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Inquiry into the Implementation of the Recommendations of the Lost Innocents Report



Canberra, 2000 – Former Child Migrants campaign for an official Inquiry.

The Child Migrants Trust acknowledges the support of Kim Beazley and Senator Andrew Murray in relation to establishing this Inquiry.

Introduction

The Senate Inquiry into child migration proved a vital mechanism for scrutiny and a much needed opportunity to give a second opinion on the adequacy of government responses to the many varied problems faced by former child migrants and their families. In crucial respects, the Senate Inquiry in 2001 performed its key functions in a responsible and effective manner.

For example, in the policy context of that time, the Howard Government did not seem convinced of the value of a specialist service or regard an official inquiry into child migration as either necessary or worthwhile.

Consequently, without this Senate Inquiry, there would have been neither a travel fund nor a specialist, international service. Nearly 700 former Child Migrants would not have been reunited with their families with the blessing of the Australian Government. This sorry and dark chapter in Anglo-Australian history would not have been further illuminated. It is clear that, in this instance, the Senate Inquiry served an essential purpose and made a very positive difference for many former Child Migrants and their families.

Positive outcomes from the ‘Lost Innocents’ Inquiry

1. Improved awareness of services within the child migrant community

The Inquiry acted as a catalyst for many former Child Migrants who had previously never sought professional help to trace their families or address painful issues of childhood abuse and loss. Many required assistance to prepare their submission; this acted as a gateway to the Trust’s core services, including family tracing and counselling support. Issues of stigma, belief in the historic deception by agencies that they were ‘simply abandoned’ by their families and a lack of awareness of the independent nature of the Trust’s services had prevented many former Child Migrants from seeking help previously. The benefits of accessing services lasted well beyond the end of the implementation of the Government’s response. There was a further advantage of enhanced community and professional awareness of the child migration schemes.

2. Travel fund

A total of 694 former child migrants used the travel fund between 2002-2005, many for first time reunions. Although 771 applications were approved, some were ultimately unable to travel due to poor health and other concerns. The Federal Government increased the funding from \$3million to just over \$5million to meet the demand within the three-year time frame. The majority of applicants did not have the resources to finance their own travel. The eligibility requirements of the travel fund were less restrictive and more compassionate than the UK scheme, acknowledging the importance of visits to parents’ graves if no living relatives could be found. The frailty and vulnerability of former child migrants was acknowledged by the provision of funding for carers as escorts, when confirmed by medical/psychological assessment.

3. Acknowledgement and Memorials

Combined Federal and State funding for memorials in each State was generally well received by former child migrants and their families. The launch of each memorial was accompanied by a ‘statement of regret’, if not a full apology. The Federal Immigration Minister opened the memorial in Victoria; other events were largely managed by State Governments. There is an enduring value of the memorials in terms of heritage issues,

and former child migrants having a focus to visit with their children and grandchildren, quite separate from the institution where many experienced appalling childhood abuse.

4. Continued funding for CMT

Funding was renewed for 3 years, although at the same low level as in previous years, despite significant increased demand arising from the travel fund. However, the Trust remained operational where there had previously been a risk to the service's federal funding. Opportunities for development of the service nationally were lost, including increased access for all the major centres of the child migrant population. Consequently, all the eastern States continued to be served by one office based in Melbourne. The Inquiry provided additional evidence for continued CMT funding in WA and to a lesser extent, Victoria.

Given the very modest level of government assistance provided for services (\$125k pa), it was appropriate to support the Trust as the only agency providing specialist, independent services nationally to **all** former Child Migrants. The alternative would be to distribute resources across other regional agencies in small, ineffectual amounts.

5. State sponsored care leaver redress schemes

The Lost Innocents Inquiry was an important factor within a number of initiatives that built momentum towards raising the redress profile leading to schemes in three States, and potentially a fourth relating to the 2008 Mullighan Inquiry, South Australia. Each State has adopted its own approach to reparation schemes with different levels of payments available. In Western Australia, \$114million has been allocated to Redress, with maximum payments of \$80k to those abused whilst in State care.

6. State Government child migrant databases

New South Wales State Government developed a database similar to that already in existence in Western Australia, although it refused to distribute this resource outside government agencies, limiting its access and usefulness. No other State Government responded to this issue.

Missed Opportunities and Unfinished Business

1. More demands – same funding

The Inquiry's recognition of former Child Migrants' appalling childhood experiences, long-term physical and psychological damage and the need for specialist, therapeutic intervention did not translate into any increased resources for provision of services. Indeed, the extra demands generated by the Travel Fund further stretched the agency's limited resources, whilst preventing any opportunity for development to improve access to services nationally. Consequently, centres of child migration like Queensland, Tasmania, South Australia and New South Wales continue to rely on the Trust's Melbourne office. Clearly this is an unsatisfactory arrangement.

2. Servicing the Travel Fund

One of the most striking facts to emerge from the government's response to the Inquiry was that unanticipated demand for the Travel Fund required an extra injection of significant funds. Consequently, the Government's initial decision to allocate \$3million to the fund had to be increased by a further \$2million. Despite this large increase, the Trust continued to be restricted to grants of only \$125k per year. Clearly, there was a massive imbalance in this allocation of resources, which created tremendous pressures on the Trust's staff, both in the UK and Australia, to support reunions.

The Travel Fund set up high expectations and many former Child Migrants who had not previously met their families sought an opportunity to access the fund, creating tight deadlines around an often complex and difficult search for family. It is the Trust's general experience that considerable social work support is necessary to enable all concerned to maximise the opportunities afforded by a first time reunion. The lack of staff resources provided to support the travel fund, alongside the volume of applicants and time limitations, compromised the Trust's family restoration work. In addition, some former Child Migrants were denied the opportunity of a meaningful, healing reunion with family rather than a rushed encounter with strangers.

3. The Travel Fund and Social Justice

The Travel Fund was regarded as a lottery by former Child Migrants. If family or a close relatives' grave could be found within the allotted three-year period, they would be eligible. If not, they experienced further loss and discrimination by remaining excluded. It is always a problematic policy to try to resolve matters of social justice by means of a device which could be regarded as a lottery. The discriminatory issue relates to the arbitrary deadline imposed to complete an often complex search for family members who have been missing for more than fifty years.

The standard of available records to assist the search for family varies enormously across the deporting agencies. For example, historic material held by one secular agency often contains contemporary names and addresses of relatives across two or even three generations, which greatly improves the likelihood of identifying family members today. However, some faith-based agencies' records often do not include even basic details such as mother's address or her age. Similarly, it is generally easier to trace families of former Child Migrants with distinctive surnames from small, rural communities. Former Child Migrants had no control over their surnames, or the quality of the paper trail left behind by their parents and the agencies involved.

4. Outstanding reunion travel needs

Though official support to assist reunions has ended in terms of the Travel Fund, there remains a steady flow of new referrals for family restoration services. This continued need arises from several sources, including the resolution of particularly complex family research, due to the poverty of data or deceit; or as a result of new referrals from those who have been isolated from mainstream services. The search for identity does not diminish with age, but often grows stronger. Resources are needed to support first

time reunions alongside follow up visits. The Trust's view is that this issue would be better addressed through reparation rather than an extension to the travel fund. Either way, there continues to be a need if families are still being found but the cost of travel is prohibitive.

5. Government response

There was a welcome change in attitude by the Federal Government, which initially rejected the need for a matching Australian response to the 1998 UK Inquiry. However, this complex humanitarian issue needed a more fundamental review by Government. Instead, elements of a blame culture coupled with a mind-set of denial, limited the Government's response. Both the questions posed by historic abuse and the many constructive measures needed to address its challenges, seemed a significant blind spot for the previous Government. Indeed, the Government seemed to have developed a form of historical amnesia about Australia's active role in recruiting child migrants to boost the nation's population in the immediate post-war period.

It was difficult to detect any awareness of the transnational nature of the problem in the Government's response. Child Migration was a fundamentally transnational policy which requires a transnational response. Former Child Migrant issues are quite unlike those faced by the Stolen Generation and Care Leavers in this respect. They require co-ordinated links, particularly with the UK and also with Malta, to provide joined-up solutions. Their fragmented lives must not be mirrored by fragmented services.

6. Missing policy lessons

There were lost opportunities for a more considered, compassionate, comprehensive approach and missed opportunities for learning from child migration as a policy disaster which could illuminate other policy areas, including child trafficking, international adoptions and asylum children in detention. There was no financial support for, or Government involvement in the International Congress on Child Migration in 2002 convened by the Trust, despite promises made to an officer of the International Association of former Child Migrants by a Senate Committee member. Consequently there was no support for policy learning.

7. Questions of reparation

The Government's reluctance to consider the need for a national reparation scheme, especially given the legal obstacles posed by statutory time limitation periods, showed a lack of moral leadership. The resulting vacuum was filled by certain States who have pursued their own policies, with inevitable variations between the levels of redress available. This has led to additional feelings of discrimination for those former Child Migrants who were sent to Victoria, New South Wales and, for the present, South Australia. It will be interesting to see if, or how, the absence of redress schemes is justified in any submissions from these States.

8. Citizenship and residency

The unique position of former Child Migrants and their families in relation to Citizenship and residency provisions was not appreciated or recognised. Lack of clarity regarding Australian Citizenship has left some former Child Migrants who returned to the UK as adults unable now to reside in Australia. There are many examples of former Child Migrants, reunited with family in the UK but now unable to live together at the latter stage of their lives, despite having been forcibly separated by policies now acknowledged by both governments as misguided and damaging. For example, one former Child Migrant reunited with his elderly mother has brought her to live with him in Australia. However, her residency remains temporary, waiting in an assessment queue spanning many years, despite his willingness to support her and her own financial resources. There was some hope of recognition of this issue by the former Labor Government when, in 1994, fees for Citizenship were uniquely waived for former Child Migrants. A similarly creative and compassionate response is urgently needed for this unique and relatively small group of people affected.

The need for specialist services

The damaging, long-term impact of child migration and abusive institutional care upon former Child Migrants was well documented in the Senate report and inspired the recommendations for practical remedies such as the Travel Fund and memorials. Unfortunately, the additional need for specialist independent services to address the psychological aftermath and provide restorative services to former Child Migrants, and all relatives involved in their reunion was not reflected in either recommendations or in the Government's response.

At the request of the Senate Committee, the Trust prepared a full development plan emphasising improved access to services nationally, and addressing the vital need for a 'joined up' strategy with the British Government, given the reciprocal needs of former Child migrants in Australia and their families in the UK. This, too was overlooked in the final report. The outcome was a recommendation for continuation of funding, which was adopted by the Federal Government, at the same inadequate level as in previous years, despite the predictable impact of the Travel Fund.

Family and identity

Restorative work with former Child Migrants and their families is complex. It is vital to ensure sound professional practices such as client choice, avoidance of power imbalances that may reflect past, destructive relationships with authorities, and provide a sense of safety through independence from any organisation associated with past abuse. These principles are well understood within the profession.

It may be that some people can effectively manage their own reunion without specialist social work support. However, the majority of former Child Migrants carry a legacy of stigma and powerlessness common to survivors of childhood physical and sexual abuse. A considerable portion of referrals to the Trust stem from the consequences of failed reunions organised without professional assistance.

The deception practiced over many years by various agencies responsible for child migrants falsely defined their status as 'orphans', a stigmatised label associated with feelings of abandonment and very negative views about their families. This has frequently resulted in difficult adult relationships, weak attachments, inability to trust or form intimate relationships, and low self esteem. These burdens were often reinforced by the appalling abuse experienced by many throughout their childhood at the hands of untrained, overloaded residential child care staff.

Minimal funding, basic provision

The low level of funding allocated to the Trust resulted in a minimalist model of service provision. In basic terms, this meant there would be only one social worker at each of the Trust's offices in Perth and Melbourne. Ideally, a specialist social work service dealing with highly personal issues, particularly childhood sexual assault, requires staff of both genders to meet the specific needs of a varied group of clients. In addition, given the poor educational background of many of the Trust's clients and the large numbers involved, it was inevitable that the main focus of the Trust's work would be restricted to assisting with the completion of the written application to the Travel Fund.

Consequently, there was little time to deal with the more subtle but equally important issues such as the client's expectations around their forthcoming reunion and their anxieties about travelling, perhaps for the first time, to a foreign country to meet relatives after a separation lasting 40 or 50 years.

Many reunions can be seen as the climax of a long and extraordinary sequence of events and represent a very complex encounter on both sides. It surely does not require a great deal of imagination to realise that skilled professional assistance should be available for those who are hoping their reunion will heal some of their wounds, but are frightened of failure or rejection.

Conclusion

The impact of the Senate Inquiry constituted another twist in a spiral of greater political and public awareness leading to more provision for former child migrants and increased recognition of their unique position in Australian society. Clearly, the main focus of the most significant category of government expenditure was directed towards travel costs and family reunions. This is entirely appropriate. However, while appreciating the positive steps forward, it would be a mistake to believe there is no unfinished business or that the policy package of implemented recommendations has fully resolved this issue.

The Trust's fundamental concern with the Government's response was that it was too half-hearted in tone and spirit. It did not seek to assume its full and proper responsibility for the many adverse consequences of federally inspired policies. It failed to apply the same energy, resources and determination to resolve these issues as was previously devoted to creating them. Consequently, the Government's statement of regret and its

other policy measures did not match the scale and severity of the problem. These measures were also unbalanced due to the failure to provide sufficient social work support for the Travel Fund.

Many former Child Migrants were very impressed with the Prime Minister's historic apology in 2008 to the Stolen Generations. This was viewed as a positive example of a full and generous apology with its much more appropriate tone and content. Indeed, many consider that this changed the moral and political landscape of Government attempts to address past wrongs. If the questions and dilemmas surrounding child migration were considered in this new light, with fresh eyes, we might agree that there is still much progress to be made. For example, can we really expect fractured family relationships to be healed by a single reunion after a separation of fifty years? If former Child Migrants received at best a second-class childhood, can we repair the damage of the past without the provision of first-class services?

This legacy of unfinished business should now be addressed by a new Government. The numbers of former Child Migrants are now quite small and are reducing every week as a result of illness, despair or old age. However, for many, it is a cruel truth that survivors of past abuse are haunted by memory while the perpetrators are blessed by forgetting.

It is painfully clear to former Child Migrants and those involved in their care that not all aspects of their damaged lives can be remedied or restored. We cannot undo the impact of a lifetime of deceit about their identity or family origins. However, this makes it imperative to take much more determined, co-ordinated and comprehensive steps to trace missing relatives, to ease traumatic memories and facilitate reunions. This is essential for those who still wait in hope for a reunion, and for those with only a few precious years left of contact with their families. These measures are also vital if we wish to ensure that the key Australian value of 'a fair go for all' is to have any real meaning for these exquisitely vulnerable members of our community.

This report has been prepared by:

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A handwritten signature in grey ink that reads "Margaret Humphreys". The signature is written in a cursive, flowing style.

Margaret Humphreys OAM
International Director