

CHAPTER 5

WHY ABUSE OCCURRED AND WAS ABLE TO CONTINUE

We had no one to turn to...No one believed us, not the teachers at school, not the police, no one.¹

5.1 When faced with graphic descriptions of abuse and assault is it difficult to conceive that such actions were able to continue unchecked and unpunished. It is also apparent that abuse continued for many years: it was not an isolated, one-off occurrence, rather it was endemic in some institutions over long periods of time. The following discussion looks at the lack of public and official responses to allegations of abuse; the part played by staff employment practices in allowing abuse to continue; and reactions to disclosures of abuse.

Stories only recently coming to light

5.2 In recent years more and more care leavers have come forward and told their stories. In some cases the stories go back to the 1930s, 1940s and 50s. This is a result of a number of factors. First, the media has taken up stories of specific groups, for example, child migrants with the *Leaving of Liverpool* television documentary. Public interest was also heightened through various State inquiries such as the Forde Inquiry in Queensland. In addition, there have been a number of high profile events overseas including the establishment of an inquiry into abuse in homes in Ireland, the Canadian inquiry into residential care and the law suits brought against the Catholic Church in the United States. Care leavers have also become a more cohesive group with the establishment of various lobby and support groups.

5.3 As a result of these factors, the move to tell stories of abuse while in care and to seek redress has gained momentum. However, while at first glance, it would appear that stories of abuse have only recently come to light, this has not been the case. Reports of inquiries into care and conditions in institutions have appeared regularly over the decades. The Committee has referred to some previous inquiries in chapter 1 and the apparent lack of action taken to implement the findings of some of those inquiries. One problem was that these inquiries focused on the problems of a particular institution, for example, the inquiry into the Parramatta Girls Home after the riots of 1941 rather than institutional care in general.²

5.4 Media reports have also appeared regularly. The Committee received copies of a number of articles which exposed abuses in various homes. *The Sun* in 1957, for example, reported the escape of four girls from Lynwood Hall who detailed the harsh

1 *Submission 336.*

2 *Committee Hansard 3.2.04, p.113 (Mr Quinn).*

conditions at the home. There was also extensive coverage of the riot at Parramatta Girls' Home in 1961. However, in general there seems to have been a reluctance by the press to report abuse allegations in orphanages.

The Goulburn Penny/Evening Post's editors, reporters and staff all knew of the terrible happenings in this orphanage [Gill Memorial Home] and even though they received letters, signed and unsigned, they suppressed it all. After I left the orphanage, I wrote a letter to this paper, outlining the activities within the orphanage. I received no response apart from a reply that to publish such a letter would be bad for the Salvation Army's money appeal.³

Such inquiries seemed to localise the problem as being the behaviour at a particular institution. There did not appear to be any extrapolation nor thinking that if such problems are occurring at one place, could such problems have also been occurring elsewhere. In any event, such press stories had limited life and little follow up of stories eventuated.

Culture of the institutions, organisations, churches

5.5 Abuse seemed to be able to thrive and survive in institutions over such a long period due to a combination of reasons that centred around a culture of silence, of power and personal control.

5.6 A constantly recurring issue was that children would not be asked for their view or opinions on anything. If any complaints were made or issues of abuse raised by children with those whom they considered to be responsible adults, they were summarily dismissed. The child was not believed and usually accused of lying – often accompanied by a beating. The maxim that children should be seen and not heard reigned supreme!

...these unfortunate things occurred over a long period of time and if you said anything, you were lying and were told that if you said anything it will be worse. So what were the children to do but to take it. (Sub 324)

5.7 Children were rarely given any information about what was happening, where they were going, where their parents and siblings were and when they would next see them.

I was taken back to the homes, I was taken to Lynwood Hall at Guilford. Again it was traumatic for me. Just sleeping with bars on the windows and having to line up to go to the dining room for your meals. Just going back to an institution and being treated as a number. Living with fear and just wanting to be with my brothers, sisters and mother. I wish I would know where they were. Why? Why? Why didn't anyone in the child welfare department ever feel that it would benefit these children if they knew why they were where they were! And for what reason. The system chose the

3 *Submission 282, p.26.*

worst possible way to treat these children. I know it wouldn't be ideal to tell younger children too much but as teenagers I would have loved to hear anything, to know why I was where I was at that time. (Sub 271)

Bullying

5.8 Bullying seemed a prevalent part of the culture in many institutions. It was not just the behaviour of older, more experienced children, in some institutions it was seemingly sanctioned as a form of control. Often bullies had a brother or senior staff member as a patron. One care leaver stated:

Older girls who were favourites of the nuns – women entrusted to care for us – would bash the younger children when ordered by other members of the staff.⁴

5.9 Certain children would be given jurisdiction over groups of younger children for chores or other work tasks, and abuse them in a manner that replicated the abuse that had been inflicted upon them in earlier days. Stories were told of these bullies being given the run of the institution, operating in packs that singled out younger children who they would brutalise.

5.10 In some institutions there was an almost cyclical tradition whereby older children would punish and abuse younger children because that was what had happened to them and it was possibly the only way they knew how to behave.

I had a letter from the child of a girl I used to bully fearsomely—I am ashamed of it now. She said that her mother had all sorts of problems because of her upbringing in Burnside. I think that a lot of it was because we bullied her. There was never a staff member about and we could easily find a place to go and bully her. There was no staff member there to intervene and say, 'That's not the way you behave.' We were only behaving in the way they behaved to us. We were always told to be grateful for the care that we were given and that we were so lucky to be there, blah, blah, blah. 'Ungrateful wretch' is a term that I heard regularly.⁵

5.11 There were also many stories of those who were just bullies throughout their childhood and who assaulted younger or weaker children in the institution.

5.12 Bullying also continued when children were retained or employed as handymen or to work on the property after concluding their time in care and who subsequently abused and assaulted the next generation of children placed in that institution.

5.13 Other sub-groups within institutions that were described in submissions were the 'squealers' and the 'pets'. Squealers were those who reported any misbehaviour or negative comments to the senior staff in the hope of gaining rewards of extra food or

4 *Committee Hansard* 12.3.04, p.4.

5 *Committee Hansard* 3.2.04, p.75.

favourable treatment. The pets were the favourites of a particular staff member and would be shown kindness in public and given lollies or other rewards. In many cases there was a sexual motive behind the adoption of a pet.⁶

Isolation

5.14 One particular feature of institutions was their isolation. They were isolated in the community as buildings and grounds were either hidden behind high fences and gates or placed at a distance from towns and other dwellings, for example Bindoon in Western Australia. Often the younger children were provided with schooling at the home. While older children were sent to government or religious schools there were very few instances of children joining in any out-of-school activities except those provided at the home. For example, the Committee received evidence that students were bussed to and from school and were thus prevented from having any interaction with other students.

5.15 In the church homes, the isolation was exacerbated by the employment of members of church congregations whether they were lay or religious members. Few 'outsiders' were employed or visited homes. This resulted in a very closed community with very few external influences being allowed. There was excessive trust in the 'goodness' of the religious administering homes and they were allowed to operate virtually without question.

5.16 A lack of government regulation added to the isolation of care establishments. The Committee received evidence from witnesses whose recollections of visits or inspections by welfare officers to institutions and foster homes are varied. Some care leavers do not recall welfare ever visiting; others remember being dressed up for the occasion but never spoken to; and others commented that they did speak with visiting officers but with little or no result.

Whenever VIP's would attend, Mrs Davies would have a quarter of an apple and orange handed out to the girls and we were instructed to make sure we behaved ourselves whilst they were there or we would be in trouble when they left. It was the only time we saw a piece of fruit. (Lynwood Hall – Sub 272)

when welfare came, you never told them about the beatings etc as you wouldn't be believed and would just get flogged again. When welfare did come, they used to dress us up and give us shoes to put on. They would also put dolls on the beds and cloths on the tables in the dining room. (St Joseph's Subiaco – Sub 172)

No one came out from the children Services to talk to the kids as we were all dressed up when visitors came and got back in our yard clothes again as soon as they left. (Neerkol – Sub 361)

The Child Welfare Department of the day contributed to this abuse and neglect by its own carelessness in never properly examining the moral and

6 *Submission 365*, pp.21-3;

psychological conditions under which its charges were incarcerated. They may have examined the physical aspects, perhaps even the health (though doubtful) aspects; never to my knowledge did they ever question any of their wards, in private, or for that matter even in the presence of the Brothers, about the moral actuality of their (for many) miserable existence.⁷

5.17 The lack of inspections allowed poor practices to continue. When inspections did occur, a lack of in depth investigation also hampered change. For example, it was quite common that those care leavers who recollect inspections, indicated that they were always in the presence of institutional representatives or a foster parent. As VANISH asked, 'How could they verbalise their concerns or discontent?' If they did they were seen to be lying, ungrateful or being troublesome and in some cases retribution was swift and brutal. Departmental officers were often younger social workers with less developed views who arguably made decisions coloured by their own value judgements rather than what may have been in the best interest of the child.⁸ The Committee makes further comments in relation to inspections in chapter 7.

Institutional staff and other carers

I can honestly say that none of the [carers] were a good role model or compassionate, they were an authority figure to be feared and obeyed at all times or you would be punished severely. (SA, Camberwell – Sub 266)

I found it very much a fact of life that people who were put in charge of the welfare of others were of two kinds – those who had problems themselves and were totally unsuited to their work or those who just wanted to vent their anger or frustration on someone else. (Sub 320)

The so-called staff carers responsible for our wellbeing as children have a lot to answer for where our care and nurturing were concerned. It is simply a joke but with a very sad and very dark punchline.⁹

5.18 Dr Joanna Penglase in her thesis on home children in NSW from 1939 to 1965¹⁰ examined staffing in homes and noted that:

the attitudes of staff to children set the tone of the environment in which they lived...the person in charge has the power of total disposition of inmates and the power to make their lives bearable or not.¹¹

While staff were the key to the treatment and care provided in a home, in many instances the staff lacked the training and vocation necessary to provide care for large numbers of children. Homes, particularly in the non-government sector, were also

7 *Submission 11, p.2.*

8 *Submission 167, p.4 (VANISH).*

9 *Committee Hansard 12.3.04, p.68.*

10 *Submission 63, Orphans of the Living, (Dr Penglase).*

11 *Submission 63, Orphans of the Living, p.185 (Dr Penglase).*

significantly under funded and offered only low pay. Thus, they could not attract or keep suitable staff or maintain an appropriate level of staffing.

5.19 The evidence presented to the Committee provided many views about those who staffed children's homes. Submissions commented that many carers were decent people who had the children's best interests at heart. Reference was made to specific people including cottage parents, religious and other staff workers whose kindness was still remembered many years later and who were very good hardworking people doing an extremely difficult job and who devoted their lives to the care of children over many years. The Committee does not wish nor intend to denigrate the work undertaken by these good people. However, more commonly staff were described as authoritarian, cold and uncaring at best, or brutal, sadistic predators at worst.

Lack of staff education and training

5.20 It is evident that many of the staff employed in homes were untrained and unsuited to the work they were undertaking. It appears that often people sought employment in homes when no other employment was available and homes would turn a blind eye in order to have a vacant position filled. Dr Penglase interviewed a number of staff for her thesis and found that there were instances where church Homes in rural areas approached locals 'not necessarily with any particular qualifications' or accepted people who approached them. None of the interviewees had received training in any branch of child care or child welfare, although some had been trained as nurses. She commented 'this is not surprising, given the period' and includes a comment from the Association of Children's Welfare Agencies:

there was no award and no training for child care workers, and agencies weren't keen on an award because costs would go up. Staff didn't organise either as there was a charitable aura about the work – you were supposed to be doing it out of love for children, as 'good work', if you were religious.¹²

5.21 The lack of appropriate qualifications or training was exemplified in comments by a person who worked as a cottage supervisor:

"Don't ever forget this is an institution." These are the first words of advice the Superintendent gives me, brandishing his keys like a sword. "Tie them to your belt and never forget this is an institution."

Reiby Training School has called me on the phone this afternoon to say I have the job as youth worker. The interview was over a week ago and I'm surprised they called me. I'd thought the interview was a disaster. 'What are your qualifications for working in a residential institution?' they asked me. I have none. My Diploma of Teaching another zero. Three years' training for nothing. I can't even get a teaching position! But surprise, surprise, here I am, being escorted around my new workplace. Not on duty yet, just checking out the scene. (Sub 389)

12 *Submission 63, Orphans of the Living*, p.182 (Dr Penglase).

5.22 Wesley Dalmar also commented that:

The necessity for detailed scrutiny and training of applicants for jobs involving the care of vulnerable children has only been recognised in recent years. Our records seem to indicate that in the 1950s and 1960s there was a belief that references from upright citizens were sufficient to ensure that suitable people were recruited to do this work.¹³

5.23 In other cases, former residents were employed in the home once they had completed their time in care:

The Orphanage staff had no training in childcare and knew little about raising children. Most of them lived in at the Orphanage full-time, and had little or no time off. Many were themselves graduates of the Orphanage or others like it doing a status U-turn in their late teens. These attendants – I struggle to find the right term: 'carers' is not right – were merely doing a job, arranging the routines to get through each long day with the least trouble to themselves. With such a large number of children, there was no sense of purpose other than to keep kids in and lock parents out...¹⁴

5.24 It appears that government also did not place too great an emphasis on the need for properly trained staff. For example, under the New South Wales *Child Welfare Act 1939*, training for children institutions' staff was not necessary:

...the Department of Child Welfare in this period required nothing other in the way of qualifications. Training of any description is not specified in either the *Child Welfare Act 1939* (NSW) or in its Regulations.¹⁵

5.25 Dr Penglase also pointed to the licensing practices in New South Wales under section 28 of the *Child Welfare Act* which related to the running of private homes. She commented that any person could apply to run a home for children, provided they met the legal requirements of the Act. The licence would specify how many children could be accommodated, according to the space available, amenities of premises and number of staff employed. Regulations stipulated the type of registers that had to be kept.

5.26 As to suitability, an application for a licence to run a private home, had to be accompanied by a certificate signed by a justice of the peace, medical practitioner, minister of religion, member of the police force or 'other responsible person'. The certificate attested to the fitness and respectability of the applicant, her husband (it was assumed that the applicant was a woman), family and home. It had nothing to do with their capability to actually manage a children's home. Dr Penglase noted that 'there is no reference in the Act or the regulations to any personal or professional qualifications required of applicants' apart from fitness and respectability both of

13 *Committee Hansard* 4.2.04, p.4.

14 *Submission* 18, p.4.

15 *Submission* 63, p.2.

which were 'measurable by reference to others deemed respectable because of their position in society'.¹⁶

Suitability of staff

5.27 In some homes, the staff provided a level of care and attention for the children but in others, staff were totally indifferent to the children's needs. The evidence received points to an emphasis on orderliness, respect, discipline and 'toeing the line'. Dr Barry Coldrey noted 'control was paramount; care was not and the welfare of the child as an individual was a secondary consideration'.¹⁷ The staff were for the most part unaccountable for their actions as inspections by child welfare authorities were infrequent and ineffective. When children did complain they were usually not believed, even where there was evidence of physical and sexual abuse.

5.28 The Forde Inquiry also noted that the problem of staffing was linked to funding. Many homes were run by voluntary organisations and the organisations received little funding from State governments. As a consequence, agencies were reliant on volunteers prepared to work long hours in the homes for minimal remuneration.¹⁸

5.29 Residential care held a low status and there was an inability for these institutions to recruit and hold quality staff because of poor salaries, poor accommodation, unsocial hours and the isolation of the institutions. Dr Coldrey wrote:

In the world of idealised fantasy surrounding the carers, and in view of the pervasive difficulty of recruiting staff for residential duties, it is clear that some of those hired were maladjusted, anti-social and deviant. In the isolated world of the institutions it was all too easy for the misfits, the sadists and the perverts to mistreat and exploit the children. The consequences were many and severe.¹⁹

5.30 The personality defects of those attracted to work in institutions was also commented upon in a number of submissions:

The people put in charge had controlling personalities that would not be tolerated anywhere else. They only got away with it as they were dealing with children. (Sub 344)

Although I behaved myself, some of the officers managed to find fault, because they had a sadistic streak. I'm afraid it is a fact of life, that the sort of work they were doing attracts people who want to lord it over others in a vulnerable position. (Sub 284)

16 *Submission 63, Orphans of the Living*, pp.145-46 (Dr Penglase).

17 Coldrey B, *The Devoted, the Dull, the Desperate and the Deviant – The Staff Problem of Traditional Residential Care*, Tamanaraik Press, 2003 p.8.

18 Commission of Inquiry into Abuse of Children in Queensland Institutions (Forde Report), 1999, p.92.

19 Coldrey, p.26.

5.31 Children in institutions were isolated and vulnerable. Dr Coldrey noted that 'the scene was ripe for the penetration of residential care by paedophiles or homosexuals seeking partners among the older teenagers'.²⁰

5.32 Dr Coldrey commented that many Catholic institutions were poor and relied on the religious congregations, supported by voluntary lay assistance. The church relied on the congregate care model while other agencies relied on the cottage system. Abuse still occurred 'but the risks were less' in the latter model. Brothers found themselves caring for small boys, a role for which they had neither training nor aptitude. Nuns, on the other hand, could find themselves looking after teenage boys with only the assistance of groundsmen. Both situations ran the risk of physical and sexual abuse.

5.33 Churches also had a tendency to place their least qualified members on the staff of children's homes. In the religious orders it was often the unqualified 'lay' brothers and sisters who formed the majority of the staff of institutions. In addition, Dr Coldrey noted that:

In addition before the Brotherhood established specialist aged care facilities for their own members: old, sick, odd and mentally unstable members were commonly "hidden" in institution communities, where a limited form of care could be provided by the orphanage domestic and medical staff. Brothers and sisters who worked long years "on the orphanage circuit" had low status within their Congregations.

The Brothers and Sisters had little power in their own lives and a great deal of power over the children. In this atmosphere the abusers appalling misuse of power was itself a response to the lack of freedom in the rest of their lives.²¹

5.34 One example of inappropriate staffing outlined by Dr Coldrey was the case of the chaplain (1959-63) at St Vincent's Orphanage. The chaplain was placed in the orphanage and 'it was clear that this priest was an acute embarrassment to the church authorities throughout the 1950s – if not before. He had been accused of "spiritual neglect, financial dishonesty, drug addiction, forgery and sodomy" and had been forced to leave parish work in 1954'.²² The Committee heard stories of brothers or other staff being simply moved when complaints were made about them.

5.35 In some instances, those who entered the traditional congregations of teaching Brothers did so under duress, through family pressure, an inability to find employment or the economic stress of the depression and as a consequence could take their frustrations out on the children in their care.²³

20 Coldrey, p.16.

21 Coldrey, p.31.

22 Coldrey, pp.19-20.

23 Coldrey, p.32.

5.36 A very graphic and disturbing account was provided to the Committee of life trained in an order, the influence on carers and the long term impact on their lives.

During my childhood and teenage years, I spent time in church run institutions (Catholic Nuns Novitiate and Convents).

My experience of institutional life has left me with health and wellbeing problems. I was recruited as a child straight from school into a lifestyle of harsh living conditions, sexual repression, social isolation from my family and friends and constant humiliating practices aimed at breaking my will and destroying my self esteem. This Church "sanctification" process caused me much pain and disillusionment until I left the Order penniless, homeless and disorientated.

I believe some answers to the abuse of children in Church care may come from the harsh, repressive religious formation of the nun, brother and priest carers, teachers, pastors and novice mistresses themselves – a cycle of harshness and abuse.

After much thought I submit my story as a gateway for many more children and minors in my situation to tell their stories and receive a hearing. These children including my late father – recruited among hundreds by the Brothers at 14 years of age and other colleagues who began priesthood training at 12 years of age...

I am in contact with others who were in Catholic institutions, many of whom are left scarred by this experience and are now over fifty and suffering poor mental and physical health, unemployment, insecure housing and social isolation etc. A significant number prior to leaving were treated in Catholic psychiatric hospitals with shock treatment, lobotomies and drug therapy. Others took their own lives or died younger than average from stress related disorders. Their birth families, husbands, wives and children suffered also and need to be heard.

The Catholic Church has never publicly researched the wellbeing of those it recruited, used for unpaid labour and allowed to leave without support.²⁴

5.37 Dr Coldrey observed that many nuns 'were so personally and educationally deficient that they were inadequate to care for children'. Both Dr Coldrey and the Forde Report commented on the large number of Irish nuns (for example, the Sisters of Mercy at St Vincent's, Nudgee) who were not only untrained but also came from an environment that experienced harsher living conditions than those of Australia and who were accustomed to the rigorous discipline of their Order. Most, although not all, carried this over to the duties in relation to the children in their care.²⁵

5.38 It was often raised that irrespective of these rationalisations of poor education, lack of training, and foreign and harsh conditions for carers, they nevertheless were looking after children, and especially for the religious, they should have been expected

24 *Submission 383.*

25 Forde, p.92; Coldrey, p.32.

to show some degree of compassion. Many care leavers commented that irrespective of these failings, they were no excuse for the humiliations, punishment and abuse they received at the hand of these carers. 'The system' itself could also exercise a form of control over even the most well-intentioned. These carers could either toe-the-line or they could leave powerless and disillusioned, as was reported in a few submissions.

...there were some kind nuns who tried to help us, but they couldn't do much to change things. (Sub 172)

A hard core of staff stayed forever but otherwise there was a high turnover and constant shortages of staff. Anyone with any humanity couldn't bear to stay after they saw what the Orphanage was like and what they were expected to do to keep the children under control. (Ballarat Orphanage – Sub 18)

5.39 Dr Coldrey also commented on the inability of those who did not take part in the abuse to curb or expose those 'who were doing the wrong thing, those whose behaviour was illegal or beyond the standards of the day'. He pointed to fear of retaliation and fear of not being believed as some of the reasons that abuse was not reported.²⁶ Many care leavers commented that they believed staff would just turn a blind eye to the treatment of children by other staff:

Some of the Brothers and Nuns were nice to the boys, but you can't honestly tell me that they wouldn't have known what these depraved cowardly adult men were doing to the most vulnerable of children, and yet they turned a blind eye to it. When there were too many complaints about a certain brother...he was just up and sent to another Boys Home to wreck a few more children's lives. (Sub 359)

I know one woman that I met up with after I got out of Parramatta. I was invited around to her place; she was lovely. She left, and the reason she left was that she could not handle seeing what was happening. But she still did not speak out. I backtracked and went to Hay about 15 years ago, or it could be longer. I saw someone there who was an officer. I got invited into his home because I was one of the girls. He was a good officer, but it was his job. What happened there happened. That was the way it was written. That was the way it was run. He was from Hay and that was his job, but he did not like what happened.²⁷

5.40 Reports of church officials at least occasionally pointed to problems with staff in homes. Dr Coldrey referred to a report from the Superior General of the Christian Brothers in 1948 about Bindoon which noted that the staff were very weak. Three years later another report on Bindoon stated 'this place has a staff of oddities and if they knew I was writing this they wouldn't much care'.²⁸

26 Coldrey, p.36.

27 *Committee Hansard* 3.2.04, pp.9-10.

28 Coldrey, p.31.

5.41 Official action against perpetrators of abuse and assault was rare to non-existent although there were some care leavers who remembered action being taken.

One carer at the Home...was often cruel to us girls. She would pick on them, especially on my sister. I remember her beating Marlene one day and she had bruises all over her. But she was sacked for doing this. (Launceston Girls Home – Sub 182)

5.42 Mr Peter Quinn, a former long-time DoCS officer, advised the Committee that in New South Wales staff accused of assault would be allowed to resign before a formal inquiry.

I think that the department followed a double standard in relation to this. Superficially, anybody who was caught assaulting a girl would be dealt with under the Public Service Act and there would be an inquiry. My view is that, unofficially, it was permitted as long as you made sure you did not do it in public. I have been unable to find a single instance of anybody being charged criminally with assaulting an inmate of an institution, even though there was provision in the legislation from 1905...Typically there would be a move towards establishing an inquiry under section 56 of the Public Service Act, but quite often the person would be allowed to resign ahead of the inquiry.²⁹

However, Mr Quinn recollected only one incident in the 1960s and one in the 1970s when this happened. A further example was also given to the Committee by a resident of Philip House, Gosford, who had been told that a former House Parent 'was given the opportunity to retire early or he would be sacked'.³⁰

5.43 The lack of training of staff not only meant that there was minimum of care and nurturing but also staff were unable to help children who were traumatised or came from an abusive family. This resulted in children being doubly harmed: not receiving care and not receiving assistance to overcome their trauma. One care leaver stated:

For me personally and also, I suspect, for a lot of other women—and, probably, men – staff were not trained to deal with disclosures of sexual abuse...I was abused by my father on a visiting day and systematically abused after that and I played out a disclosure but the staff did not know how to deal with that and did not believe that it had happened. I was labelled a filthy little wretch and no other children were allowed to play with me, because it might be contagious. Because I was four or five years old, I believed them.³¹

5.44 The Forde Inquiry noted that it was not until the mid 1960s that the need for support and attention for children who had come from dysfunctional families was

29 *Committee Hansard* 3.2.04, p.113 (Mr Peter Quinn).

30 *Submission* 246, p.14.

31 *Committee Hansard* 3.2.04, p.74.

recognised. The sisters on the staff at St Vincent's Nudgee, for example, were largely untrained in child care until the late 1960s, 'a situation common throughout the child welfare sector prior to that date'. Forde concluded:

The lack of specialist training in child care and adequate resources, as reflected in low staffing levels, militated against providing a loving and caring environment for individual children within the orphanage system.³²

5.45 While there was increased training of staff from the late 1960s, the Forde Inquiry found that problems still existed throughout the 1970s. Although there was a move to the cottage system, financial constraints and the lack of suitable houseparents were common. Excessive use of corporal punishment and high turnover of staff was noted by Forde. In addition, chronic under-funding of institutions was reflected in 'staff-child ratios that were inconsistent with proper care'.³³ The lack of staff was commented on by one care leaver who noted:

There were 500 children in Burnside at any one time but not all in one building; they were in about 12 different buildings. The little kids homes had 30 children with three staff and the older kids homes had 30 children with two staff. In each case one of the staff members was the cook and so was not actually involved much in care. There was one boys home that for some reason had 50 boys and two staff...

There was the occasional kind staff member but because the child to staff ratio was so ridiculous, kindness was spread fairly thinly.³⁴

5.46 The impact that an individual superintendent in a home could have was shown regularly in evidence to be crucial, with some witnesses noting that homes were not too bad in certain periods but at other times the regime was very strict or harsh. One witness stated of a particular superintendent 'they were petrified of the man. That period of time was like a 14-year window in Dalmar. Before and after that superintendent was there, they did not suffer to the same extent'.³⁵

Deception of parents and children

5.47 An especially telling reason why abuse was able to continue in institutions was the power they wielded in deceiving parents who knew of abuse not to take the matter further.

I showed my mother when she came for a visit, the welts and bruises, she was going to complain, but was told by another mother not to as it would make it worse for us. (St John's Goulburn – Sub 297)

32 Forde, p.92.

33 Forde, p.93.

34 *Committee Hansard* 3.2.04, pp.81, 84.

35 *Committee Hansard* 3.2.04, p.16.

My mother used to visit us when she could, sometimes with my Gran. She knew we were being beaten and saw the bruises on us but couldn't do anything. (Parkerville – Conf Sub 44)

Reaction to disclosures about institutions

5.48 The theme of the forgotten Australians comes very much to the fore in society's attitude to children raised in care over a period of many years. If these children were considered at all it was usually in a negative manner. One care leaver argued this strongly:

It was also my experience of an unfriendly callous society that looked down on Homeboys as the dregs of society, by-products of a decaying social fabric, troublesome, illegitimate, and mostly bullied at school, a class destined to the bottom of the social economic ladder. All quite logical if one accepts that history is littered with examples of the need to dominate through suppression and coercion. As such children raised as orphans, and or in institutions, don't rate high on the radar of social sympathy. (Sub 401)

5.49 When society does become aware of stories about care leavers through media stories that are becoming more prevalent, commonly encountered responses of people to the stories of abuse of children in institutions have been:

- the children were better off, lucky to be there and should not complain;
- the times were different in 'those days', standards of discipline were different then and what is now perceived as 'abuse' was then 'discipline'; and
- these people should get on with their lives.

5.50 It is argued that these responses seek to justify treating vulnerable children as second class citizens. All children are entitled to the same standard of care – that a child should be treated differently on the basis of his or her parents or socio-economic circumstances at birth is abhorrent. No child should be expected to be grateful for the opportunity to be abused.³⁶

Children were better off in care

5.51 That these children were better off in homes than they were with their own families or previous life and were lucky that well-meaning churches, charities or governments had stepped in is a common response to stories of institutional abuse and neglect. It is arguable that a majority of children placed in institutions did require care, and were catered for materially by being fed, clothed and educated, albeit to varying levels and standards. However, CLAN has asserted that:

But to use this as an argument to deny the effects of institutional care is to conflate two aspects of the story that do not go together. Children were emotionally neglected in institutional care regardless of the intentions of the

36 *Submission 207*, p.7 (Ms Gaffney).

organisations which set up the institutions, and the effects of that emotional neglect continue to have profound consequences for those who experienced it.³⁷

5.52 Apparently good intentions do not cancel out bad outcomes, nor can they be used to excuse blatant abuse of children. This raises the huge irony underlying the treatment and care of children in institutions. It is an unanswered and possibly unanswerable dilemma that was raised by many care leavers. For children to be taken away from parents or family because they were neglected or uncontrollable or were placed in care by a parent who had problems coping financially or socially, why did they not receive the improved life that was the intention behind their removal rather than the treatment they did in these institutions or homes? If not physically beaten and sexually assaulted, they were totally deprived and neglected emotionally. The expectation that the 'well meaning' welfare would provide appropriate care and nurturing that was not possible in the family or previous environment proved to be far from the reality.

A child who suffers at the hands of his parents, such that he has to be removed from them, is all the more entitled to a caring childhood which attempts to compensate him for that devastating loss. It does not mean that he should be grateful that he is cared for at all and should therefore put up with whatever else comes along with that care, subject to the whim of his carers.³⁸

Standards were different then

5.53 The response that times were different and that standards and people's thinking and understanding of children's needs have changed, fails to explain or recognise the severity of the documented behaviours. Corporal punishment may no longer be in vogue. But when do a few whacks with a ruler become assault? When do the oft documented beltings and floggings become criminal assault? When did the 'standards of the time' change that condoned the perpetration of neglect, cruelty, psychological abuse, sadism, rape and sodomy?

In response to the statement that standards were different "back then". The acts which it has been alleged to have occurred in institutions were the very same standard of acts which, if perpetrated by a parent or relative, would have resulted in the child being taken into state care in the first place. Parents were not allowed to deny their children education or send them to work or allow them to mix with known criminals, yet the protection system did this on a regular basis. Many institutions did not have educational facilities and therefore, a child who had been taken into care due to truancy, may well be denied an education even when taken into state care. A child taken into care because their parents kept them from school in order to work may well find themselves at the age of eleven or twelve working in an

37 *Submission 22*, p.17 (CLAN).

38 *Submission 22*, p.17 (CLAN).

industrial laundry for a religious order. Finally, a child taken into care because one of his or her parents was a convicted criminal may well be accommodated in an institution where they mixed with, indeed lived and worked with, children committed to state care as a result of criminal activity.

Many of the policies which led to children being placed in institutions were short sighted and hypocritical in effect. Hindsight will enable the current generation to understand and accept where past policies were flawed. Hopefully we can use this information to create better and more effective child protection systems which do not simply involve repeating past mistakes.³⁹

They should get on with their life

5.54 Many care leavers recounted to the Committee that they had received little sympathy for the abuses suffered while in care and that they were usually told that they should forget the past and get on with their life.

Society continually tells victims to 'get over it', or 'it's in the past'. I can assure you that the treatment of those of us who survive will not be 'in the past' as long as one of us draw breath, for we suffer the consequences every second of our existence. (Sub 20)

And for those who say it was in the past and should get on with life, should take a close look at many families who find it hard to let go of family hurts and disappointments. As a child raised in an institution, I have no sense of belonging or a family experience to share. (Sub 166)

People who haven't had this life don't understand. Your life is ruined as a child and then when you grow up it is still with you, it never leaves you. I would not like my life all over again! (Rebecca, aged 89 – Sub 367)

I thought to myself..."Shouldn't we move forward and leave that garbage behind?" Now aged seventy one I find that I have not advanced one bit away from that physically, emotionally and sexually abused little boy (Sub 320)

Some people may say others have had a harder bringing up and have gone on to achievement in life. The point is this. We are individuals and what one can endure could be the death of another because we are all different. (Sub 405)

5.55 The argument that people should get on with their lives totally fails to comprehend the severity of the impact that the childhood experiences have had in shaping the adult person. It is not just a matter of ignoring some 'events' in the distant past. These events have fundamentally shaped and are seminal to the adult person. Their whole personality, their emotional and psychological being and in some cases physical condition, are a manifestation of these past events. To move forward requires

39 *Submission 207*, p.8 (Ms Gaffney).

recognising, confronting and addressing the demons of the past into a manageable form.

Many boys will assert that despite what happened to us in the institution some have succeeded but we were not able to achieve our full potential. It was hard and is still hard. The nightmare is always with us and will follow us to the grave. (Sub 282)

I'm at a standstill in life now not knowing where this journey will take me. We all have to know our past before we can continue into the future. And if I can't get answers, this is where I will stay, for ever. (Sub 303)

The cumulative effect of this experience, is so pervasive, that today, I'm 52 years old, and still a state ward! (Sub 321)

