

**AUSTRALIAN SENATE COMMUNITY AFFAIRS REFERENCES COMMITTEE
INQUIRY INTO CHILD MIGRATION**

**Submission to the Inquiry from the International Social Service - Australian Branch and
the International Social Service – United Kingdom Branch**

Context

The primary source for this submission is material submitted by former British child migrants to the International Social Service – Australian Branch (ISS Australia), via their applications to the Child Migrant Support Fund (CMSF), which is administered by ISS. Also informing this response are statistical and other information from International Social Service of the United Kingdom (ISS UK), which has been involved with the evolution as well as the administration of the Fund since it was set up by the UK government.

Observations in relation to New South Wales (NSW) have been drawn from a wider casework involvement than that relating to the Child Migrant Support Fund because, at least since 1993, the NSW ISS Office has also been dealing with former child migrants as part of its usual ISS intercountry case work.

From the nature of its source material, ISS can only make comment based on records and reported experiences of those former child migrants who contacted ISS. It has had no access to information from those former child migrants who have not contacted ISS. The submission therefore will reflect the experience of a particular subset of former child migrants.

The Child Migrant Support Fund, which commenced operations in April 1999 and will continue to operate until March 2002, was established as part of the response of the UK government to the report by the Parliamentary Select Committee for Health into the Welfare of Former Child Migrants. It assists former British child migrants to reunite for the first time with eligible close family members from whom they have been separated since they were brought to Australia.

ISS, an international non-government, non-profit, organisation, was contracted by the UK Department of Health to administer the Child Migrant Support Fund on their behalf. The operations of the Fund are co-ordinated by ISS UK, with collaboration from ISS Australia and other ISS Branches concerned with UK former child migrants, including Canada and New Zealand.

ISS Australia has two offices; a National Office situated in Melbourne and a regional office in NSW which provides service to NSW and the ACT, while the National Office services all other states and territories. The experience of each office with former child migrants is different, partly on account of the other services available in the areas covered by each of the offices. The NSW Office has always accepted requests from former child migrants for assistance with identity-related services, including tracing, mediation and on-going support services, whereas the National Office has generally referred such requests to another organisation - the Child Migrants Trust in Victoria or Western Australia. Thus the content of the submission reflects the different experiences of each of the offices involved.

Based on the experience of both ISS Australia and of ISS UK, the submission will principally address paragraphs (a), (b), and (c) of the terms of reference of the Inquiry, and will also provide some comments in relation to paragraphs (d) and (e). ISS is not in an informed position to make comment on paragraph (f).

- (a) in relation to government and non-government institutions responsible for the care of child migrants:**
- (i) whether any unsafe, improper or unlawful care or treatment of children occurred in such institutions, and**
 - (ii) whether any serious breach of any relevant statutory obligation occurred during the course of the care of former child migrants;**

(i) Neither the United Kingdom nor the Australian Branch of the International Social Service ever held any responsibility for the sending, receiving or care of former child migrants. The following observations are derived from ISS case files relating to either the Child Migrant Support Fund or the general ISS intercountry casework.

There are many instances reported by former child migrants of siblings being split up – through being sent to different countries, or to different institutions in different states within the country, or being segregated according to age or gender. Such practices contributed to the fragmenting of any remaining family links and broke down natural sibling bonds.

Instances of physical abuse and of humiliation have been cited frequently, such as former child migrants having been beaten to the extent of still having scars from the beatings and of having been forced to bare their buttocks for punishment in front of others. There are other instances where it is alleged children were denied meals because of perceived transgressions, such as not learning verses from the bible as they had been instructed.

There are several instances reported by former child migrants having been informed they were orphans, only to discover subsequently that they had a living parent and/or families. In a number of cases, former child migrants had been placed in temporary care in the UK, and had then been transported to Australia without the knowledge or permission of their parents. In several of these cases, when parents attempted to regain care or custody of their children, their attempts appear to have been obstructed from the institutions where their children then lived. There are also allegations that letters from family were vetted, and in some cases withheld from the former child migrants.

In some cases, there are also allegations of sexual abuse reported by former child migrants.

Additionally, it would seem that adequate education was not provided in a number of institutions, as evidenced by the number experiencing literacy difficulties.

The above practices are indicative of breaches of the duty of care towards the former child migrants. In particular, the breaking down of family links and the withholding and/or falsification of communications with families were direct contraventions of the duty of care, as were the physical, sexual and emotional abuse that is alleged to have occurred.

In NSW, there is evidence reported by former child migrants of discrimination against them, in that they seem to have received poorer standards of supervision, provision of necessities of life, poorer record keeping, fewer entitlements and no after care, in comparison to the care afforded to other children under guardianship. Similarly, the rights of some former child migrants to information about themselves have been adversely affected by the non-retention of most Overseas Ward files, and the destruction of all pre-1955 medical and social history adoption-related files by the NSW Department of Community Services.

It is known in the UK that some records on individual former child migrants, held by the Salvation Army, were lost during the bombing of London in the Second World War.

(b) the extent and operation of measures undertaken or required to assist former child migrants to reunite with their families and obtain independent advice and counselling services;

ISS is aware that there are several agencies currently assisting former child migrants to find their families and be reunited with them. Family tracing and counselling of former child migrants generally form part of the activities carried out by these agencies. However, we would suggest that all of the agencies involved would assert that demand for services exceeds the current combined resources of agencies. ISS Australia is not funded to undertake child migrant related tracing. More recently, the CMSF has been extended to allow for up to three hours counselling per eligible client. In relation to child migrant related tracing, ISS in both the UK and Australia, is concerned that the limited three year period during which the Fund will be operating may be completed before all otherwise eligible applicants are in a position to apply. Comments below are limited to describing the operations of the Child Migrant Support Fund and the issues arising from it.

Child Migrant Support Fund

The UK government set aside one million pounds over three years to fund former child migrants' reunions with relatives in the UK through the Child Migrant Support Fund. No other government that was a party to the Child Migration Schemes contributed to the Fund. The cost of administration by ISS national office, but not ISS NSW, is being covered by the Fund.

Successful applicants receive an economy airfare to the UK, all taxes and travel insurance, and assistance with travel from their homes to the airport of departure and from the airport of arrival to the address of their relative. An allowance for accommodation for up to fourteen days is also provided. Reimbursement of the costs of passports and visas is provided where these costs have been incurred. To establish their eligibility applicants to the Fund must meet the following criteria:

- the applicant was an assisted UK former child migrant;
- the applicant can prove that s/he has a father/mother, uncle/aunt, or brother/sister living in the UK, who would welcome his/her visit;
- the visit to the UK is the first time that the applicant will meet the nominated relative since being sent to Australia; and
- the applicant's family income falls within the income test applied in Australia.

A breakdown of applications received from 1st April 1999 to 27th November 2000 for the Child Migrant Support Fund (CMSF) is set out below:

Number of CMSF Applications Received:

Australia	138
New Zealand	69
Canada	7
South Africa	1
Zimbabwe	<u>1</u>
Total	216

Status of CMSF Applications:

Approved	187
Rejected	9
Withdrawn	3
Pending	2
Tracing	<u>15</u>
Total	216

In the UK, following the establishment of the Fund, the sending agencies were invited by the UK government to send records of basic information about each child migrant for which they had been responsible to a UK government supported central Child Migrant Information Index administered by the National Council of Voluntary Child Care Organisations. It was argued that inquirers, who did not know where they came from, could be sign-posted to the organisation which held their records. The sending agencies assumed their own costs in this work. ISS UK is aware that the larger agencies, such as Barnardos, the Catholic Agencies and the Church of England Agency - the Children's Society – have been providing this service to inquirers.

More recently it has been agreed that the Fund can provide for up to three hours of formal counselling post travel, if required. Since June 2000, the Fund has also agreed to pay for any new certificates, which may be necessary to prove a relationship.

Observations from the Operation of the Child Migrant Support Fund**Observation 1 - Limitations Imposed by the Eligibility Criteria**

In setting up the Fund the UK government agreed that, because it was limited to one million pounds sterling over three years, it had to be means tested and should apply to people who would have the possibility of making a first time visit to living close relatives. The eligibility criteria of the Fund therefore necessarily excludes some former child migrants. Being excluded seems in the majority of cases to be felt as another rebuff from government. Regardless of the applicant's circumstances, it seems to exacerbate the deep sense of injustice felt by the former child migrants in relation to their treatment by all the governments involved. As one former child migrant said, "Why means test it, when the same crime was perpetrated against all of us?"

From ISS Australia's experience, the issues causing the most bitterness amongst those former child migrants ineligible to apply for support are the restriction on the relatives with whom a reunion can be supported and the stipulation that the support must be for a first time reunion with a living relative. Former child migrants who were sent out to Australia earlier in the scheme are especially affected by these limitations. As they tend to be older, their eligible close relatives are often dead, but they often have nephews, nieces or cousins still living whom they would like to see, and who may be their last remaining relatives. In addition, many former child migrants feel bitterly disappointed at not being able to obtain support to at least visit their close relatives' graves. Alternatively, they may have sacrificed their own financial stability to obtain the funds to go to the UK to meet relatives and, as a result, now live in straitened circumstances. Such people often believe it is unjust that they can not obtain any reimbursement for the funds they expended. They believe that the governments who brought them here should assist them to return or reimburse them if they have already spent their own funds to meet family members.

As outlined earlier the fund is finite, and has only been provided for by the UK government. Support from the Australian government could expand the coverage significantly.

Observation 2 - Need for Counselling Services

In contrast, those who have been funded for a reunion with relatives often echo the words of another former child migrant when he said, “You have changed my life forever!” In other cases former child migrants have reported that they now know who they are and that for the first time they feel at peace with themselves. Others talk about the terror they felt each time they met a new relative and of wondering whether they would be accepted. They relate the amount of time and energy it takes them to process these momentous experiences after fifty or sixty years of not knowing they had any family.

These reactions speak of the need for the ongoing availability of counselling for all those who wish to avail themselves of it, wherever they might be. It is clear that at present not all former child migrants are able to avail themselves of appropriate counselling services, either because of their location or because services for their specific needs are not readily available or affordable.

Observation 3 - Need for Tracing Services/Access to Records

The recently established Child Migrant Central Information Index is available to child migrants and parents and siblings of child migrants, as well as any nominated representative. As set out earlier, it signposts the sending agency that may have an applicant's personal records. This is a welcome development but, for some, the necessity to contact the sending agency to obtain records is a barrier to access because of unresolved feelings about their treatment in the care of these agencies. Where a former child migrant has been able to obtain records, through a neutral authority (such as ISS) rather than the sending agency directly, this has proved to be a better option.

It is clear that there needs to be open access to personal records by former child migrants or a nominated professional representative, subject to a non-disclosure agreement if appropriate. There is also a need for subsidised assistance in following up the links with relatives in order to trace any family still remaining. Tracing is often a long and expensive process, for which many former child migrants are not well equipped, either from their experiences with government or from their education, which in many cases was broken by the obligation for them to work on farms or in institutions. Unless there is accessible assistance to find their families many former child migrants will never be able to do so by themselves. In many cases, their life experiences seem to have left them with little tolerance for frustration and very little trust in authority, both of which are relevant to the tasks of tracing and researching family records.

The issue of tracing family is the first step in the healing process for former child migrants and until this has been successfully negotiated they are not able to take advantage of the support from the CMSF. Many applicants state that it has taken them up to thirty years to find their family and others are concerned that nobody has been in a position to assist them to find family members for years on end. Unless further funding is applied to resources for assisting former child migrants throughout Australia to locate relatives, the situation is unlikely to change. There is a urgent time imperative on two fronts – the advancing age of the former child migrants and/or their relatives, and the need to conclude tracing and related mediation processes before the CMSF concludes in April 2002.

Conclusion from Observations

Given the impact of child migration programs on all former child migrants, it could well be argued that services, supports, and compensation of any nature should be universal and non-discriminatory in recognition of identity and rites of passage issues that affect all surviving child migrants. This is a view that the majority of child migrants seem to favour.

ISS, in both offices in Australia and in the UK, has had lengthy experience, as part of its ISS intercountry casework, in providing both counselling and tracing services to people who are searching for their family roots. In many cases, the tracing has been inevitably bound up with the counselling. However, ISS Australia does not receive any funding to undertake tracing per se. In relation to child migrant related tracing, ISS in both the UK and Australia, is concerned that the limited three year period during which the Fund will be operating may be completed before all otherwise eligible applicants are in a position to apply.

(c) the effectiveness of efforts made during the operation of the child migration schemes or since by Australian governments and any other non-government bodies which were then responsible for child migration to:

- (i) inform the children of the existence and whereabouts of their parents and/or siblings,***
- (ii) reunite or assist in the reunification of the child migrants with any of their relatives, and***
- (iii) provide counselling or any other services that were designed to reduce or limit trauma caused by the removal of these children from their country of birth and deportation to Australia;***

ISS became involved with former child migrants only after the child migration scheme had been halted. It had no responsibility for child migration at any time. Thus, the only observations able to be made are based on material reported by former child migrants contacting ISS.

- (i)** It is clear that the situation differed in different institutions and at different periods of child migration. In some instances, children were forced to write to their families regularly. In others, there is evidence that children were not informed or were misinformed about their families. In many cases the action taken seemed to depend on judgements that were made about the families concerned and whether they were seen to be a good or a bad influence on the former child migrant.
- (ii)** Reports from former child migrants indicate that some were deliberately obstructed from being reunited with their families. There are also instances where former child migrants were released to their families.
- (iii)** We have had no reports by former child migrants of any instances of counselling having been made available during the operation of the child migration scheme or at exit from it.

(d) the need for a formal acknowledgement and apology by Australian governments for the human suffering arising from the child migration schemes;

Many of the former child migrants assisted by the CMSF indicate that the Fund is a welcome, albeit belated, acknowledgment by the UK government of the injustice they experienced. If the message given, consciously or unconsciously, is that this issue is long forgotten, or should be swept under the carpet, it negates the reality and worth of the individuals who experienced it. Similar acknowledgement by the Australian government would undoubtedly also be welcomed. Acknowledgement is a necessary first step in a healing process.

The vast majority of CMSF clients have reported post travel that the reunion was an event that has changed their lives forever. They now have somewhere to belong. They know who they are. They feel more “whole” as they know more about themselves. It has also helped resolve the anger some feel about their experience. Such reactions indicate that some former child migrants would benefit from having their hardships and mistreatment acknowledged and recognised. Conversely, those former child migrants who are unable to access the CMSF are not able to experience this measure of acknowledgment/healing. An apology is an important symbolic acknowledgment of the grief endured by being separated from their families.

(e) measures of reparation including, but not limited to, compensation and rehabilitation by the perpetrators; and

The term “perpetrators” needs to be defined before one could address the issue of reparation. Perpetrators could refer to governments, agencies, or certain individuals. It is also quite a value laden term.

As outlined in (d) above, for some former child migrants some form of reparation would be likely to ease their sense of injustice, and assist them to proceed towards further self-healing. From ISS files, it is not clear what measure of reparation would be most acceptable. Applicants and inquirers have requested different measures, from payment for a funeral, to being taken to visit graves, to being supported to visit cousins or nephews and nieces; the only common factor is that what was requested is what is most significant to the applicant in his/her individual circumstances.

We urge the Australian government to offer reparation in the form of funding and resources to:

- **overcome the limitations in eligibility to the British Child Migrant Support Fund;**
- **provide counselling services to former British child migrants; and**
- **provide effective services to access records and trace relatives for former British child migrants.**

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