now, it is clear that many beatings were far more excessive and brutal than simply a disciplinary measure even by the standards of the time. The Committee also heard evidence of indiscriminate assaults that were not related to discipline. It appears that some institutions or religious orders allowed, even encouraged, sadistic and excessive punishment. Systemic beatings designed to break down the will and subjugate the child migrants again draw parallels to stratagems used in concentration camps.

4.36 Punishment was often excessive:

- ‘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?’²⁵
- ‘The nun in charge pounded into the dormitory brandishing a very thick strap. She stripped me naked and proceeded to savagely flog me, showing no mercy. She was like a woman gone mad, cruelly beating me until she had crushed and shamed me. The pain was unbearable and I had been humiliated beyond imagination. To be stripped for all to see, at 15 years of age, was horrendous.’²⁶
- ‘We were forced to witness in the dining room the sight of a boy being held over a chair with his shorts around his ankles and his bare backside totally exposed

24 Submissions No.15, p.76-80 (Dr Coldrey); No.42, Additional information 9.4.01, p.1 and Attachment C (DIMA); and No.50, p.3 (Barnardos).

25 *Committee Hansard*, 21.3.01, p.407 (Tardun, WA).

26 Submission No.68, Additional Information 22.3.01, p.3 (Goodwood, SA).

while the Colonel gave him 10 of the best with a heavy leather strap, as an example to the rest of us to behave ourselves according to his rigid code’;²⁷

- ‘The usual method of discipline was belting the boys around the legs with a string of keys and many times the boys who were hit were left with bleeding legs’;²⁸
- ‘For any misdemeanour, no matter how slight, I wasn’t just belted but flogged, with a genuine leather strap’;²⁹
- numerous accounts were given of being locked up in very dark environments such as small cupboards or underneath dormitories, making some children claustrophobic – ‘to this day I can not tolerate being in a room with a closed door’.

4.37 Punishment for running away was also brutal in many instances:

- ‘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.’³⁰
- ‘I can recall every girl being rounded up from their beds to go into the hall to watch two girls get a caning within an inch of their lives, because they had the guts to run away.’³¹

4.38 Archival documentary evidence has shown that the Christian Brothers in Western Australia did not keep any records of punishment, a requirement under State law. It is likely that other institutions in other States breached similar State laws.

4.39 Physical criminal assault through excessive beatings, often indiscriminately, with a variety of weapons was reported as occurring across a broad number of institutions. On-going health problems have in some instances been attributed to these assaults. Examples of such assaults described to the Committee included:

- ‘...caused me injury on one occasion by hitting me over the head with a steel potato masher, she split my head open, I still have the scar. I suffer from epilepsy and my doctor has put forward the possibility that it was caused by this particular trauma.’³²
- ‘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

27 Submission No.130, Additional Information 20.3.01, p.3 (Northcote, Vic). Similar punishment was reported at Bindoon, Clontarf, WA; Dhurringile, Vic; Goodwood, SA; Pinjarra, WA.

28 Submission No.94, p.2 (Magill, SA).

29 Submission No.58, p.1 (Northcote, Bacchus Marsh, Vic).

30 Submission No.73, p.1 (Fairbridge Molong, NSW).

31 Submission No.138, p.1 (St Josephs?, WA).

32 Submission No.141, p.2 (Tresca, Tas).

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...³³ After being taken to hospital it was discovered the child had a perforated appendix requiring an emergency appendectomy.

- ‘He went into one of his rages. He got stuck into me with his fists and during the beating I fell or was pushed onto the pumping machine. The belts that were driving the machine caught me under the armpit. I had lacerations and burns and was unable to put my arm down properly for 3 or 4 weeks.’³⁴
- ‘...another time one of them smashed me so hard around the left ear and jaw the blow knocked me off the chair I was sitting on, and to this very day I have trouble with the left jaw and ear.’³⁵
- ‘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 me cry out, and I would end up near drowned from the river water.’³⁶

4.40 The Committee received descriptions of a variety of the weapons and implements with which children were physically and criminally assaulted. They included:

- straps made to the individual specifications of brothers at Clontarf consisting of 2 or 3 layers of best leather about 4cms wide and 45cms long with bandsaw blades and lead pellets sown into them;³⁷
- fists and feet, a variety of straps, heavy walking sticks, horse whips, broom handles, bamboo and other canes, pieces of wood and sticks, cricket bats and stumps, a string of keys, and electric and telephone cords.

Psychological abuse

4.41 Related to the issue of depersonalisation was psychological abuse practised in a variety of forms. Many witnesses stated that they felt denigrated and ashamed by disparaging references to their background, status and families. The destruction of individual self-esteem appears to have been a deliberate policy with comments such as the following being repeated constantly:

- ‘as a little girl I was told daily how bad I was, how stupid, how worthless’;³⁸
- ‘we were from the gutter and that is where we belonged and where we would end up’,³⁹

33 Submission No.19, p.1 (Neerkol, Qld).

34 Submission No.60, p.6 (Bindoon, WA).

35 Submission No.23, p.2 (Burwood House, NSW).

36 Submission No.125, p.1 (Castledare, WA).

37 Submission No.95, p.15.

38 Confidential Submission No.14 (Goodwood, SA).

- ‘the main abuse was psychological. “You’re no good.” You will never be any good.” “You will amount to nothing”, that sort of thing’;⁴⁰
- ‘thoughts they instilled in me then I still carry with me today ie – feelings of being worthless, useless, unlovable and unequal to other people’;⁴¹
- derogatory expressions such as: ‘Sons of whores’, ‘scum of the English Empire’, ‘pommy bastards’, and references to their parents as ‘sluts’ and whores’.

As the Forde Commission noted, such statements heightened feelings of worthlessness and were particularly harmful to children whose self-image tended already to have been damaged by other life events. Such scars still persist for many child migrants.

4.42 The ‘pommy bastards’ comment, though with an emphasis on ‘bastard’, was indicative of a strong sectarian element in the treatment of some children in Catholic institutions. The brothers and nuns with Irish backgrounds were especially brutal in their exercise of Irish feelings towards the English.⁴² One former migrant noted the irony that although he had come from an orphanage in England, he was actually Irish. However, other nationalities including the Maltese were also subjected to derogatory and racially based remarks.

4.43 Deliberate embarrassment of children, sometimes as part of a punishment and in front of their peers, had a profound and long lasting impact on many. Strapping of bare backsides in front of other children, bed-wetters being made to stand with soiled sheets over their heads, shaving or cutting off hair, making children sit on chairs on top of desks in classrooms were some examples cited to the Committee of how children could be humiliated. Girls reported being humiliated going through puberty:

It was the same with our periods...We had no sexual education. But when we were about 11 we were all in a room and told that if you do not bleed once a month there is something wrong with you—that was the end of subject... you were issued with a half a dozen pieces of calico cloth, and that had to do you, year in, year out. You washed them every month. The boys could tell who had their monthlies, because the clothes line was right next to the recreation rooms...How could you have any dignity when it was just all thrust aside.⁴³

4.44 Many of the former migrant children reported that they learned to keep their heads down to reduce the likelihood of a random beating. ‘I learned to survive most of the time by staying out of the way and not being noticed’ – such virtual denial of existence being the ultimate result of psychological abuse and depersonalisation.

39 Confidential Submission No.50, p.3 (Fairbridge Pinjarra, WA).

40 Submission No.75 (Northcote, Bacchus Marsh, Vic).

41 Submission No.71, p.1 (Dr Barnardos, Normanhurst, NSW).

42 *Committee Hansard*, 21.3.01, p.383 (Neerkol, Qld).

43 *Committee Hansard*, 21.3.01, pp.373-4 .

What is the truth? The fact is that we were nobodies, only corporate identities in an era of cultural conditioning, robots to the agendas of others. From birth, survival was best preserved if one hid in the mass and not draw attention to oneself. This happened unconsciously without realisation. Fear born of various brutalities produced a lifestyle of habit that made future living very frightening.⁴⁴

4.45 The psychological impact that their childhood experiences have had upon their lives was dramatically yet simply illustrated by the language used in many submissions. Terms such as transported, deportation, exported, chosen like cattle, human cargo, abandoned, interned, incarceration, slave labour, penal servitude, inmates, concentration camp, and finally released recurred constantly in the submissions of the child migrants.

Bed wetting

4.46 The Forde Commission reported that a practice particularly harmful to children's self-esteem was that of humiliating them for bed-wetting. The Committee received evidence that this practice was widespread and not restricted to Neerkol.⁴⁵ There was a consistent pattern of children who wet the bed being made to stand, in front of other children, with the soiled bed sheet over their head. Other punishments for bed-wetting included making children sleep on wet mattresses, sleep with a potato sack under them and a potato sack over them on the floor of the verandah, being put into freezing showers, and having been made as adolescents to wear nappies. These practices, together with daily beatings as a further response to bed-wetting, increased the child's anxiety at bedtime and resulted in the creation of a long term cycle of anxiety and bed-wetting in some of the children involved.

4.47 The Committee received evidence that the Christian Brothers had their own 'grotesque methods of treatment' involving crude electric shock machines being attached to the boys' genitals during the evening.⁴⁶

Secondary abuse

4.48 The Child Migrants Trust reported that many former child migrants who returned as adults to the agencies in whose care they had been placed seeking records and information about themselves and their family background were denied access to their personal records or told that they did not exist. The Trust suggested that these experiences, which severely disadvantaged child migrants and prevented them from searching for their families, could be termed 'secondary abuse'. According to the Trust, the act of returning to these agencies for help was described by many as 'humiliating and the trigger for anxiety and fear', while child migrants suffering from

44 Submission No.93, p.2 (Padbury Farm School, WA).

45 Forde Commission, *Closed Report*, p.4. Other institutions included Bindoon, Castledare and Clontarf, WA; Goodwood, SA; Nazareth House, Geraldton, WA.

46 *Committee Hansard*, 15.2.01, pp.37, 40 (Clontarf, WA). See also Submission No.95, pp.12-13.

post traumatic stress disorder reported ‘a resurgence of symptoms at the point of their renewed contact with the organisation linked to their trauma’.⁴⁷

4.49 The Committee has noted in the chapter on the search for identity that most of these agencies have been much more open in recent years in providing information and access to records to former child migrants, though there is still a long way to go. The Trust has indicated that this is a complex issue that they intend to explore at the proposed International Congress on Child Migration to be held later in 2001.

Food and clothing

4.50 The Committee received considerable evidence about the inadequacy of the quality and quantity of food provided to the children. The most noticeable aspect was the complete lack of nutrition in their diet, such as fresh fruit and vegetables.

Going without food as punishment was of no great worry, as hunger was part of our lives, quite often the food was not very palatable, or there was not enough to eat, or it was just plain stale.⁴⁸

The food was appalling, flavourless, overcooked, inedible.⁴⁹

4.51 Numerous accounts were given of children always feeling hungry, of rummaging through food scraps for the pigs, and of stealing fruit and vegetables from the gardens. Comparisons were made between the quality of the children’s food with that of the staff – ‘a favourite job was clearing the Brothers’ dining area as you often were able to eat their scraps’.

4.52 The Committee also received considerable evidence of inappropriate and poor standards of clothing to meet the harsh Australian environment, especially in winter. In some institutions children wore uniforms and ‘yard’ clothes at play (khaki shorts, a rough shirt, no underwear, no shoes), while in others they were provided with ‘old hand me downs’ or there was no designated clothing with the children having to draw from a pool each day. The Committee heard stories of footwear being provided on the days welfare inspectors came to visit.

4.53 A particularly disturbing aspect was the accounts of inadequate or lack of protective clothing and footwear for children doing hard labour on work farms or building sites.

We were not provided with any protected clothing, such as boots, and this resulted in the boys suffering from many foot injuries and other ailments, which also included cement and lime burns, to our fingers, but also to our

47 Submission No.132, p.32 (CMT).

48 Submission No.4, p.2 (Burwood House, NSW).

49 Confidential submission No.25 and Submission No.36, p.2 (Bindoon, WA).

feet, particularly between the toes. We also did suffer from severe sunburns to our faces, and to other parts of our body.⁵⁰

Working conditions

4.54 The arduous nature of the work forced to be undertaken as children while in institutions and in outside employment was constantly raised by witnesses.

4.55 Much of the evidence provided harrowing descriptions of small children undertaking adult tasks – clearing land, building, looking after livestock – while at the same time trying to participate in the little education that was offered. While such hard physical labour was not undertaken at all institutions, most institutions required inmates to at least perform daily housekeeping and general operational chores.

4.56 From the evidence, the Committee has identified the main areas of work performed by former child migrants:

- daily chores of either a basic or excessive nature;
- full-time work at the institution before school-leaving age;
- work undertaken in the construction of buildings which formed part of the institution by children of all ages;
- commercial work undertaken either at the institution or in commercial operations run outside the institution;
- work at an institution following completion of education;
- work outside of an institution after the completion of schooling.

4.57 The various forms and degrees of this work undertaken by the very young through to the age of 21 led to numerous complaints ranging from utilising small children as slave labour, sapping physical and mental energy to the detriment of education, being forced to work in dangerous and unsafe environments leading to the very real prospect of accidents, the lack of payment of wages, and the disappearance of trust monies held for former child migrants by child welfare departments.

Types of work performed by child migrants

4.58 The arduous routine of the daily chores required of the children living in institutions, including the very young, was constantly raised. Comments such as these were common:

- ‘We were worked to the bone, long hours, wood cutting in bare feet...We were always exhausted, hungry and cold, with no love or physical affection shown... Basically we were a juvenile workforce at the beck and call of any adult that needed anything to be done’.⁵¹

50 Submission No.36, p.3 (Bindoon, WA).

51 Submission No.58, p.1. (Northcote, Bacchus Marsh, Vic)

- ‘I may have been 11½ or 12 years but I was still young when I began this routine. Up at 6.00am to work in the laundry Mondays and Thursdays. In the kitchen and the nun’s refectory on other days. We had to go to mass at 8 am then to school and after school I had to do the ironing. 100 uniforms, 100 pinnies and 100 day dresses, sometimes I ironed up until 9.00 pm’.⁵²
- ‘From seven to about ten years of age I cleaned basins and toilets. I helped dress smaller girls, I did their hair and tidied their dorm. I was always late for school. From the age of ten or eleven I was on nursery duties, and if I wasn’t working in the nursery I was either washing or ironing...The whole place was run on child labour. Unpaid terrorised child labour’.⁵³
- ‘I, for one, worked up the nursery with two other girls...We girls did all the work like dressing, bathing, feeding, and putting babies on pots. The children that were from 2-5 could feed themselves. Yes, we had babies in cots and we bottle-fed them too and cleaned up. The Sister that was there didn’t do much at all, just supervised. We girls worked very hard, even got up throughout the night to the babies. Not only did I work up at the nursery, I also worked in the convent laundry. This was before and after going to school’.⁵⁴

4.59 Dr Penglase, in her study of the NSW Catholic Homes, argued that ‘work in these Homes goes beyond “doing chores”: it has an ideological underpinning to do with a belief in the corrective, constraining and time-consuming function of work...Meaningless and demeaning chores...were also used as punishment’.⁵⁵ The Committee received an example of work as punishment from one former child migrant who recalled scrubbing the floor of the toilet block with a toothbrush.⁵⁶

4.60 At some of the farm homes children were removed from schooling before school-leaving age to work full time on the farm.

Somewhere between my age of 12 and a half and 13 years of age I became a full time worker on the farm. I received no further schooling from that time on as I was working full time on the farm...

My workday would commence at 4.00am and I would finish many hours after dark. My duties were to work in the vegetable garden, the piggery as well as general farm work which included long days of ploughing the fields. I also had to look after the dairy herd, cleaning fields, collecting

52 Submission No.72, pp.4-5. See also Submission No.68, Attachment, p.3. (Goodwood, SA)

53 Submission No.20, pp.9-10 (Neerkol, Qld).

54 Submission No.16, p.5 (Neerkol, Qld). Evidence was also given that girls as young as 12 at St Josephs, Subiaco, were put on night duty in the nursery to look after 36 babies aged 7 days to 18 months – Submission No.83, pp.1-2.

55 Penglase, J, ‘Orphans of the Living’: The Home Children NSW 1939-1965, Ph.D thesis, Macquarie University, 1999, pp.214-15.

56 Submission No.64, p.3 (St John Bosco, Tas).

firewood...These were long and hard hours, which caused me great distress...I was truly a young *child slave*.⁵⁷

4.61 At Bindoon and other institutions land was cleared and heavy construction work was undertaken, usually with little concern for safety, where young boys were used to build the facilities required at the institution. The working conditions were hard and dangerous and as noted earlier boys often lacked protective clothing, such as boots, resulting in foot and hand injuries as well as cement and lime burns.

It was mid summer in the West Australian bush when we were forced to work on building sites...Building works were a priority, education a poor second. We had to climb scaffolding, carry up loads of bricks. There were many accidents, children falling off the scaffolding, bricks and rocks falling on children from above, children falling down from heat exhaustion. There were many accidents – safety was not a consideration.⁵⁸

4.62 Another submission recalled the work on the Clontarf swimming pool carried out by children who moved earth by hand and shovelled soil into bags which were carried up rickety and dangerous planks.⁵⁹ At Tardun, boys cleared land, planted wheat and provided labour for construction of facilities. Many believe that those working unpaid on such projects ‘worked as slaves’.⁶⁰

4.63 One former child migrant at St John’s Anglican Boys Home in Melbourne stated that on weekends they renovated cabins and made improvements to properties owned by the institution: ‘we were told that these two properties were going to be holiday places for the children of the home but that never happened in my time and I eventually heard that they had been sold after we renovated them’.⁶¹

4.64 Hard labour was not confined to the boys:

My sister and I went to the black hole of Subiaco, St Josephs Girls Orphanage. At the age of 9 I was a brickies labour, carry cement, and carrying bricks, 8 at a time. If I spilt the cement or couldn’t carry eight bricks because my arms were sore, I was flogged.⁶²

4.65 Broken Rites argued that this work ‘had the effect of creating assets of capital value for the religious orders that housed them’. The assets built up were of

57 Confidential Submission No.11, p.2 (Fairbridge Pinjarra, WA).

58 Confidential Submission No.25, p.4 (Bindoon). Mr Alan Gill refers in *Orphans of the Empire*, p.356, to an old newsreel now with the National Film and Sound Archive showing construction work by scantily clad, barefoot boys ‘many who look no more than 10 or 11’ and of photographs depicting ‘boys atop flimsy scaffolding like construction workers in a third world country’.

59 Submission No.95, pp.31-32.

60 *Committee Hansard*, 15.3.01, p.251 (Broken Rites); Submission No.36, p.2.

61 Submission No.82, p.1.

62 Submission No.83, p.1 (St Josephs, Subiaco, WA).

substantial value, with Broken Rites pointing to Clontarf and Bindoon which ‘started off as bare ground...and boys worked as slaves to create and turn that [Bindoon] into a capital asset which must be worth millions in terms of the upgrading of the land, its farmability, the buildings that were put there...We have seen it time and time again, not just with Christian Brothers but with non-child migrants who developed farms. One was at Lilydale which was sold, to become a golf course, for \$3 or \$4 million.’⁶³

4.66 There was also evidence that work of a clearly commercial nature was undertaken at institutions.

The strings and tags were for the Metro Meat Company. The strings were cut so long. There were 80 strings to a bundle, and it took 13 minutes to do a string. Sister Clare set the quota. I used to get 20 bundles a day and a box of tags. That is 1,600 tags. I would be up till 1 o’clock in the morning getting my punishment finished, because if you did not, you got belted. The punishments would go on—strings and tags went on for nearly 4½ years. The strings used to go in our fingers and make blisters. We would sit up on the bathroom floor to keep ourselves awake because the tiles were cold. When I asked the nuns, ‘Hey, that was child labour. I want to be paid for that,’ one of the nuns, Anne Gregory, said, ‘We were told that sister bought records for you to dance to with that money.’ I said ‘We could have bought the whole record company.’ That money, I was told, was used to buy a big industrial laundry.⁶⁴

Young migrant girls also worked in the commercial laundries run by religious orders. One witness has wryly noted that by the age of 12 years she could work the big pressers and the huge industrial washing machines in the laundry.⁶⁵

4.67 Some child migrants remained at the institution to work after leaving school. Again the problem of non-payment of wages arose.

I left school in 1960 [aged 15] and worked in the kitchen for three years...I never saw money when I was there. I was treated like one of the other orphans, and I slept in the dormitories with the other kids. I never got paid for those three years that I worked there...I did not know the reason for that. When I turned 21, I got a letter from...the mother superior at Neerkol at the time...that said, ‘We have no money in trust for you for those years that you worked at Neerkol because you were a British migrant.’ I thought that was a bit strange. I got a bit upset about it. I am actually sorry I never kept that letter because that would have been good evidence. I am sure it is on the records there that, because I was a British migrant, I was not entitled to any money at all. I left when I was 18 with £25 and a port full of old clothes.⁶⁶

63 *Committee Hansard*, 15.3.01, p.251 (Broken Rites).

64 *Committee Hansard*, 22.3.01, pp.533-34 (Goodwood, SA).

65 Submission No.124, p.1.

66 *Committee Hansard*, 21.3.01, p.349 (Neerkol, Qld).

4.68 Another submission cited comments by the Western Australian Child Welfare Department in 1946 that the interests of boys who had come to Western Australia in 1938 and 1939 were not safeguarded; instead of being found outside employment they ‘had been retained in connection with building operations for which in the main no wages have been paid them’.⁶⁷ Dr Marion Fox also noted that several girls worked at Thургона without wages which ‘the nuns described as training’.⁶⁸

4.69 Many examples were provided to the Committee of the type of employment undertaken by young child migrants after leaving institutions. For many young male child migrants, it was a case of leaving one poor and, at times, brutal existence for another. Many worked long hours, in inappropriate settings with little contact with welfare authorities. For female child migrants, there are many examples of girls, after completing their education, being placed in domestic situations and in commercial laundries run by religious orders.

4.70 Many witnesses complained of the poor or unpaid wages and the loss of trust monies when placed in outside employment. One former child migrant was employed in the late 1950s at a farm where he had to get up at 4.30 am and was responsible for milking between 50 and 120 cows. He was then required to clean equipment, feed the pigs before breakfast at 9.30 am. Other tasks filled in his 15 hour day, six and a half days a week. He was paid £4 per week, but stated that he rarely saw the money and had to ask for pocket money for clothes and other needs.⁶⁹ Others had similar stories:

From Padbury Boys Farm School I was sent to a farm...I was 16 yrs of age. The conditions were very poor and I worked from daylight till dark. Holidays I never got. I was never paid wages and if I was the money was sent to the Child Welfare Dept. Later I found out that 10 shillings was paid to the Child Welfare Dept to keep for you until we turned 21 yrs. And then it was £1-0-0 taken out...Where is the money now? And why was it never paid to us? when we turned 21 yrs.⁷⁰

My job was to look after [the children] and do the housework as well. This continued for a period of about eighteen months before I was sent back to the orphanage because they got into financial difficulties. I asked where my pay was and was told that they looked after me, I was originally told that I would be paid for that work but got nothing.⁷¹

67 Quoted in Submission No.95, p.33.

68 Submission No.148, Attached Article, British Child Migrants in New South Wales Catholic Orphanages’, *History of Education Review*, Vol 25, (2), 1996, p.12 (Dr M Fox).

69 Confidential Submission (Dhurringile, Vic).

70 Submission No.14, p.2 (Padbury Boys Farm School, WA).

71 Submission No.62, p.1 (Thургона, NSW).

Government financing of capital work - Bindoon

4.71 Evidence from archive documents indicates that Governments knew that boys in institutions were working without pay on building projects. Postwar, the Commonwealth and States provided financial assistance for buildings for the use of migrant children. The Western Australian Department acknowledged in a letter to the Commonwealth that senior boys were labouring on the facilities at Bindoon without pay. The letter is also enlightening as to the value placed on that labour:

As you are aware from previous reports the Senior boys at the Institution are employed on building construction receiving no wages therefore the cost to the Authorities for paid labour would be much less than the estimate of the Architects.

Taking all the facts into consideration, the State Government has agreed to contribute one third of the cost of Material (£30945) and one third of 50% of the estimated labour costs. This States contribution would therefore be one third of £46,417 or £15,472.⁷²

4.72 In a report of the inspection of Bindoon on 12 August 1952, the inspecting officer stated in relation to the building at Bindoon, ‘as you know, Brother Keaney’s methods are to say the least unorthodox, and I feel that great difficulty will be experienced by him to produce receipts for much of the material used’.⁷³ The Commonwealth made its final payment in 1957.

Wages while training at institutions

4.73 The payment of wages for trainees in institutions, generally those 14 to 16 years of age, was an area of concern for child welfare authorities from the early 1920s until the early 1950s. Dr Coldrey stated in *The Scheme*⁷⁴ that the particular issue of payment of wages was a sticking point during negotiations between Child Welfare officials and the Church over the development of Tardun in 1929. Tardun eventually agreed that the boys would be paid pocket money while they ‘trained’. When Clontarf boys were sent to Bindoon for work experience, they were to be paid pocket money. Dr Coldrey stated that during Brother Keaney’s first stay at Bindoon (1942-44) none of the boys were paid but Brother F Doyle apparently paid the older boys a regular wage during his time in charge at Bindoon (1945).

72 From National Archives RecordSearch - Letter from the Western Australian Department of Lands and Survey to the Commonwealth Department of Immigration, dated 20 February 1951, K403/3 W59/87, pp.70-71; see also pp.35-36 - Letter from the WA Department to the Commonwealth Migration Officer. Following the letter of 20 February 1951, a valuation of the buildings at Bindoon was undertaken by the Commonwealth and State Public Works. The cost of materials was valued at £10,432-10-0 and payment was recommended on a two-thirds basis - £6,955-0-0, and the cost of labour was valued at £10,432-10-0, less 50% allowance for the students’ labour, leaving a subsidy payment of £3,477-10-0.

73 From National Archives RecordSearch, K403/3 W59/87, p.45.

74 Coldrey, *The Scheme*, pp.366-76.

4.74 Dr Coldrey noted that during the postwar migration period the indenture agreements did not mention wages to be paid to the child migrants while in training. He commented that ‘in view of the parlous financial condition of the Catholic Homes during the war years, it is fair to say that no agreement would have been signed had wages been demanded for the young arrivals while they were training’.

4.75 One former child migrant disputed this view of the indentures submitting that the indentures were ‘nothing like contemporary apprenticeship indentures...but were merely an agreement between the custodian of the child and the Minister’s delegate...To equate the indentures...with apprenticeship indentures invites the absurd proposition that child migrants became indentured labour from the moment of their arrival on Australian shores.’⁷⁵

4.76 In 1948 an inspection of Bindoon by Child Welfare officers found that large numbers of boys were employed on the buildings and it was suggested that the boys over school age should be paid a wage. Brother McGee, then in charge, did not agree. The matter was taken up by Child Welfare which stated that ‘the time has arrived when we must put the question of their [the trainees] wages on a proper basis as is done at the Swan Homes’.⁷⁶

4.77 After Brother Keaney returned to Bindoon he ignored the suggestion by Child Welfare. Dr Coldrey commented that Brother Keaney could have paid the older boys ‘something. He chose not to do so. In this decision, the weight of evidence is clear that he did the wrong thing, and exploited the labour of the post sixteen year-olds between 1949 and 1951.’ At this time there was also an investigation of the apprenticeship scheme run at Bindoon. Brother Keaney stated to officials that the scheme would be recognised by the Arbitration Court as part of an apprenticeship. However, the Building Trades Apprenticeships Advisory Committee noted a number of problems.

4.78 The Department of Immigration and Multicultural Affairs (DIMA) also commented on the payment of wages. The Department noted that ‘there was recognition by the Commonwealth and State governments that the youth who were trainees or apprentices in the Homes should receive appropriate award wages from the Institution’.⁷⁷

4.79 Other evidence provided indicated the level of concern by Western Australian Child Welfare officials. In 1949, the WA Child Welfare Department stated ‘that no boy over the age of 14 years is attending school [at Bindoon], and yet subsidy has been paid for all lads under the age of 16 years on the presumption that they were attending school’. In further correspondence in 1949, the Acting Secretary of the Department remarked:

75 Submission No.86 Additional Information, p.22.

76 Coldrey, BM, *The Scheme*, p.373. The Inspection report is reproduced in Submission No.42, Additional Information, Attachment H (DIMA).

77 Submission No.42, Additional Information, p.5 (DIMA).

Although I realise that if these recommendations are carried out the Institution will be deprived of a considerable amount of labour, I am afraid that if something is not done to rectify the present position both this Department and the Bindoon authorities will leave themselves open to a charge of exploiting child labour.⁷⁸

4.80 The issue of wages was canvassed in two reports from 1950 and 1952. A 1950 inspection report on Bindoon recommended the level of wages that trainees should receive and that all boys 16 years of age and over, employed as agricultural workers, be paid wages on the scale of the General Farm Workers' Award. The report also recommended that Commonwealth Savings Bank Trust Accounts with the Secretary, Child Welfare Department as trustee, be set up for each boy employed as was done for wards of the Department. Many witnesses believed that this was done, but many have since complained they were never paid. The 1952 report provided the policy on child migrants and wards in institutions in respect of employment and education, including wages to be paid to children who were trainees, as well as the policy on how long children were to remain in school and the length of traineeships.⁷⁹

4.81 In its submission, the DIMA concluded that in general, from 'the archival records examined, it appeared that the issue of wages was a particularly contentious one, at least as far as some Catholic authorities were concerned'.⁸⁰

Work to financially support institutions

4.82 The Forde Commission reported that 'one of the consequences of low levels of funding and staffing was that many institutions relied on the labour of children to maintain their functioning'.⁸¹ This situation was certainly not confined to Queensland, although the level of funding varied from State to State and over the decades.

4.83 From 1941, Commonwealth child endowment was paid at a rate of 5/- per week, for all children resident in Australia aged less than 16 years. Prior to this time, the Commonwealth had agreed to pay maintenance for child migrants in care (mainly Barnardos, Fairbridge and the small number brought to Western Australia under the pre-war Catholic arrangement). The State Governments (Western Australia and New South Wales) also provided maintenance payments.

4.84 In relation to children other than child migrants in institutional care, most States provided some funding to voluntary organisations for their care. In New South Wales, voluntary care organisations did not receive State Government funding until 1961, resulting in many of the institutions being 'run on a shoestring'. Dr Joanna Penglase in her study of home children in New South Wales found that many homes

78 Quoted in Submission No.95, p.35.

79 Submission No.42, Additional Information, Reports at Attachment E, p.5 (DIMA).

80 Submission No.42, Additional Information, p.5 (DIMA).

81 Commission of Inquiry into Abuse of Children in Queensland Institutions (Forde Report), *Report*, May 1999, p.79.

in that State operated, before 1961, on financial arrangements similar to those of nineteenth century institutions: on charity and endowments. Dr Penglase noted the extent to which children were used as domestic labour and commented that there was a view that children's labour was a justifiably available resource and that this view prevailed in many institutions.⁸²

4.85 Dr Coldrey has written that if extra monies were needed in the Christian Brother's institutions, it was sought through donations, fund raising drives and 'naturally, what the property could produce partly from the labour of the children. There was little money for wages. It was presumed that the children would labour towards their own upkeep'.⁸³ On the farm schools boys and girls were required to contribute through milking, planting, harvesting and other farm work. The Forde Commission commented in relation to Riverview Training Farm (though it could also apply to many others), 'clearly the question arises as to whether the boys were needed more for the operation of the institution than the Home was needed to care for them'.⁸⁴

Outside employment, wages and trust monies

4.86 The primary concerns raised about employment placements outside the institution were the payment of lower than award wages or no wages and the access to trust monies accumulated through outside employment.

4.87 Dr Marion Fox noted that in rural labour and domestic work, exploitation was rife. The case examples quoted earlier show that exploitation of those in rural labour and domestic situations was not limited to New South Wales. Wages were often low or non-existent. For example, a former Clontarf resident considered that in Western Australia 'the Catholic Welfare's main concern was to provide a cheap, powerless labour force for catholic farmers and supporters of the Christian Brothers'.⁸⁵

4.88 Dr Fox's study does illustrate that concerns were held by welfare officers about rural placements and the exploitation of migrant children:

- in 1953, a 13 year old boy was placed on a farm earning pocket money but no wages. The Department complained that the boy was being exploited as cheap labour. The Catholic Family Welfare Bureau arranged for the boy to be introduced to a 'prospective employer' who sexually molested the boy and abandoned him;
- in 1955, despite a recommendation by welfare officers that a child should be placed in private home, the boy was transferred to another institution and then placed on a dairy farm where he earned £1 per week and his keep. The industrial

82 Penglase, pp.196, 213.

83 Coldrey, BM, *Child Migration and the Western Australian Boys Homes*, Tamanaraik Publishing, 1991, p.35; see also *Committee Hansard*, 22.3.01, p. 493 (JLG).

84 Forde Commission, *Report*, p.81.

85 Submission No.96, Additional Information, 16.2.01.

award at the time exceeded £8 and the Department maintained that even if the boy needed a Slow Workers' Permit, the boy should earn more than the wage agreed on his behalf.⁸⁶

4.89 In some States trust or other savings accounts were established for child migrants, as was done for wards of the State, when they left an institution to take up employment.⁸⁷ From at least the 1920s, trust accounts were part of the formal service agreements that were signed by employers (usually farmers in Western Australia). The children were generally paid a wage, half in cash and half banked by Child Welfare. In evidence, many former child migrants claimed that they did not receive, or could not remember receiving, monies held in trust.

We had to send so much of our money back to Fairbridge for a trust. I honestly cannot tell you if I ever received that money. I cannot remember getting it and I cannot remember seeing it. If I did get it, I might have mistaken it for something else. I cannot remember getting it.⁸⁸

I was told that my employer would send back to Northcote 50% of what I earned, this money would be paid into a bank account...This in fact is what did happen but I cannot remember ever receiving any balance that should have reverted to me.⁸⁹

4.90 The Western Australia Department for Family and Children's Services advised that it had received a number of inquiries about trust monies. It had 'searched diligently through the records' but 'the problem we have is that we keep financial records for only seven years, so all those records of paying out those children have disappeared'. Money not collected was transferred to Treasury whose records had also been checked but 'we cannot prove that we have given them the money but we cannot prove that we have not given them the money'. Trust monies should have been provided when the child turned 21, went to work or married. The Department stated:

[I] find it hard to believe that the issue of money was not dealt with, because in the extant records that I have seen, there is a lot of procedure and there are a lot of guidelines about what you need to follow up and what you are supposed to do. The blue cards indicate that those things were done. I would have to say—without proof, but just from the information I have discovered

86 Submission No.148, Attached Article, p.10 (Dr M Fox).

87 The Queensland Department of Families reported that trust accounts were maintained for State children, but not for child migrants. It added that trust accounts were, in effect, forced savings and were arranged when a child was employed. The Department concluded 'it does not seem that the Department had any statutory authority to require compulsory savings by migrant children, and hence no trust accounts were held for them'. Submission No.146, Additional Information, p.4 (Queensland Government). The South Australian Department of Human Services advised that some files indicate that wages were paid by employers and placed in bank accounts. Board was deducted and child migrants were required to ask permission to make a withdrawal from their account. Submission No.127, Additional Information, p.2 (SA Department of Human Services).

88 *Committee Hansard*, 21.3.01, p.437

89 Submission No.130, p.3.

in reading the extant records—that that also was a procedure that was followed through.

...Unfortunately the trail is cold and we have no signatures.⁹⁰

4.91 The Joint Liaison Group also noted difficulties with records:

The child welfare records are very patchy indeed. A whole lot of records were destroyed back in the 1950s. Our own records are uneven—there are some there—so exactly how the thing was administered, where money went, why kids were not caught up with when they turned 21 to receive this money when they came of age, I do not have any clear cut answers to that.⁹¹

Exploitation of children in work

4.92 There is little doubt in the Committee's mind that many children were deliberately and callously exploited within institutions. While at the time most children in families would have undertaken daily chores, the work required in some institutions went far beyond chores. Indeed, many small migrant children carried out the work of adults. In some cases this work was done in very hazardous situations: quarries, building sites, and commercial laundries. At the same time government and society expected that they would be receiving an education.

4.93 In some instances, the amount of work undertaken was the result of financial imperatives. Poorly funded institutions required the hard labour of children to make ends meet. It was also the result of an ideological view that children should work to contribute to their upkeep. This view also saw hard work as a punishment and a control mechanism.

4.94 The Committee also considers that former child migrants were exploited in outside employment, especially those placed in rural and domestic work. Ample evidence was provided supporting the view that some child migrants placed in outside employment were not paid the same level of wages as other employees or in some cases, paid no wages at all. Accommodation was basic, sometimes being a barn or shed. There was a lack of or minimal aftercare on the part of the receiving agencies and by many State welfare officials. There appears to also have been a lack of attention paid to the access to trust monies by former child migrants.

4.95 Many witnesses called for compensation for work undertaken while in institutions and for lost wages from outside employment. Former child migrants also wanted the return of trust monies not received from State welfare departments. These issues are discussed in the next chapter on reparations.

90 *Committee Hansard*, 16.2.01, pp.168-70 (WA Department for Family and Children's Services).

91 *Committee Hansard*, 22.3.01, pp.494-95 (JLG).

Education

4.96 The arduous nature of the work required of the children impacted adversely on their education. Many submissions referred to the time taken in performing daily tasks curtailing the time available for education or of being so exhausted that education suffered. Often children would be late to school as a result of their daily chores and would be punished – ‘You could never speak up about why you were late because of the fear’.

4.97 Formal education was often minimal and in some cases non-existent for children below minimum school leaving age, as they were expected to work. As noted earlier, the 1949 McCall report on the educational standards of migrant children in Western Australian Catholic institutions found that many had arrived with low levels of education. With limited resources, little or no effort was expended to improve these educational levels. The Committee heard many accounts of children who struggled educationally not being given any remedial assistance but just being put out to work. This practice was contrary to the policy of both the Child Welfare and Immigration Departments that all children were to remain at school on a full time basis until the end of the year that they turned fourteen and one half.⁹²

4.98 In the rural institutions and farm schools, particularly Fairbridge, the overriding objective was to train the boys for a life as farm workers and the girls for domestic service. Formal education did not have a high priority, as it was not related to learning the farming and domestic skills that were perceived to be required for these occupations in life. However, Fairbridge Molong was given as an example of where children who showed potential were encouraged by being able to attend Orange High School and if sufficient educational standard was reached to progress to tertiary study including at Hurlstone Agricultural College.

4.99 Education was often informal with large class numbers and a mixture of ages:

- ‘School was a non issue – about 100 children aged from 6 to 12 with one teacher in one room’;⁹³
- Children were taught in classes in a single large classroom. The teaching regime seems to have been based on punishment and humiliation of children who made errors. Children were hit with the cane or a steel-edged ruler and made to wear a dunce’s cap.⁹⁴

4.100 The Forde Commission noted that a common complaint by witnesses was of their inability to learn because their minds felt paralysed with apprehension. Left-handed children were compelled to write with their right hands and were punished for

92 Submission No.135, Additional Information 9.4.01, Attachment E (WA Department for Family and Children’s Services) – Copy of 1952 policy in relation to migrant children and wards in institutions in respect to schooling and employment.

93 Confidential submission No. 23 (St Josephs, Lane Cove, NSW).

94 Forde Commission, *Closed Report*, p.5.

failing to do so. Again, the Committee received evidence that the practice was not restricted to Neerkol.

As a left-handed child the nuns tried to force me to write right-handed. I was forced to hold my left hand out, palm facing downwards and was hit across the knuckles with the edge of the ruler. I just couldn't write with my right hand and eventually they gave up but in the meantime my life was made a misery and my self-confidence was non-existent.⁹⁵

4.101 For many of the migrant children the illiteracy resulting from inadequate or lack of education has remained a severe handicap throughout life. A number of the submissions received by the Committee graphically illustrated this disadvantage. For many their poor educational standard has severely limited their employment potential with consequent economic detriment.

The denial of our rights to a basic educational standard can simply be seen as another example of the appalling neglect and deprivation suffered by child migrants.⁹⁶

After-care

4.102 Most of the migrant children were turned-out of institutions at 16 years of age as young, worldly naive, vulnerable teenagers, though welfare departments remained responsible for them until age 21.

4.103 Minimal attempt was made to ensure that work or accommodation placements were suitable, with the result that many drifted between jobs and some attracted the attention of the law. The Committee repeatedly heard of the problems with after-care and of the lack of support provided upon leaving an institution. In some instances where children were placed in remote farms, they were subjected to physical and sexual abuse no different to the institution they had just left. For many their wages were paid into a trust account until they turned 21. As discussed earlier, there were numerous reports that this money was never provided.

4.104 Constant reference was made in evidence to feelings of complete abandonment, of being desperately lonely and isolated, of being cut adrift in a world they were totally unprepared for and had no understanding of.

...I still felt completely alone, a nobody without a future, feeling completely worthless and unloved. I was actually homeless, in every sense of the word and stateless to boot; and given no choice in life. No one gave me any guidance or direction or basic support or love. All these are fundamental to any child growing up.⁹⁷

95 Submission No.28, p.1 (St Joseph's? WA).

96 Confidential submission No.81 (Castledare/Clontarf, WA).

97 Submission No.120, p.1 (Tresca, Tas).

Aftercare was a joke! Once you left the orphanage they washed their hands of you, leaving you to entirely fend for yourself.⁹⁸

4.105 For numerous reasons many former child migrants sought security by returning to an institutional life. Many joined the defence forces, serving with distinction in Korea, Malaya and Vietnam – ‘Joining the Australian army gave me a feeling that I was joining a family’. Some have commented on the irony of having undertaken National Service or served overseas on behalf of Australia when they were not even Australian citizens. Service life proved to be a positive for many with adult education and apprenticeships, and training for life eventuating from their army or service experiences.

Deaths at institutions

4.106 The Committee received evidence that a number of child migrants had died while in the care of institutions. While these included serious vehicular accidents, occasioning death and life-long injury, and drowning in a farm dam, the cases of six boys who died at Tardun, Bindoon or Clontarf between 1943 and 1958 were specifically raised with the Committee.⁹⁹

4.107 Concern was expressed that although the death certificate for each case contained a statement by the coroner as to the cause of death it appears that none of the deaths was further investigated by a coronial inquest.¹⁰⁰ Four of these boys died from fractured skulls. In one instance the fractured skull was alleged to have been sustained from a fall from a balcony at night.

4.108 Correspondence from the Western Australian Attorney-General’s Chief of Staff in November 2000, cited in evidence, indicated that ‘the records relating to those deaths had been destroyed. There had not been any record of any request for the Coroner at the time to conduct an inquest...There is no evidence that the guardians of these child migrants had at any time made any attempt to inquire into the violent deaths of child migrants’.¹⁰¹

4.109 The Committee considers that the lack of coronial inquest and the history of cover-up of other assaults leads to the conclusion that from the stated cause for these deaths in Western Australia, there should as a minimum be some suspicion concerning the events surrounding at least one of them.

4.110 The Committee is astounded at the apparent lack of investigation undertaken at the time, but concedes that with the passage of years and the destruction of records it is unlikely that pursuit of the cases would now produce conclusive results.

98 Submission No.111, p.1 (Bindoon, WA).

99 Submission No.95, pp.20-21. Submission No.36, Additional information, 1.12.00.

100 *Committee Hansard*, 15.2.01, pp.51-3; 26.3.01, p.558 (IAFCM&F); 22.3.01, p.539.

101 Submission No.86, p.3. See also *Committee Hansard*, 16.2.01, pp.158-9 (WA Department for Family and Children’s Services).

4.111 The Forde Commission in its Closed Report outlined the situation in respect to a number of former residents of Neerkol who it was believed had died in mysterious circumstances.¹⁰²

Long-term effects of abuse

4.112 Lack of identity, lack of family to turn to, lack of training in basic social and life skills, and lack of confidence and self esteem as a result of years of physical and mental abuse and criminal assault have led to a diversity of problems being experienced in adult life.

4.113 The most commonly referred to problem has been in establishing and sustaining relationships, from an inability to maintain a basic social life due to a lack of social skills to an inability to trust others and themselves sufficiently to form close personal relationships and share emotions.

I should have been given more information and experiences in social life, I should have been told what to expect. The heavy dosage of religion, poverty, purity and humility really did affect my mental attitude to life.¹⁰³

Many former child migrants have remained single, with some describing their life as that of a loner.

4.114 The separation and divorce rates among former child migrants appear to be very high. Those who have married and had families have described difficulties with parenthood resulting primarily from a lack of parental guidance and knowing no other form of upbringing than that which they received:

As a result of not having a role model while rearing my own children, I found it 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.¹⁰⁴

4.115 Even those who have built durable, strong, happy marriages have indicated that their marriage has been affected as a legacy of their childhood experiences. Demonstrating affection can be difficult, especially to their own children, as is learning to think how decisions will impact upon others after a life of thinking how decisions affect the self. As parents, anger and resentment grew due to their inability to provide a family history or full identity to their own children, for example drawing up a family tree is often given as a school project.

4.116 An aspect that became noticeable for the Committee was how very important a caring and understanding partner or spouse was for a child migrant. Sadly, the

102 Forde Commission, Closed Report, pp.8-9.

103 Submission No.101, p.4 (Castledare/Clontarf, WA).

104 Submission No.19, p.3 (Neerkol, Qld).

Committee heard of cases where a spouse or partner could not empathise with the child migrant's experiences and profound unhappiness inevitably resulting.

4.117 In many cases former child migrants have had great difficulty in holding jobs or maintaining long-term employment.

4.118 Other long-term effects resulting from their childhood experiences have been described for the Committee. They include:

- clinical depression and anxiety requiring medication and counselling – some diagnosed as experiencing Post Traumatic Stress Disorder;
- uncontrollable, often explosive anger leading to outbursts of violence including domestic violence;
- alcohol and other drug abuse;
- reluctance to trust others, especially those in authority; and
- resorting to petty crime.

4.119 A particularly depressing impact relating to the long-term effect of their experiences as children has been the high level of suicide among child migrants. A number of submissions and witnesses spoke of the suicide of family and friends who had never been able to cope with the traumas of their childhood. It is often difficult to quantify the level of suicide, particularly when death certificates, for example, record accident or overdose as the cause of death. However, the Committee believes that the anecdotal evidence that it received would indicate that the suicide rate of child migrants is well above the Australian average.¹⁰⁵

Factors contributing to neglect and abuse

4.120 The level of abuse and assault described in this chapter is totally indefensible. Under any understanding of what constitutes civilised behaviour, especially in relation to the care of children, the treatment of child migrant children in Australian institutions will remain a very dark aspect of this country's history.

4.121 A number of factors have been identified as giving rise to the risk of abuse in institutions, and have been particularised in relation to some. However, the consequences of these risks to child welfare should have been apparent at the time and acted upon by the responsible agencies and organisations. The fact that they were not, ultimately led to the levels of abuse suffered by a great many of the migrant children.

4.122 Some institutions used for child migrants were also correctional, with child inmates who had committed crimes or were on remand. Bindoon, for example, ‘was gazetted to receive and train juvenile delinquents. It also acted as a place to which

105 Submission No.57, Additional Information 15.5.01, p.8 (Broken Rights). See also Submission No.148, p.4 (Dr Fox); *Committee Hansard*, 15.3.01, pp.191, 262.

boys could be sent who had committed offences, but not been through the courts...Bindoon was the-end-of-the-line institution for catholic boys at risk.¹⁰⁶ Hardly a welcoming environment, yet one to which child migrants were sent!

4.123 The Forde Commission took evidence from a number of the nuns who had worked at Neerkol. Their comments could equally relate to many of the institutions about which the Committee received evidence as being responsible for the worst excesses of abuse. The Forde report identified the following factors as contributing to the risk of abuse at Neerkol:

- physical isolation of the institution depriving its occupants of any real opportunity to integrate into the local community. Isolation inevitably gives rise to a closed community with a culture of its own;
- the lack of funding needed to provide a level of resources that would enable children to be cared for in physical conditions of reasonable comfort by carers who were not over burdened;
- the workload of individual nuns, particularly those in charge of the nursery and the children's dormitories, was unremitting and arduous;
- staff-child ratios were grossly inadequate for the provision of care and attention to individual children;
- there were nuns who were not by nature suited to working with children. Their vow of obedience gave them no choice but to go where directed. The lack of aptitude or enthusiasm for dealing with children was compounded by overwork, lack of resources and the rigour of life in an isolated, harsh environment; and
- management practices were such as to suppress individuality. Some of the nuns who gave evidence to the Forde Commission spoke of feelings of intimidation and powerlessness as junior members of the Order.¹⁰⁷

4.124 This last point possibly provides a more general understanding (though certainly not excusable) as to the reasons why when children raised the problems of abuse with staff they trusted, there appeared to be a reticence by the staff member to take issue with their superiors.

4.125 Dr Coldrey has also written about the unsuitability of staff and inappropriate mix in Catholic institutions:

It is now clear, that in general, the Religious Congregations tended to place their least qualified personnel on the staffs of the children's homes. Moreover, on occasion, they used the Homes to hide ageing, difficult, odd or mentally unstable members, at a time when the congregations could not afford specialist care for old, retired or mentally ill brothers or sisters.

106 Coldrey, *The Scheme*, p.389.

107 Forde Commission, *Closed Report*, pp.1-2, 7-8.

In the Catholic institutions, congregate care was the norm and staff gender balance was not usual. In Boy's Homes, men held all, or almost all, the key roles; the reverse in the institutions for girls...In Catholic care, religious brothers found themselves caring for small boys, a role for which they had neither training nor aptitude. The risks of physical and sexual abuse were heightened.¹⁰⁸

4.126 The verbal abuse referred to earlier based on the child migrant's background is also reflective of a prevailing culture that regarded the children with these backgrounds as sinful and deserving of unremitting cruelty and harshness precisely because of their illegitimacy and origins.

4.127 The Committee received many comments from child migrants who felt betrayed by non-offending staff who were aware of abuse happening in an institution but took no action. The child migrants perceived such people as equally guilty as those perpetrating abuse. One of the residents of Neerkol submitted:

If those nuns were so unhappy that they took all their anger and frustration out on us kids, why didn't they ask to be moved. We had no choices. We had nobody. We didn't ask for their anger to be put onto us. Why didn't they have the backbone if they weren't happy to make some changes to their lives?¹⁰⁹

4.128 It was not just the Catholic institutions that had staff unsuited to caring for children. The Committee received evidence in relation to a number of non-Catholic institutions concerning the calibre of staff. Lack of trained staff was raised, with one commenting that because only 'board and keep' plus a small allowance was paid 'most of the people attracted to the job were failures or odd-balls in society'.¹¹⁰

4.129 Some of the cottage parents at Fairbridge homes appear to be a good case in point. Recollections of life at Fairbridge farm schools varied dramatically with the central role of the cottage parent being crucial. A former Fairbridge Molong resident described this to the UK Health Committee:

The seeming contradictions between those who look back with affection to Fairbridge and those who are still suffering seems to me to be caused by this simple fact: "IT ALL DEPENDED WHO YOUR COTTAGE MOTHER WAS".

As there were many different cottage mothers over the decades obviously this must be taken into account when one former child gives a glowing positive report and another responds with a curled lip.¹¹¹

108 Coldrey, BM., 'The Child Migration Controversy: A survey and analysis of the debate over child migration and residential care in Australia, 1987-2000', *The Australasian Catholic Record*, Volume 78, No.1, January 2001, p.67.

109 Submission No.20, p.19 (Neerkol, Qld). See also *Committee Hansard*, 21.3.01, p.383.

110 Confidential Submission No.82 (Northcote, Bacchus Marsh, Vic).

111 UK Health Committee, Unpublished Memoranda, CM205.

Prevailing norms

4.130 Much justification for the treatment of the migrant children has been based on an argument that the care of the child migrants needs to be understood within the context of prevailing norms about childhood and children. Social mores and social standards have changed since the time of these events. This argument contends that corporal punishment was commonly used as a form of discipline throughout Australian schools until the 1970s, the lack of training in or understanding of child care and development applied as much to those caring for child migrants as to many Australian parents, and that making children work at an early age could be understood in terms of the aims of the original child migration schemes to provide young migrants with rural or domestic skills and training.

4.131 Similarly, it can be argued that in the 1940s many parents agreed to the migration of their under-privileged children to ensure they received greater opportunity in life than by staying in Britain. These parents would have considered that they had the best interests of their child at heart. However, the Committee has received evidence of parents who were denied visiting rights to their children and of parents who fought to have their child remain in Britain or who were deliberately misled into believing that the child had been adopted into a good family in Britain. This denial of rights and of sending children secretly to Australia without their parents knowledge is essentially stealing them away from their home and family.

4.132 The Committee considers that the many accounts it received of excessive and unwarranted criminal physical and sexual assault go way beyond anything that could conceivably be argued as normal for the time. Alan Gill commented similarly:

I think the “context of the time” argument is often misused. There is an assumption, for instance, that the children in these orphanages and institutions received “six of the best” and the occasional belt around the ear, which “is what we all got at that time”. Such statements are misleading. The punishments meted out at many of these establishments amounted to physical abuse, which would have been as wrong in 1949 as in 1999. Likewise, sexual assault is totally indefensible.¹¹²

4.133 The ‘it is illegal now and it was illegal then’ argument has been put forcefully by Broken Rites:

It should be recognised that at the time that child migrants were being “cared” for in so many institutions, the sexual assault of children was not sanctioned in any educational system in Australia, child labour was not permitted in law, slavery had been abolished, public beatings and floggings were no longer carried out in either the criminal justice system or in the

112 Submission No.2, p.2 (Mr A Gill).

military and minimum standards of working conditions, hours of work and wages had already been established for working adults.¹¹³

Conclusion

4.134 Evidence to the Committee indicated the disturbing extent of physical, sexual and psychological abuse that was inflicted upon child migrants over a number of years, although with differences between institutions and even from one period to another in a particular institution. Many of the stories of abuse recounted to the Committee were graphic and horrendous in detail. Abuse took many forms including excessive beatings as punishment and other indiscriminate physical assaults using specially made weapons, sexual abuse including sodomy and rape, psychological and other forms of emotional abuse including depersonalisation, arduous and exploitative work regimes, limited educational opportunity, inadequate food and clothing, and poor after care.

4.135 It has been argued that the care and treatment of migrant children needs to be understood within the context of prevailing norms about childhood and children. The Committee discounts this argument and considers that the many accounts it received of excessive and unwarranted assault and sexual abuse go way beyond anything that could conceivably be argued as normal for the time. Such actions were illegal then and they are illegal now.

4.136 While many child migrants were fortunate not to have suffered from the level of the abuse outlined to the Committee, those who did often carried the scars through adult life. The lack of identity, and lack of confidence and self-esteem resulting from years of physical and mental abuse, have led to a diversity of problems including an inability to establish and maintain personal relationships, marital difficulties, depression and anxiety, and alcohol and other drug abuse. The Committee believes that, based on the anecdotal evidence it received, an especially tragic outcome of these problems has been a suicide rate of child migrants well above the Australian average.

113 Submission No.57, p.5 (Broken Rites).

