



COMMONWEALTH OF AUSTRALIA

Official Committee Hansard

SENATE

COMMUNITY AFFAIRS REFERENCES COMMITTEE

Reference: Children in institutional care

FRIDAY, 12 MARCH 2004

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SENATE
COMMUNITY AFFAIRS REFERENCES COMMITTEE

Friday, 12 March 2004

Members: Senator Hutchins (*Chair*), Senator Knowles (*Deputy Chair*), Senators Humphries, Lees, McLucas and Moore

Substitute members: Senator Murray for Senator Lees

Participating members: Senators Abetz, Bishop, Carr, Chapman, Coonan, Crossin, Denman, Eggleston, Chris Evans, Faulkner, Ferguson, Ferris, Forshaw, Harradine, Harris, Lightfoot, Ludwig, Mackay, Mason, McGauran, Murphy, Nettle, O'Brien, Payne, Tierney, Watson and Webber

Senators in attendance: Senators Hutchins, Knowles, McLucas, Moore and Murray

Terms of reference for the inquiry:

To inquire into and report on:

- (a) in relation to any government or non-government institutions, and fostering practices, established or licensed under relevant legislation to provide care and/or education for children:
 - (i) whether any unsafe, improper or unlawful care or treatment of children occurred in these institutions or places,
 - (ii) whether any serious breach of any relevant statutory obligation occurred at any time when children were in care or under protection, and
 - (iii) an estimate of the scale of any unsafe, improper or unlawful care or treatment of children in such institutions or places;
- (b) the extent and impact of the long-term social and economic consequences of child abuse and neglect on individuals, families and Australian society as a whole, and the adequacy of existing remedies and support mechanisms;
- (c) the nature and cause of major changes to professional practices employed in the administration and delivery of care compared with past practice;
- (d) whether there is a need for a formal acknowledgement by Australian governments of the human anguish arising from any abuse and neglect suffered by children while in care;
- (e) in cases where unsafe, improper or unlawful care or treatment of children has occurred, what measures of reparation are required;
- (f) whether statutory or administrative limitations or barriers adversely affect those who wish to pursue claims against perpetrators of abuse previously involved in the care of children; and
- (g) the need for public, social and legal policy to be reviewed to ensure an effective and responsive framework to deal with child abuse matters in relation to:
 - (i) any systemic factors contributing to the occurrences of abuse and/or neglect,
 - (ii) any failure to detect or prevent these occurrences in government and non-government institutions and fostering practices, and reporting mechanisms
 - (iii) any necessary changes required in current policies, practices and reporting mechanisms

In undertaking this reference, the committee is to direct its inquiries primarily to those affected children who were not covered by the 2001 report *Lost Innocents: Righting the Record*, inquiring into child migrants, and the 1997 report, *Bringing them Home*, inquiring into Aboriginal children.

In undertaking this reference, the committee is not to consider particular cases under the current adjudication of a court, tribunal or administrative body.

In undertaking this reference, the committee is to make witnesses and those who provide submissions aware of the scope of the inquiry, namely:

- (a) explain the respective responsibilities of the Commonwealth and the states and territories in relation to child protection matters; and

- (b) explain the scope of the committee's powers to make recommendations binding upon other jurisdictions in relation to the matters contained in these terms of reference.

WITNESSES

ADAMS, Ms Mary Ellen, Member, Jobe's Trust	2, 102
ALLAWAY, Mr Allan W., Committee Member, Historical Abuse Network	2
ALLEN, Mr William James (Private capacity)	68
BATEMAN, Mrs Rosemary Irene (Private capacity)	72
BRADWELL, Mr Wayne Thomas, Esther Centre	2
BRADY, Mr Bernard Francis Patrick (Private capacity)	59
BROOKS, Ms Denise Joan (Private capacity)	2, 30
BULL, Mr David, Member, Historical Abuse Network	2
BURR, Ms Jacinta (Private capacity)	2
CARPENTER, Ms Diane (Private capacity)	102
DEKKER, Ms Muriel Valmai, Committee Member, Historical Abuse Network	2
DETHLEFS, Father Wally (Private capacity)	44
GLENNON, Ms Shirley, Executive Officer, Forde Foundation	88
JOHNSTON, Mrs Hetty Margarette, Founder and Spokesperson, Bravehearts Inc	77
KEYS, Mrs Suzette Carol (Private capacity)	102
LINDENMAYER, Ms Sarah Louise (Private capacity)	102
LOVELY, Mrs Gloria May, Member, Historical Abuse Network	2
MALLAN, Mr Mick, Board Member, Forde Foundation	88
MATTHEWS, Dr Ben, Lecturer, Faculty of Law, Queensland University of Technology	102
McKEW, Mrs Mim (Maria) Kaye (Private capacity)	2, 56
MUNT, Mr Louis John (Private capacity)	2
STEVENSON, Mrs Colleen Mary, Committee Member, Historical Abuse Network	2
SYED-WAASDORP, Mrs Lana, Historical Abuse Network	2, 102
TREWEEK, Ms Sue (Private capacity)	38
TRONC, Ms Diane Patricia, Member, Historical Abuse Network	2, 102
VON SENDEN, Mr Leslie John, Esther Centre	2
WALSH, Ms Karyn Joan, Coordinator, Esther Centre	2, 102
WALTON, Mr Barry, Relationships Australia, Queensland	102
WILLIAMS, Mr Garnett Bruce (Private capacity)	54
WILSON, Mr Graham Dennis (Private capacity)	102
WILSON-SZOREDI, Ms Beth, Peer Worker, Historical Abuse Network	2
WORRELL, Ms Hanna (Private capacity)	2

Committee met at 8.37 a.m.

CHAIR—I declare open this public hearing and welcome everyone who is present today. The Senate Community Affairs References Committee is continuing its inquiry into the very important issue of children in institutional care. The committee has now received over 400 individual submissions both in public and confidentially. These submissions have provided the often emotional and disturbing stories of many people who spent time in a range of religious, government and non-government institutions across Australia over a period of many decades.

The committee is grateful to all these people for sharing their life stories with us. The committee received many requests from people who wanted to speak at this hearing. Unfortunately it is simply not possible to meet all these requests, but you can be assured that your voice has been heard through the hundreds of detailed individual submissions received by the committee.

I indicate that local print and electronic media may be in the room today. If anyone has any problems or concerns with that, please see the committee secretariat to indicate your problems. I remind everyone appearing today that their comments are on the public record. You should feel free to speak without any fear of reprisal or intimidation, but please exercise caution in your comments so that cases before courts are not referred to and individuals are not adversely identified. I advise that counsellors from ARC are also here today if you would like to talk to them.

[8.39 a.m.]

BRADWELL, Mr Wayne Thomas, Esther Centre

VON SENDEN, Mr Leslie John, Esther Centre

WALSH, Ms Karyn Joan, Coordinator, Esther Centre

ALLAWAY, Mr Allan W., Committee Member, Historical Abuse Network

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McKEW, Mrs Mim (Maria) Kaye (Private capacity)

MUNT, Mr Louis John (Private capacity)

WORRELL, Ms Hanna (Private capacity)

CHAIR—The first session today is a group representation in order to maximise the contributions from as many people as possible. The agency represented in this session provides a broad range of support measures for people who have experienced abuse in institutions, foster care and detention. I welcome representatives of the Historical Abuse Network and individual members appearing.

Ms Walsh—We are having a technical problem in that there are a couple of people that are stuck in a cab.

CHAIR—That is all right. They can join us once they get here.

Ms Walsh—They will be here in a minute.

CHAIR—Information on parliamentary privilege and the protection of witnesses and evidence has been provided to you. That is correct, isn't it?

Ms Walsh—Yes.

CHAIR—The committee prefers evidence to be heard in public, but evidence may also be taken in camera if you consider such evidence to be of a confidential nature. The committee has before it submissions from a number of participants. I now invite the group to make its presentation, to be followed by questions from the committee if time permits. Who would like to go first?

Ms Walsh—We have a presentation to give. There are also comments that a couple of individuals want to make, so, while we are waiting for the others to arrive, perhaps those individual comments could come first.

CHAIR—Okay.

Mr Allaway—I am from the St Joseph's Orphanage at Neerkol, Rockhampton. The institution was situated on the Neerkol Creek, 22 kilometres west of Rockhampton. It was run by the Sisters of Mercy. In reference to the Neerkol orphanage, whilst it was a hellhole, one of the biggest effects that it had on us was because it was so isolated from everybody and everything. That isolation had an extremely adverse effect upon our lives. It was an entirely inappropriate location for an orphanage. Its isolation and distance from Rockhampton deprived the children of any real opportunity to integrate into the local community.

The effects of that isolation and loneliness were particularly severe for the British migrant children who, at least in some instances, had come from institutions that were well integrated into village or town life. They suffered the dual dislocations of uprooting from their country of birth and removal from a familiar community environment. The acuteness of the isolation felt by those children was exemplified in evidence given by a former child migrant who described his feelings on looking down the driveway from Neerkol one day after his arrival. He said:

I'm lost, how am I ever going to get back from here? My parents, my family, my culture. I just felt lost and trapped and in prison.

In addition to the obvious disadvantages of isolation in terms of depriving children of the opportunity of social interaction and absorption into normal community life, the setting of Neerkol inevitably gave rise to a closed community with a culture of its own. This phenomenon was described in evidence by Dr Ken Armstrong, who referred to the risk of an institution becoming closed to an external world, with the potential for abuse in circumstances where there was a perceived need for conformity and where caregivers were under stress. For example, there were approximately a dozen—maybe 14—nuns who had to deal with sometimes more than 300 snotty nosed, screaming little brats. I think even Jesus Christ himself would have cracked under that pressure.

My own history began with the situation of being told I was an orphan. I was not. It was strange how at age 17 I found my mother—the mother whom the state had always told me was dead. She must have performed a Lazarus. When I found her, my mother told me that she had tried to find me and that the state would never tell her where I was. Yet while it was denying her access to me, under the threat of jail time, the state was screwing her for child support, which I never benefited from. Why? There are other points here, but I would like to come back to them at a later date. Thank you.

CHAIR—Thank you. The other witnesses have now arrived. You have all been provided with information on parliamentary privilege. We will now move to the group presentation.

Ms Walsh—The presentation is in a few sections. The first one is an introduction to some institutions, with some visual presentations. People will just read what those institutions are and we will go through them. The second section is about the effects on people's lives today. We will cover the Forde inquiry, the service system and the charter for redress. We will start now, although the visual presentation is not yet working.

Mrs Syed-Waasdorp—I will talk about St Vincent's Orphanage at Nudgee. The inquiry heard evidence, which it accepts, from the witness 'M', resident at St Vincent's from infancy. He told of being sexually abused at the age of 11 or 12 by Father Errol Stanaway, the resident chaplain at the orphanage between 1959 and 1963. M had been working in the garden at the priest's cottage when he was told to come into the house to be punished for damaging a plant. What followed was the first of a number of attempts to sodomise the boy, in addition to forced masturbation or oral sex of the priest. This occurred approximately 14 times over a 2½-year period. The boy's anus was injured in the encounter, which was noticed by a visiting nun who saw him while he was attempting to wash the blood away. M was taken to an infirmary, and, on his return to the orphanage, the mother superior questioned him as to who had caused the injury. According to M, upon being told of the perpetrator she reacted angrily and with disbelief, and had him beaten for telling lies. The failure of the sisters at St Vincent's to recognise the risk that Father Stanaway posed is of significant concern.

The placement of Father Stanaway as chaplain at St Vincent's in the first instance warrants particular comment. Information about him has been obtained from a number of sources, including the archives of the Archdiocese of Brisbane and the recollections of Sister G, who had the task of ministering to his health needs while he was at St Vincent's. It is clear from the archival correspondence that he had been a continuing problem to the archdiocese, although particular complaints against him are not recorded. Most children at St Vincent's home at Nudgee suffered physical violence and psychological and spiritual abuse. Some were even traumatised by repeated sexual abuse. 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.

I have here an apology, members of the Senate, it says: 'We acknowledge that there have been failures with respect to the children entrusted to our care. The result has been a system in which some children have suffered maltreatment and their social, emotional and physical needs have been neglected.'

Mrs Stevenson—I will talk about Nazareth House. Living without privacy or space in an impersonal environment was a common experience for institutionalised children. Until the 1970s almost all the residents of Nazareth House were girls and all were housed in dormitory accommodation. There was a nursery for infants aged under six, which held between 30 and 60 children. The junior dormitory housed girls aged between six and 10. The senior dormitory housed those aged 11 and above. Up to 60 girls were housed in these dormitories.

The building itself was daunting. The design of the building was along the lines of a monastery with cloisters, and there were crucifixes, statues et cetera in great abundance. First impressions of it are that it is a very cold, imposing place. It must have been extremely frightening for a child, especially one of tender years, to be placed there. Former residents of Nazareth House supplemented their diet with clover and grass. They resorted to taking scraps from waste bins. At bath time, girls would line up in approximately three rows. Up to 20 girls would share the same bathwater.

Ms Dekker—I will talk about WR Black Girls Home at Chelmer. Witnesses described unacceptable methods of punishment administered by the matron at WR Black in the 1940s and 1950s. Three witnesses stated that children were sometimes punished by being deprived of their meals or by being force-fed their meal if they refused to eat it. Others stated that children were made to line up, sometimes facing a wall, and ordered to hold their arms up high in the air for long periods of time. If their arms dropped, the matron would hit them with either a ruler or a cane. Seven witnesses remembered that the matron made all children line up for punishment even though it may have been only one child who had committed an offence, such as talking in the dormitory after lights out.

Other allegations of serious assault were made against the same matron. She was said to have intentionally burnt a girl with a hot iron, to have hit another across the head with a pair of scissors, causing her head to bleed, and to have hit others with pieces of wood. One girl was hit with the leg of a chair across her nose. Girls were made to eat soap in a kind of factory that was in the home. Some girls were made to eat the soap as a form of punishment. Home girls were humiliated by wearing thick, heavy, ugly, institutionalised uniforms to school, when at that time the other children did not wear those types of uniforms.

Reports were given of children being physically disciplined for simple things such as talking, not completing chores, not finishing meals, going somewhere out of bounds within the home and coughing—or even, on occasions, for being left-handed. The crime of left-handedness was the cause of much punishment within religious orders. Former residents told of being beaten to get the devil out of them, the devil being left-handed.

Mr Bull—The Church of England Enoggera Boys' Home was located at Hurdcliffe Street, Enoggera, Brisbane. It was an institution run by the Church of England under the delegated authority of the Queensland government. The charter of responsibility of duty of care and protection of the children and wards of the state placed at Enoggera home was the responsibility of the state of Queensland and the church.

Physical violence and trauma. All personal belongings and possessions, including money, were forcefully confiscated and used by the staff and distributed at their discretion. Regular bashings of children by members of the staff were most times for no apparent reason, using

physical means such as punching, kicking, pushing, slapping of faces and ears and pulling and dragging by the hair. They also used straps, whips, sticks, electric cords, hoses, rolling pins, pots and any other item that they had at hand to administer barbaric forms of punishment.

Other forms of punishment. Children were made to stand barefoot in chalked circles drawn on a hot bitumen parade area and forced to sit cross-legged on their hands, which were knuckle down on the bitumen. If the children stepped outside the circle, they were bashed. Children were forced to strip naked, bashed, hosed down and made to sleep naked on the tiled floor of the shower area, even in winter. Forced labour was imposed on children in order to pull heavy carts of manure and sand, and they were sent to farms during holiday periods and used as free labour. Staff members forced children to fight other children with bare fists and with boxing gloves, and if they refused or lost the fight they were bashed by the staff. Children were made to stand to eat meals for periods of weeks for having dirty hands or commenting on the quality of the food. Children were made to lean on their foreheads against the wall with their hands behind their backs and were strapped at the same time. Older boys who were favourites of the staff would bash the other boys of their own accord or at the request of the staff members.

Psychological and emotional trauma. Children were told on a continuous basis: 'You are a nobody. I could kill you and nobody would miss you or worry about you. You are less than scum. You are worth nothing. Nobody wants you and that is why you are here.' They were told, 'Your parents are coming to take you out,' then made to dress in going out clothes, stand on the veranda and wait. The staff would know full well that no-one was coming. They used this on a regular basis as a form of punishment and sadistic enjoyment. They said, 'You will not amount to anything and you will end up in jail. Your parents do not want you and that is why you are here. You will never get to live with them. I can do anything I want to you and, if you tell anybody, nobody will believe you over me.'

There was little contact allowed with inspecting children's services personnel. If you did sneak out or get an opportunity to talk to them, you were told by the children's services people that what you were telling them was a lie and then you were later bashed and punished by the staff for trying to inform others of what was happening. Experiences of children at Enoggera home included: constant threats of being sent to Wilson or Westbrook prison homes; living in constant fear of being abused by being physically, psychologically and sexually violated; being deprived of being a child; no opportunity for individual thought; being forced to live in a surreal environment which was a draconian military or prison lifestyle; children's innocence being forcefully taken away from them; no relationships or social skills were allowed; deprivation of liberties and basic human rights; children being treated like criminals when they had not done anything wrong; stigma attached to being in a home, because the common view of the broader community was that you have done something wrong to be there; children having many terrible and horrific things happen to them and not being believed by anyone when they told what had happened; sexual abuse and trauma; fondling of children's genitalia by staff members under the pretext of inspecting for cleanliness; children being forced to have oral sex with staff with the threat of being bashed if they did not; being threatened with being sent to Wilson or Westbrook children's homes if they did not do what was forced on them; digital penetration of the children's rectums while being strapped and whilst asleep; children waking up with staff members' penises being rubbed in their face and mouth—

Mr Allaway—This is a result of what happened—

Mr Bull—Children forced to stand naked in the office for days for not wearing their clothes properly; children being frequently sodomised by staff; older boys forced to have sex with female staff members; spiritual abuse; and the use of religion and religious power as a controlling mechanism. What is being presented here represents only a very small part of the atrocities perpetrated, over many years, against children who were placed in the care of—and through the judicial system were made wards of—the state of Queensland, and, through delegation by the state were placed in church-run institutions. Surviving these traumas at Enoggera boys home has had a dire effect on many of the former residents. There are many documented cases of former residents being affected by the following: post-traumatic stress syndrome, drug dependency and alcohol dependency. They represent 80 per cent of the people at the rehabilitation centre at the Brisbane Hospital.

There is a high incidence of unemployment and of suicide—among children and later as adults—because they are not being believed. There are also cases of self-harm, constant ill health and medical problems, psychological dysfunction, imprisonment, relationship breakdowns, poor literacy and verbal expression, fear of bureaucracy, difficulty having a positive religious experience, and rejection by society. This legacy which is imposed on former residents also affects partners and extended family, not just the people directly involved.

The admission of guilt for the past abuse of children in Church of England homes and of wards of the state of Queensland has been formally recognised by the issuing of the apology which was signed by the Reverend Peter Hollingworth, Anglican Archbishop of Brisbane, and Peter Beattie MLA, Premier of Queensland in the year 2000. It is now four years hence and the state of Queensland is still abusing the former residents by denying them the proper and fair process and not properly addressing the recommendations of the Forde commission.

Mr Allaway—Damn right.

Mr Bull—Mr Beattie has said words to this effect: you can take us to court; compensation will not be paid as it will bankrupt the state—

Mr Allaway—Load of crap.

Mr Bull—and there is a statute of limitations. These statements coming from the Premier of Queensland, who has a background in law, say: yes, he recognises that former residents have a legitimate case against the state; yes, the state of Queensland is ultimately responsible and culpable for the atrocities committed against the former residents, being at the time children in the care of and wards of the state of Queensland; yes, the amount of compensation due to these former residents based on the precedents for like cases should be a commensurate amount; and, yes, we know that the former residents do not have the resources to bring the state to task to take responsibility even though the state has admitted guilt. In the current political climate of Queensland it appears that Premier Beattie places more priority on a bottle of wine than on addressing the trauma—

Mr Allaway—Yes.

Mr Bull—that the state of Queensland has historically inflicted and is still inflicting on former residents.

Mr Allaway—Good on you.

Ms Wilson-Szoredi—I am here today to speak about Wilson Youth Hospital. Wilson Youth Hospital was used as a threat in many of the homes that I was in prior to ending up at Wilson. It was a kiddies' prison, but it had the unusual twist of having a medical model attached to it. While it was the responsibility of the state and primarily of families, the health department played a huge role in the day-to-day workings of that particular home. I am not going to go into much detail about the abuse that occurred there because you will be hearing some of that later, and I have put in a written submission. I am going to talk about what the experience was when you first arrived at Wilson, and after that you knew what you were in for.

Female witnesses who gave evidence of their experiences at Wilson during the 1970s, almost without exception, spoke of the ordeal of admission—a strip search followed by a shower, sometimes in the presence of male as well as female staff. They were required to submit to delousing with DDT—a powerful insecticide—whether or not there was any evidence of infestation. For the purposes of the delousing treatment, they were obliged to wear a cotton cap for the following three days. Personal possessions were removed and the girls were required to wear institutional clothing manufactured at Warilda, bearing no resemblance to current fashion.

A witness describes her experience in the following way. When you first go into Wilson they have an admitting area, and from there you sort of know what is ahead of you because you have to take off all your clothes. They peer into your vagina and everywhere else. You are 15 years old and nobody has seen you naked. It is uncomfortable. Then they look in your ears, under your tongue and in your hair. They delouse you like you are some sort of cattle. Then, after you have finished that process, everything that you are wearing is put in a bag which is sealed and stapled.

The existence of these practices is confirmed in a memorandum from a child-care officer in July 1975, who observed them at first-hand when returning a child to Wilson. She deplored the unnecessary, humiliating and depersonalising application of the DDT treatment. She observed the girls and commented that the removal of all items of personal jewellery added to the depersonalisation and negativism of the system at Wilson Youth Hospital. It does not appear that the expression of her views produced any change in admission practices. Gynaecological examinations were a regular feature of life in the girls' section at Wilson. Girls who refused to undergo them were not permitted to use the swimming pool or, for some reason which is not apparent, the trampoline.

Mr Bradwell—Westbrook was a place of extreme violence and institutionalised cruelty—both physical and emotional. Several public floggings, bashings, verbal abuse and poor diet created an atmosphere of tension and fear which absolutely affected all the boys, not only those directly assaulted but also those who witnessed the assaults. Apart from Golledge, there were five staff members who participated in violent acts committed on boys. Acts were initiated by Golledge. There is no doubt in my mind that he enjoyed flogging boys. These floggings were always administered publicly and always on the naked buttocks. His floggings were administered with a heavy leather strap. He was a voyeur inevitably present in the bathhouse where his responsibilities did not necessarily take him, and elsewhere where boys were in a state of partial or complete undress. He often spied through the dormitory windows as the boys undressed for bed. He invariably carried his strap in his pocket. He had an obsessive interest in boys caught masturbating or performing sexual acts with other boys.

Ms Tronc—I am going to speak about Silky Oaks. At least two former residents of Silky Oaks were sexually abused by Edwin Smith in the 1960s. Smith had been employed at the home from 1959 initially as a handyman and later as a person in charge of the boys' dormitory while retaining his maintenance duties. The boys were compelled to perform acts of masturbation on him, with Smith performing similar acts on them. One boy was 10 when this abuse began, and he was repeatedly subjected to such acts over the next five years.

The events concerning Smith raised a number of issues about the standard of care provided for children at Silky Oaks between 1960 and 1965 and raised the question of how a person such as Smith could have been placed in a position of responsibility and trust with unlimited opportunity for abuse of the children under his control. Not only was he in charge of the daily living arrangements for the children, with access to them as they bathed, dressed and slept, but he was also able to assign chores to them and engineer situations in which he could be alone with particular children. Smith's only qualification for the role appears to have been his membership of the Open Brethren.

Mrs Lovely—I am going to talk about Riverview. While generally of a poor standard, living conditions at some places were dire. By the early 1970s the facilities at Riverview are reported to have been old, dilapidated and run down. All of the powerlines and poles were condemned, along with the telephone lines. For the majority of its existence, Riverview had no connection to the town's mains water supply, relying on rain for drinking water. When the rainwater tanks were dry, the whole centre depended on river water, which was unfiltered and contained levels of effluent emission from the Dinmore meatworks and the hardboard factory nearby.

In 1971 a press report claimed that new residents and those designated as troublemakers were housed in a room with up to 14 others, with only a galvanised metal bucket as a night toilet. In 1970 the director of the department wrote to the undersecretary of the department of health, stating that the minister would need just one visit to Riverview for a solution to be found to the funding problem. Indeed, he attributed the large number of abscondings from Riverview to be in part due to the poor standard of accommodation and the physical conditions generally prevailing at the centre. He concluded by urging that a rebuilding program begin immediately.

A department report on Riverview in 1973 once again noted the appalling physical conditions at the home:

... facilities and buildings are substandard and depressing. I even wonder that the local Council allows it to continue.

A state government inquiry into youth in 1975 summed up the physical state of the place:

Old timber and galvanised iron predominate and generally the outlook is one of depression.

The archival material reveals numerous requests from the Salvation Army itself to the government for the funding of the institution, but they do not appear to have met with a positive response.

Ms Wilson-Szoredi—I am going to talk to you about Kalimna, which was also the responsibility of the Salvation Army. Kalimna was similar to Wilson in that it was run like a detention centre somewhat. I want to note that most of the people whom I came into contact with

in these places had not committed any offence but had carried the stigma all their lives—right to this day—of having been in what was like a kiddie prison basically, and people believing there must be some reason for it.

I met a lot of people that were victims of incest, family breakdown and that kind of thing—not to say that that was everyone, but it was the majority. At Kalimna there were three solitary confinement rooms located near the main buildings. The rooms were only large enough to contain a bed and a bucket in the corner for a toilet. Solitary confinement for two to 14 days was used as an induction procedure for young women being admitted to Kalimna. Residents were informed that they were required to spend time in solitary confinement as a settling-in period, to ‘think about what they had done’. This was unusual, given that on some occasions the girls were transferred to Kalimna without any knowledge of the reason for their transfer. Former residents subjected to periods of solitary confinement have drawn attention to the psychological effects resulting from this form of punishment. A former resident of Kalimna said:

I consider being locked in solitary confinement for long periods of time more than physical abuse. It was emotional abuse. It was cruelty to the soul ... In hindsight, I don’t know why I didn’t commit suicide and probably came close to it ... and ... I just don’t understand why other girls didn’t, because we were pretty fragile kids anyway and to lock you up like that was just horrendous. It is soul destroying. It is like torture. It makes you ... so compliant.

Ms Walsh—The next section of the presentation deals with the effects on people’s adult lives.

Ms Wilson-Szoredi—This section basically talks about the long-term outcome on people’s lives of the experiences that they had in various children’s homes. The effects were: memories that remain, thoughts of former residence, ongoing realities, memories of words and phrases spoken to children.

Ms Tronc—Areas of life that were affected were: education, training, employment, workplace, income, health, identity, losses, relationships, a sense of belonging, and poverty.

Ms Dekker—With respect to education, training and employment, the comments were: ‘You’ve got sawdust between your ears.’ ‘Woe betide anyone who makes a mistake today.’ There was not much education in life skills, and in some cases none. On leaving an institution, if there was no guardian to sign relevant forms there was no prospect for apprenticeship.

Mrs Stevenson—In education, training and employment former residents were limited to seeking unskilled and menial jobs. There was a fear of participating in the recruitment process. People were told: ‘You’ll never amount to anything.’ People’s ability to participate in education in future was severely affected. The institutionalised style of TAFE and university is a reminder of past institutional life.

Mr Allaway—A lot of our people have ended up in the sex industry because they had no other choices. They had no people skills, no life skills, no education—nothing. There is also a hell of a lot of fear in the workplace that comes from childhood, when we were punished if we were not perfect. The stigma attached to being a former resident has a significant impact on securing employment. For example, you try to better yourself, so you go along and apply for a job. They give you a form to fill in. Bang! There it is. It jumps out at you and belts you between the ears. It asks: ‘What is your educational standard?’ You just walk away. You do not even bother applying.

There never were any resources to aid job hunting. That has had a very big effect on all of our people, for which this state stands accused.

Mr Von Senden—In the workplace, disability and trauma impact on our access to education, training and employment. There is a lack of understanding by employees regarding the capability of former residents to participate in the work environment. There is a stigma attached to being unable to complete your educational status on employment forms.

Mr Bull—In terms of income, there are no jobs and no money and people are living on welfare. Providing for ourselves and our families is a struggle. There is shame attached to admitting to difficulty with money. Former residents are trapped in a cycle of poverty.

Mr Allaway—Damn right.

Mr Bradwell—Poverty means never being able to move out of the cycle of poverty and having to ask for handouts all the time. Shame is attached to asking for handouts, including Forde Foundation grants. Poverty is seen as a personal failure and not as a consequence of life experience. There is a fear of the future, due to a lack of superannuation.

Ms Syed-Waasdorp—There is a distrust of government services which have been designed to keep people in poverty—for example, public housing. The continued disadvantage has an impact on the lives of the children and partners of former residents. The high incidence of marriage and family breakdown and social instability keep us in a cycle of poverty with a lack of financial stability.

Mrs Lovely—I will talk about health. Former residents have high stress levels and no skills learnt as children with which to deal with life. There is a lack of psychological development due to living and growing in a highly stressed traumatic environment as a child and adult. We have the stress of living with a stigma and the community's lack of understanding about the issues. We are living in a state of distrust, with prolonged stress and trauma.

Ms Wilson-Szoredi—Still on health, there is the issue eating disorders. The presentation and management of food as a child has had lifelong effects. There was force-feeding, and being made to eat vomit and faeces was a form of punishment. Eating disorders are a way of dealing with emotional and psychological distress.

Ms Tronc—Still on health, there are dental and oral health issues, which are a direct result of poor nutrition and lack of dental care. Childhood sexual abuse has a direct impact on going to the dentist, where there was forced oral sex. There is insomnia as well as sleep disorders—fear of closing your eyes when asleep and difficulty in dealing with the memories.

Ms Syed-Waasdorp—Continuing on health, post-traumatic stress disorder exists, and there is a lack of recognition of the connection between being in care as a child and PTSD. Current health systems medicate instead of addressing issues causing depression. There is a lack of trust in the system and there are no formal mechanisms for accountability for the failure to protect children by churches and the state.

Mrs Stevenson—Still on health, there is anxiety and a fear of speaking up and not being acknowledged and heard. There is a fear of intervention by professionals and of loss of control. There is reliance on a government system that perpetually fails to respond appropriately to the continuous impact of child abuse in church and state care. Agoraphobia and claustrophobia are direct consequences of the misuse of solitary confinement of children in dark, isolated places within the institutions.

Mr Allaway—Still on health, there is also the trauma of sexual abuse. That is a bloody big issue. It is about having to maintain the secret, not being believed and feeling guilty because it happened—feeling that we were to blame for it. There is confused sexual identity: ‘What is wrong with me?’ There is reluctance about and fear of accessing gynaecological help, although that is only for the women. There is a hell of a high dependency on alcohol and drugs as a way of dealing with trauma. They are used to help cope with difficulties in interpersonal relationships and to numb the pain. They are a way to check out.

Mr Von Senden—Health issues include self-harm and suicide. Loss of friendship leads to suicide. Issues include lack of emotional and physical support, memories of self-harm and suicide in the institution, personal denial of the impact of institutional child abuse, and systemic denial of the impact and the truth and extent of abuse in church, state and foster care.

Mr Bull—Still continuing with health, there is a high incidence of diagnosed mental illness, clinical depression, schizophrenia, bipolar disorder, anger management, extreme mood swings and mood disorders.

Mr Bradwell—Issues for professional practice include fear of medical practitioners, their power and authority; re-abuse of former residents through misuse and abuse of duty of power and authority by professional entities such as police and doctors; fear of being institutionalised again; and the lack of genetic history for medical records. There is a need to maintain standards and transparency and not for protection of institutions.

Ms Syed-Waasdorp—There is a lack of understanding and connection between being abused in church and state care and familial abuse. There is a lack of acceptance of the reality that the abuse did occur—that it is not fantasy or a lie. There is labelling by psychiatrists and a lack of understanding about the injustices that occurred by professionals and carers.

Ms Lovely—Still on the issues for professional practice: there is an overreliance on medication to solve problems, a lack of alternative referral pathways and choices and a lack of understanding regarding the long-term effects of childhood neglect and abuse.

Ms Wilson-Szoredi—On identity, some of the things that people have imprinted in their minds include: ‘You’ve got the devil in you.’ There is a lifelong blueprint of intimidation that impacts on identity as adults—words like ‘detention centre scum’ and ‘Where would you be if we hadn’t taken you in? You’d be nothing and never will be.’ There is fear and distrust of authority figures.

Mr Allaway—Damn right.

Ms Syed-Waasdorp—There is a continued sense of powerlessness and hopelessness. ‘You’re only here because nobody wants you.’ ‘Your father’s in jail,’ when the father was never imprisoned. Manufactured intelligence test results led to a belief that you were stupid, and had lasting impact.

Ms Dekker—That statement came under the heading of ‘identity’, and this one comes under ‘losses’. One person said, ‘I see children today going to school, laughing, enjoying being children. We had none of this.’ Another spoke of ‘Lack of love, denial of love.’ There is the loss of family and identity, loss of siblings, loss of childhood love, loss of adult life—caught up in the cycle of having to deal as an adult with issues of the past—and loss of opportunities as an adult.

Mrs Stevenson—Still on losses, there is the loss of friends who have suicided, loss of hope and opportunity in life, loss of the will to live and loss of dignity, self-respect and respect for others. When you live on the margins, you have more experience of death and loss. There is no family anchor.

Mr Allaway—This is with reference to relationships. There is no access to support networks and families to assist people in raising their own kids. That has been a hell of a burden on all of us. Difficulty in assisting and providing guidance for children in managing school today and in participating in social activities at school—I ask the committee members to ask themselves this one question: why? Believe me, it is as clear as the nose on your face. Dealing with change is also extremely difficult.

Mr Von Senden—Relationships: it is hard to trust. We were taught that love is conditional. As adults, we think ‘I love you’ equals ‘sex’. There is difficulty with intimacy. It is hard to manage the anger from the past within intimate relationships—for example, mood swings, violence, drug and alcohol abuse.

Mr Bull—Still on relationships: there is constant fear in relationships. Parental responsibility triggers the memories. There are feelings of being inadequate as a parent from having no role models as a parent; having ineffective skills for parenting; being overprotective as parents or not adequately protecting.

Mr Bradwell—Sense of belonging: there is a fear of the power of organisations that affect our lives. There is a sense of social isolation and not belonging. I am more comfortable being on my own. I have hidden my past. There is now nowhere to call home.

Ms Syed-Waasdorp—There is a sense of belonging to siblings who are not there, due to past practices. We do not know extended families or family history. Children today also miss out on our family history. We have fragmented history and relationships, and no sense of heritage or place or belonging.

Ms Walsh—At this point, the panel will take any questions before we move on to the next section, which is about the Forde inquiry.

Senator KNOWLES—There is no doubt that the stories that you have told us this morning are nothing short of horrendous. We would all say that you are echoing much of what has been said that we have heard in the past. I would like to start almost where you finished, in a sense,

with a simple set of questions as to how one can help in the future if we are going to start looking forward to try and help. In your presentation you mentioned that there is a requirement for assistance for you to deal with your own children. I would imagine that that would be very wide and varied for a whole range of reasons. If we are going to try and do something that will be of practical assistance, we would like to know what you think would be useful for you and, presumably, ultimately your children's children in dealing with the difficulties that you have talked about this morning.

Mr Allaway—It is not quite as clear cut as that, because it is a plethora of experiences, emotions and dealings that all come together in one. Your kids come home from school and they do their homework, and they say, 'Hey, Dad, how do I do this?' We cannot help them. Kids play up and you lose control. I think this is the perfect time for me to bring something else up. I have read a lot of your material and it seems to me to be a cop-out on the part of bureaucrats, politicians and so-called professionals when they say, and I quote, 'If you were abused as a kid, you will abuse your kids.' Crap. It does not always happen. I have raised two great kids and I never once raised my hand to them. I raised my voice, yes, but I never once raised my hand. Those kids have never been in one skerrick of trouble in their lives, and now I have got two drop-dead gorgeous granddaughters and they will be, I hope, brought up the same way. My point here is there are supposedly so-called professionals out there who could have helped us in so many areas of our lives—relationships, family and so forth—but there was no-one there for us. When we got thrown out of the institutions, that was it: 'Good by, sucker. Out of here.'

Ms Adams—Our children are affected. I was on the Forde Monitoring Committee and I was involved in the Neerkol Action Support Group when it first started up. I have been in this business since 1996. My own family have suffered from this. I have been actively involved with many people. When I first started with this committee, I had the telephone in my home and I received calls at all hours of the night. My children did not get dinner sometimes until 10 or 11 o'clock at night. My children have suffered from my anger. They tell me I have got bipolar disorder. Education wise, I feel we are now too old to be educated but I would like to see that the children have that opportunity. I have a son who is very, very smart. I have two other children who could have achieved more in arts and music but they have never had that opportunity. This is where I think our children could benefit from it if we cannot.

CHAIR—Senator Knowles was asking a relevant question because we have been told, 'There was no access for support networks to raise our own kids.' I think Senator Knowles, who will correct me if I am wrong, was wondering what practically that means.

Ms Adams—I think some sort of support to be given to our children in the way of education. With veterans, their children get the opportunity to have education, and it is the same with the Indigenous. Why can't our children benefit from government grants and things like this as well?

Mr Bull—We are going around in circles. First and foremost, what is going to help the families develop is formal recognition of these people and what has happened. You cannot move on unless you get formal recognition. You have to identify the problem first before you can fix the problem. The problem is that these people have ongoing trauma and stress and it is directly due to and caused by their direct time of internment—and I use that word 'internment'. They forced internment upon us at children's institutions. Culpability has to lie with the states or regulatory authorities.

So the family issue is a side issue. It is a symptom, not the cause. Let us go for causes. We have a political infrastructure, especially in Queensland, where it is historically proven that, if the state is going to be accountable in some manner, it will create an act which limits our accessibility for recourse of action. It has been done twice—the statute of limitations by Bjelke-Petersen and this new law by Mr Beattie. I do not understand these people. The only way to fix the problem is to address the problem, not run away and stick your head in the sand.

Mr Allaway—They do not want to. They have contempt for us.

Mr Bull—Steady; it is all right. These people want to know, Al. We have a bureaucratic system which they can hide in. We need a system that is direct and available to us. The system knows that we do not have amongst us the ability to address this both financially and academically, or whatever. What is happening is that we keep on getting reabused. On the family side of things, first and foremost, if they start the process with getting it formally recognised then, having taken responsibility for it, we can start to move on. They can start to move on and we can start to move on. All they are doing is hiding. We get all these things coming up again. With their little soft touches, they try to pat us on the head and tell us to go back into our corner. It appears to the electorate and the general populace—how would you say it?—through disinformation perpetrated through the media and through official channels, being the government releasing these things, that, hey, there's something being done. But in actuality it is just this: 'Get into your corner. We've heard you. We'll give you another little piece of paper, and then we'll stretch this out in the hope that most of you people die before we have to actually stand up and take accountability for it.'

Senator KNOWLES—I would like to ask a question following on from that, because I think what you have said is particularly significant. When we sat on the inquiry into British child migrants, the overwhelming response from the affected people was: 'We're not here for money. We're not looking for a handout. We just want recognition that we were treated atrociously. We left there without an education; we left there illiterate. We've had relationship problems. We just want someone to eventually say, 'Yes, we know and we understand.' Money is not important. As a group—and you might all hold different views on this subject—what is the most important thing to you? David, you just said that it was important to get somebody to actually say, 'Yes, this did happen, unlike when we raised this issue as children, when they said that it didn't happen and we're all a bunch of liars.' What is really important to you now?

Ms Tronc—We all sit in a lot of poverty, due to what has happened. I have a 16½-year-old son at home, and he is just sitting there bored. He did not finish year 10 because I could not help him with his education, because mine suffered. Therefore, it cost more money to get someone to help him, and I did not have that. Today I just want to see him with a better future.

Senator KNOWLES—Why didn't he finish year 10?

Ms Tronc—Because of the lack of education and support for him. Only so many people at a school get so much help for so long. He went from primary school into high school, and when he got to grade 9 he had used up all his extra help. He had to let other people come in to have a go, so he no longer got help through years 9 and 10. So he did not finish year 10, and today he sits at home and is very bored. I am trying to move on, but he is getting left behind. That is my concern. I would like to see a future for our children and poverty to be addressed.

Senator KNOWLES—So something that would be special for you is special education for your son, because that would make him better and it would also make you better?

Ms Tronc—Yes. I have done a lot of numeracy and literacy courses. I have worked very hard on myself, to the best of my ability. I have tried to help in the best areas that I can, as well.

Ms Worrell—My name is Hanna Worrell. I am from Neerkol. Diane, I was just listening to you, love. Many of us also have really worked our butts off, every minute, every second of the day, to get our children a good education. For my two girls, that was university level, graduation—everything like that. We have got such a big range here. From day one of having a baby at 17, the government was trying to force me back into another institution again—no way in the world; that little baby was there. Day and night, day and night, do not stop. You have got to give them what you missed out on. You have just got to do the best you can. This just does not leave you for one second of the day.

We have all come here today, but I bet you none of us got any sleep last night. You have people here where the children are not getting help—we are all in such different situations. Then you have a situation on my side where you have just done everything you possibly can and you will keep on going. With hard work we all built the Neerkol Memorial too which stands out there to this day for all the children, and we need more things like that to happen. Whatever the government can do for us or whatever can be done for us, please do it. There are people who have suffered so badly here—so badly—and what they are saying is the truth.

Mrs McKew—My name is Mim McKew. I am from Airlie Beach. At the moment I live in Airlie Beach, but I was in Victorian homes. I think what the majority of these people are trying to say is that all our lives our mental and health issues, by being in these homes and institutions, have been affected. The state government are now having to outlay for suicides and mental issues. A third of us are in correction centres; a third of us have died already. What we are trying to say is: if we had had the education and we had had the care and upbringing of schooling, we could have been better people for everybody and for us; we would be proper citizens here.

I was told pretty much all my life that I was dumb and stupid, because I had dyslexia. But I have just had a psychiatric IQ test done and I am above average. I am actually well above average, I was told. If I had had that education and love and care as a child I could have been a lot more, and I think a lot of people here could have been a lot more than they are now. What we are saying is: with all the money for all the health issues that we have had to outlay to try to keep alive, to keep surviving—such as working three jobs a week—maybe you guys should have helped us and maybe you should help us now, for our children.

CHAIR—Do you mind if we now move on with the presentation? We will have the opportunity to ask more questions towards the end of it.

Ms Wilson-Szoredi—The next section is the Commission of Inquiry into Abuse of Children in Queensland Institutions, which was the Forde inquiry. The government acknowledged that abuse did happen in the institutions but have not addressed the issue of redress, which is important to us. The process, as stated in the Forde inquiry report, was:

... an investigation into institutional abuse that has occurred in the past, based on oral and written evidence and from archival research ...

Ms Tronc—It included:

... a review of the current systems, which included reviews of legislation, policy and practice, evidence from public and private hearings, and inspections of facilities.

Ms Dekker—The report covered orphanages and residential care, industrial schools and detention centres, detention centres today, and legislation and departmental practice.

Mrs Stevenson—The terms of reference and findings for the inquiry included:

... whether any unsafe, improper or unlawful care or treatment of children has occurred in such institutions or centres ...

The report says:

... the Inquiry finds that unsafe, improper and unlawful care or treatment of children has occurred in such institutions and centres.

Mr Allaway—Still on the terms of reference and the findings of the inquiry, and ‘whether any breach of any relevant statutory obligation under the above acts has occurred during the course of the care, protection and detention of children in such institutions or centres’, there was no care or protection. It was abuse.

...the Inquiry finds that breaches of relevant statutory obligations under the above Acts have occurred during the course of the care, protection and detention of children in such institutions.

Mr Bull—‘The main categories of abuse identified by the Inquiry are emotional abuse, physical abuse, sexual abuse and systems abuse.’

Mr Bradwell—‘Past breaches of statutory obligations: it has been found that breaches of the Regulations in relation to food, clothing, education and corporal punishment were commonplace.’

Ms Syed-Waasdorp—How was the abuse allowed to happen?

Historical evidence demonstrates that the Department failed to provide protection from abuse for children in residential care facilities. Its performance fell far short of the requirements outlined in the Regulations. Notwithstanding the Director’s guardianship of State children, the Department appears to have ceded responsibility for the protection of children from abuse to the institutions.

Mrs Lovely—Current issues: ‘abuse, neglect and mistreatment of children today’; ‘deficiencies in the current legislation’; and ‘consequences for victims of abuse’.

Ms Wilson-Szoredi—Then there are the recommendations that came out of the inquiry: No. 2, location of information; No. 3, access to information; No. 38, reconciliation; No. 39, compensation; and No. 40, a one-stop shop.

Ms Tronc—Location of information: ‘Problems can be solved at the same level of awareness that created them’—Albert Einstein.

Ms Dekker—Access to information—another Albert Einstein quote: ‘The world is a dangerous place to live, not because of the people who are evil but because of the people who don’t do anything about it.’

Mrs Stevenson—Reconciliation: ‘Forgiveness is not a misguided act of condoning irresponsible hurtful behaviour, nor is it a superficial turning of the other cheek that leaves us feeling victimised and martyred; rather, it is the finishing of old business that allows us to experience the present, free of contamination from the past’—Joan Borysenko.

Mr Allaway—Compensation: to date, this Queensland government has done everything it bloody well can think of not to address the compensation issue, to the point that in parliament and in public the Treasurer, the Premier and the minister all came out and said, ‘We have met all of our fiscal obligations under Forde.’ That is a blatant lie. Why are rights important? This is a quote from an unknown person: ‘Part of the reason is that they ground requirements. They mean that we do not have to be beggars in life’—and that is what we feel we are—‘and the next step is justice: the situation in which people enjoy their legitimate rights.’

Mr Bull—I refer to the recommendation regarding a ‘one-stop shop’ and the statement that our past is not our future—unknown author. Conclusion: as a state we must face up to past wrongs. We cannot face up to them without the government, the politicians and all that going through the same situation as we have gone through. You look at how many politicians have actually spent time in an institution when they were kids; you will more than likely find very few if not none. These days, I would like to see some of the politicians actually go and spend time in an institution or have their children put in one, and then when the kids grow up they will have all the mind problems and they will have basically been pushed aside like a piece of trash. That is what we have had to put up with. The thing that we are trying to get through to the politicians is that we are not rubbish; we are human just like anyone else. If we cut our finger, we bleed. If politicians cut their finger, they bleed. We all have the same colour blood; it is all red. We are all human. None of us is an animal; none of us is a piece of trash.

Continuing with the conclusion, it says to make proper redress and ensure that when children are in our care we do them no harm. It has got here ‘no harm’. In what way do they mean no harm? All we have copped basically from when we were in these places and from the police force is nothing but abuse.

Ms Walsh—Since the Forde inquiry there have been several organisations funded and things put in place. I am just going to do a quick overview of those before the final part, which is about redress. Since the Forde inquiry finished, the state government has funded the after-care resource centre to provide counselling services to people who were in Queensland institutions. One of the things that people feel strongly about is that these kinds of services should be extended to people nationwide. People often do not reside in the same state as the home they were in. Most service providers would prefer not to have to turn people away because they were not in an institution in the state in which the service is being provided.

There has been a dedicated position in the department of families which has been a liaison position with the former resident community and with the ministers. Both ministers, Anna Bligh and Judy Spence, have instigated that and the access that has given former residents to the political machinery has been excellent, but it has not gone far enough in terms of some of the issues around justice and legislation. So the issues that were relevant to the department of families were able to be accessed by people at a ministerial level and a director-general level. There were issues about access to information and there have been changes to the way in which people can access their freedom of information files, and that has been happening much more smoothly than it did prior to the Forde inquiry.

A lot of people since the Forde inquiry have said that it was significant for them that it has been put on the public record, but they are also constantly distressed by the Forde inquiry being reframed as an agenda for child protection today. Certainly people would encourage you not to do that. The issue has to be named as it is—about institutional abuse in the past and the needs of people who have experienced that abuse. Yes, there are lessons for child protection today, but that was not the reason the Forde inquiry was called. It was called because people experienced abuse and put that abuse forward. The Esther Centre has been funded to do a peer support network—the historical abuse network—and people have had access to network meetings and received training in how to participate in their areas of interest.

There are many former residents who have individually organised groups around issues that are of importance to them and certainly in the name of reconciliation. With regard to reconciliation, there was a recommendation for an event. It has been since accepted that it is not an event, it is a process. As Hannah mentioned before, she coordinated the Neerkol Memorial, which the Commonwealth funded from the previous inquiry into child migrants. That was a very significant event for the people of Neerkol in that at least there is a memorial there now showing that that institution existed—because it will be wiped out.

There have been other groups since. The Sisters of Mercy at Nudgee are looking at doing a group. We have got funding from the gaming benefit fund to create a public memorial in Brisbane in the Roma Street gardens. These are all things that contribute to people being able to move forward, and the public acknowledgment becomes tangible. It has certainly been of great concern to people that, whilst bishops signed that public apology, there has been no response to any invitation by former residents to meet with church leaders and to talk to them as a group about the impact of institutionalised care with the church's authority. There have been many requests for round tables whereby church leaders and state governments could come together and talk about some benchmarks for redress. They have not happened.

There is a project that the Queensland government has undertaken called Pathways to Government Services, and I think that it is an important initiative, even though it is a small one, towards facilitating greater links between current services and former institution residents in the community and their families. There are many people who, even after the Forde inquiry, have never accessed public housing, for example, because of the fear of using a government service. Public housing has significantly changed from the past. Counsellors have been engaged to support people through outreach work and they have been able to make linkages with appropriate housing for people and for the first time get them into affordable housing.

We have also had funds for crisis money which have enabled some people to purchase whitegoods or to do the floor coverings on their house when they get a public house, because they come without floor coverings—to do the things that you need to actually make a house a home. It is those sorts of practical assistance programs which can support people and address their poverty, as well as make a home for their children. There is certainly the issue of scholarships and getting people into schools that are the most suitable for them. They all cost money. Even in a state school these days you need a few thousand dollars a year just for extracurricular activities. Many former residents have not been able to provide that, while others have. Some of the service system through ARC has had money to give people for education and for family reunification. So those funds have been really useful for distributing to people to address the practical things that are impacting on their lives.

Counselling is an ongoing issue that people need to come in and out of. It is not something that people can have 10 sessions of and then it is finished. Certainly, the national issue is of great significance, because people contact Queensland from Victoria or Western Australia, whereas it would be far better if there were a national service system in which people could go to those services if they needed to. And in each local area, like each state, the nature of that service system should be negotiated with the groups of former residents that exist there, like CLAN in New South Wales and VANISH in Victoria, because each state is quite different and the impacts of institutionalisation are different in each state. So we would certainly encourage you to consider the need for a national service system that the Commonwealth contributes funding to, but to do that in dialogue with former residents so that it meets the need where the need is expressing itself in a local community.

That basically is the service system in Queensland as it exists. The gaps are in any sort of pathway through the justice system. People have had great difficulty with the criminal court process. People have not been convicted although there was significant evidence, because there were legal loopholes which prevented those convictions from occurring. The statute of limitations of course is the biggest barrier of all to people wanting to present their information, either civilly or criminally, as well as the principle of laches, which says that the time limitation does not give a fair deal to both parties, like the church or the state government—

Mr Allaway—You get screwed every which way.

Ms Walsh—and the victim presenting the evidence. That is a constant source of stress for people, particularly where the evidence is fairly strong and also where there have been groups of people involved. If you have familiarised yourself with the Forde inquiry, you will see that Queensland has had an incredibly high rate of sexual assault in these institutions, and there have been very few convictions in relation to those sexual assaults.

The next section, which looks at redress, is about challenging the Queensland government to go a step further and look at the issues around the justice system which are barriers. This issue not being progressed has a major impact on people's quality of life today. We will now do the final part of the presentation.

Ms Syed-Waasdorp—Redress: United Nations Declaration of Basic Principles for Victims of Crime and Abuse of Power.

Mrs Lovely—The declaration is based on the philosophy that victims of abuse of power should be adequately recognised and treated with respect for their dignity.

Ms Wilson-Szoredi—Victims of crime: victims of crime are defined as persons who have individually or collectively suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights through acts or omissions that are in violation of criminal law and/or acts or omissions that constitute violations not of national criminal law but of internationally recognised norms relating to human rights.

Ms Tronc—Victims of abuse of power: victims of abuse of power are defined as persons who individually or collectively have suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights through acts or omissions that are in violation of criminal law and/or acts, omissions or systemic arrangements that do not yet constitute violations not of national criminal law but of internationally recognised norms relating to human rights.

Ms Dekker—Victim: the term ‘victim’ also includes, where appropriate, the immediate family or dependants of the direct victims and the persons who have suffered harm in intervening to assist victims in distress, or to prevent victimisation.

Mrs Stevenson—Charter for redress: delivering justice and dignity for historical victims of child abuse.

Mr Allaway—The Queensland government acknowledges that the abuse of children, both present and in the past, cannot be condoned, only condemned: that, as guardian the state, it has a moral, ethical and legal obligation to protect children in the care of the state—as we were; that successive Queensland governments have failed to protect children whilst in their care and accept responsibility for failing to do so. The state of Queensland should recognise that survivors were minors in the care and custody of the state during the time the abuse occurred.

Ms Walsh—I might just explain that this is a charter that the group is presenting to the Queensland government. These are the principles which they think are relevant in other jurisdictions as well.

Mr Von Senden—The Queensland government must accept moral and legal responsibility for the pain and suffering of people who have experienced abuse; acknowledge that people who have experienced abuse should be treated with compassion and respect for their dignity and are thus entitled to prompt redress; and acknowledge that any process of redress must protect the vulnerable and prevent further harm to people. The physical and sexual abuse of children by adults in positions of power and trust is a fundamental betrayal that denies a child dignity and autonomy, and has lifelong consequences.

Mr Bull—The Queensland government has implemented a wide range of measures in the wake of the Forde report into the abuse of children in Queensland institutions, but it has never accepted the need for justice and compensation for the survivors of the historical abuse. The Queensland government’s reliance on the civil court system as the only avenue to address the issues of compensation is unconscionable and represents further abuse by the state against the victims of the historical abuse. The Queensland government’s reliance on the ‘out of time’

defence denies the victims of historical abuse any opportunity to seek redress through the civil courts and displays a lack of goodwill on behalf of the government.

Mr Bradwell—As an initial step towards providing significant and meaningful redress to the victims of the historical abuse, the Queensland government must reform the Limitation of Actions Act 1974 to allow victims the right to seek legal redress. It must consider alternative disclosure processes to the criminal and civil courts, which provide formal recognition of injustice. It must consider the Tasmanian government's compensation program and international redress programs such as those in Canada and Ireland as models of best practice in restorative justice. Historical abuse victims in Queensland deserve no less than the best practice.

Ms Syed-Waasdorp—The Queensland government must be committed to assisting people who experience abuse in church, state and foster care through ongoing service systems to assist with healing and redress the continued disadvantage associated with the long-term consequences of abuse. The Queensland government must ensure that people who have experienced abuse in institutions, foster care and detention centres are involved in the development, monitoring and review of the service system and policies which impact on their lives.

Ms Burr—I was in Nudgee Orphanage in Brisbane for 16 years. We were called by a number; we were not called by name. We were half-starved. I remember being hungry all the time. I was singled out because I was a quarter-cast; I did not know what that meant. I was flogged for 16 years in that place. That is what I came here to say.

CHAIR—Thank you.

Mr Munt—Excuse me, I just want to say a word.

CHAIR—Hold on a second.

Mr Munt—I have some accusations to make.

CHAIR—You can make them later. Please sit down.

Mrs Lovely—The Queensland government must recognise that it has a moral and legal obligation to explore models of redress for people who have experienced abuse in church and state care. I am sorry I am getting upset. It is just that I see other people upset and it upsets me. Either the Crime and Misconduct Commission or the Queensland Law Reform Commission needs to examine Tasmanian and international programs for redress and make recommendations to the government for a model of redress in the Queensland context. Guiding principles for working together should be established between the people who have experienced abuse and government and churches.

Ms Wilson-Szoredi—Following that, judicial and administrative arrangements should be established, amended and strengthened where necessary to reflect the principles of this charter and to enable victims to obtain redress, including financial compensation. A redress program needs to be based on fairness and on an individual basis, including consistency, predictability, sensitivity and flexibility. Redress includes rights to reparations, compensation and restitution. The Queensland government must respect the rights of individuals to take their own pathways

for healing. The Queensland government must express to all individuals who experienced abuse that they are not in any way responsible for the abuse perpetrated by employees or carers commissioned to care by churches, state institutions, foster care and detention centres.

Ms Tronc—The charter for redress is a set of principles that people who have experienced abuse are asking the Queensland government to adopt in acknowledging the failure of successive Queensland governments to protect children in their care, leaving many people as adults with a legacy of pain, trauma and social disadvantage. In the absence of mechanisms for holding individual people accountable, the only option for justice is for the government of the day to shift the obstacles and take collective responsibility for reparations for a society that failed to protect children. The neglect and crimes of the past should not have occurred.

Ms Dekker—Adopting these principles and actioning the recommendations would remove from the people who have experienced abuse a burden of pain that they have been left to carry for too long.

Mrs Stevenson—Redress programs commonly include an apology, acknowledgement of harm done, counselling and support programs, education programs, access to records, assistance in reunification of families, and financial compensation, which has included contributions from responsible religious institutions.

Mr Allaway—The principles underpinning the processes outlined by the Canadian Law Commission recommend that survivors should possess all information necessary to make informed choice about what course of redress to take. People who have experienced abuse should have access to counselling and support programs.

Mr Von Senden—Those conducting the process of providing services should have the training necessary to understand the circumstances of survivors and commitment to continual efforts to improve redress programs. The procedure should not cause further harm to survivors.

Mr Bull—In regard to amending the statute of limitations, the Law Commission of Canada made two recommendations. Firstly, legislators should amend limitation periods in these cases so that survivors of institutional abuse cannot be impeded from bringing civil action. Secondly, the government should not rely on limitation periods in these cases to prevent plaintiffs proceeding to trial.

I will now talk about compensation through the Queensland court system. Pre 2002, the Limitations of Actions Act 1974 required claims to proceed within a three-year period. The Queensland government has not addressed the barriers within the civil court system to enable successful outcomes in civil litigation and it is not in its benefit to do so.

Mr Allaway—The recommendation of why the Commonwealth should be part of redress: the issues outlined in this presentation are issues for many Australians. People who have experienced abuse in church, state and foster care do not necessarily live as adults in the state in which they resided as children—we are all over the country. As each state has the responsibility for child protection, it is not equitable for each state to fund services only for residents who currently live as adults in the same state in which they experienced abuse as a child. The Commonwealth has responsibility for Australian citizens and as such should contribute to

developing a national service system which will respond to adults today regardless of the state in which they were in care. The Commonwealth has always had administrative arrangements with the states in relation to child protection, immigration and payment of child support payments to the church and other institutions and therefore as a stakeholder is being neglectful of the monitoring which should have occurred to keep children safe.

We recommend the establishment of a national committee to: (a) promote, monitor and report on the extent of abuse in Australian state and church institutions, foster care and community organisations; (b) respond to the extent of abuse by state governments and the churches and models of redress and reparation; (c) investigate current incidents of abuse of children in alternative care of state community organisations, foster care and church organisations; (d) examine current strategies to prevent abuse by professionals and carers through community education programs—that one is long overdue.

In addition to this the Commonwealth must contribute financially to the services system in each state too. It should: fund services to all people who have experienced abuse in institutions, foster care and detention centres in each state; fund a position within the services system for a systems advocate to participate in and research the issues as a member of the national committee; fund legal aid to represent people who have experienced abuse in church, state and foster care; and fund prevention programs nationally to prevent abuse by professionals and carers through a proactive community education program to ensure that children and vulnerable adults are protected today and into the future.

CHAIR—Thank you for that very comprehensive presentation and for giving us some advice on what we might recommend to the Senate.

Mr Allaway—It was not meant as an attack on you.

CHAIR—I did not take it as one, otherwise I would have mentioned it! Two gentlemen wanted to say something. I would like to say to everybody here that we have put aside time at the end for anybody who would like to say something that they did not have an opportunity to say earlier. At the moment we have this group of whom we would like to ask a few questions. I am not sure whether my colleague the deputy chair has any questions.

Senator KNOWLES—No.

Senator MURRAY—I am not sure we have picked it up as we have gone through, so I want to ask you this. In asking this question, I want to first tell you a story. When we were in Adelaide we were given an oral submission from a man who had been in institutions for a long time and had become a successful businessman. He was in his late 50s, early 60s. It was a very emotional occasion for him, as you understand these things are. Sitting next to him to help him out was his wife. It was on the public record, as this is. This is a public meeting and Hansard record it. He told us things there that his wife had never heard. They had been married for 30 or 40 years. She was his right-hand person; it was a loving relationship and so on. We have come across that again and again—that stories that are told to us sometimes are told for the first time or the detail is told for the first time and members of their own immediate family do not know.

We picked this up earlier in your submission: that, as you know, parents affect the kids. How you are affects your kids. Part of kids understanding their parents and why things are as they are is to know what happened to their parents. In Sydney I was honoured to open a film about the laundries of the Magdalene sisters. In the audience were lots of women who had been through the institutions, and they had their daughters and sons with them. They were saying to their daughters and sons: 'See, this is how it was.' In other words, the film showed for them what they were unable to tell their children.

The point of that long story and introduction to my question is this: do you think one of our recommendations should be to get the government to provide money to the people who make films, to the people who do history and research, to the people who find a way of providing the means of telling the story which many people who have been through institutions cannot themselves tell? Perhaps it is because they cannot bring themselves to tell the kids by saying, 'This is the terrible thing that happened to me,' or they are not equipped to tell it or it is not believable. When I hear someone say that you were made to eat faeces and vomit, I want to die. I think that is the most terrible thing. People to whom that has happened were able to say it here, but I suspect that many people are never able to say it. It is only a film or history or something of that sort which can show it.

Mr Allaway—Provided that it is factual and truthful and that there is not bureaucratic or political spin put on it.

Senator MURRAY—I will push the question a little further. If you think about great trauma in nations' lives—of which one of the greatest, of course, for the Jewish people, is the Holocaust—they have been able to come to terms with that with a lot of storytelling: oral histories, films, histories et cetera. What we are discovering as a committee is that literally hundreds of thousands of Australians have been through institutions but the story is not known. For most of us the story is new. With the obvious qualification that you have just put on it, my question to you is: would that help? Would moneys to create the stories in all the varieties, difference and uniqueness help?

Members of the audience interjecting—

Mr Allaway—That is it, part way.

Member of the audience interjecting—

Senator MURRAY—I understand that the audience want to participate, but this is a matter of the public record, so could just the witnesses reply? We have heard from you, Allan. Does anybody else want to respond?

Member of the audience interjecting—

Senator MURRAY—Sorry, sir. These are the people before us. These are the people I want to hear from.

Member of the audience interjecting—

CHAIR—We have not knocked you back; it is just that you will have to wait your turn. You will get your opportunity. Ms Dekker?

Ms Dekker—I would like to see this happen, Senator Murray, because it is part of our history. To be a good nation we have to be able to accept all of our history and be able to change and build on what has happened because of our history.

CHAIR—Would anybody else like to comment?

Ms Syed-Waasdorp—I think it would be a very good thing for our children because they do not seem to understand us. If they see it actually happening, they may begin to realise.

Mr Allaway—I do not honestly feel that a one-, two- or three-hour film would do justice to the whole system and get the whole story out there. It would just be snippets.

Mr Bull—It would be a start. The film would be a good basis to start dialogue, and it would generate public interest.

Mr Allaway—And an understanding of what happened.

Mr Bull—People would have a point to start from.

Senator MURRAY—I must stress to you that I have not discussed this with my colleagues. In my own mind, I am not thinking of one film or one book. In this room there are a variety of individual experiences which are unique, but there are also general themes. All I am exploring is whether, if this were made available in a generalised sense, it would serve a purpose. One of the key themes you brought home to us in your presentation was acknowledgement, and part of the way a nation acknowledges is through film, television, books and that sort of thing. If I could summarise, do I understand you to be saying that that is a good idea?

Ms Wilson-Szoredi—I agree with the audience's chorus of yes. I would love to see it, but not at the cost of redress.

Senator McLUCAS—It is part of redress. It is a part of the process.

Ms Wilson-Szoredi—Yes, that is right—as a part but not at the cost of.

CHAIR—We only have a few minutes left on this tape. Ms Dekker, do you want to say something? The gentleman at the back of the audience also wanted to contribute to this aspect. The committee will then break for morning tea.

Ms Dekker—Did you mean when I had my hand up previously?

CHAIR—Yes.

Ms Dekker—It has already been covered, but it was just that one should be able to contact family members that are missing.

Mr Munt—My name is Louis John Munt. I was in Indooroopilly, Riverview and Westbrook. I spent 12 years with the Salvation Army where I was bashed, knocked unconscious, raped and what have you, and the Salvation Army will not recognise that at all. I did two years in Westbrook for no reason at all. I was handcuffed and dragged around like a mongrel dog and that was it. When I got to Westbrook, I had a cane shoved up my arse and I was told, ‘This is what you’re here for, boy,’ and that was the end of that. I copped a bashing for nearly 24 months. When I got out of there, I was made to join the Army. That cap is from an airborne regiment. I did 21 years in the Army. I was told I had to join up because the state government was still my guardian.

The federal government knew that my mother was still alive because they sent her to England by ship after coming out of Goodna Mental Hospital. I found that out when I went looking for her when I was in the Army. She came from New Zealand, and that is where all my relations are at present. They told me my mother was dead. When I went to the government in about 1995, before this all started up, and I asked them for backing to make a film about child abuse in this state. The federal government knocked it back. They said, ‘No, not interested; it won’t do any good.’ I do not know why a lot of people who came out of the homes were forced to join the Army, like I was. I was literally forced to join the Army, and there is documented proof of that. I think Senator Murray has that; he has quite a bit of paperwork on me. They also sent us overseas as cannon fodder. When I went walkabout in the bush, I had one rifle, two magazines and 20 rounds of ammunition to protect me, which would have lasted two seconds flat. When I did get into a fire fight, luckily I was with the Yanks on three occasions and I was able to get hold of an automatic weapon to protect myself.

At one stage I had 40 Chieu Hoi boys who were Vietcong prisoners of war and were building forts on route 23 to Xuyen Moc. I had one rifle and two magazines and 20 rounds in each magazine. I was not meant to come back to Australia. When we did come back, we were abused by Labor politicians who threw blood and red paint over us and abused us and called us killers in green, baby burners and rapists. This is the sort of thing I would like to see put on film, because a lot of these kids did not survive. They survived the war physically, but not mentally—because of what happened. There was one fellow who worked in the Taxation Office—Merv. He died of a brain tumour at the age of 59. He reorganised the whole of the Taxation Office but nobody did anything for him.

CHAIR—We are no longer on tape. We have got most of what you are saying.

Mr Munt—There were other kids who died in Kings Cross. They were taken from Riverview to Kings Cross by the Salvos, who were their guardians, and they died in the gutter from bloody drug overdoses. There was another kid who was in the Army with me and served in Malaya. He came from Lithgow. He took his own life because he was sexually abused by two Salvation Army officers, at Lithgow and Dubbo. I used to talk to that bloke for hours. I was the only one he would tell because he knew what I went through. He confided in me and I confided in him.

CHAIR—Thank you. Before we break, is it the wish of the committee that the statement of Mr Allan Allaway be incorporated into the transcript of evidence? There being no objection, it is so ordered.

The document read as follows—

My own history began with the situation of being told I was an orphan. Strange how at 17 years of age I found my mother, the mother the state had always told me was DEAD. She must have performed a Lazarus.

The mother when I found her had told me she had tried to find me and the state would never tell her where I was and yet while they were denying her access to me, under threat of jail time, the state was screwing her for child support which I never benefited from. The question—Why?

Then there is the situation of stolen trust A/c monies the “Beattie” government via my departmental files clearly demonstrates that the department did in fact receive my hard earned wages. They did allegedly put it into a departmental controlled bank account, which were interest bearing accounts. I didn’t receive my wages, the department did. Yet after decades of trying to obtain that which morally and legally is mine, all the government and department can say is the department’s records were so bad and that we can’t prove or disprove that we did no did not give you your money so get stuffed.

This is just not on. They received the money. I didn’t and I am demanding its return plus compound interest forthwith.

My colleagues have outlined their experiences in institutions, youth detention centres and foster care (term of reference (a)). Primarily, I wish to address the term of reference (g).

It is my belief that especially here in Queensland, sufficient has been done to collate the stories of rampant child abuse over many decades in both institutions, youth detention centres and foster care. I feel it is time to move to the next stage and redress the wrongs that have been done by the STATE and its servants.

It is time to put in place a system that truly works in the interest of those for which the STATE has the moral and legal responsibility.

The Forde Inquiry into institutionalised abuse and the C.M.C. Inquiry into Foster Care last year, amply demonstrated the screaming need for public, social and legal policy to be reviewed to ensure an effective and experienced framework to deal with child abuse matters, is put in place.

The reality that has to be faced is that over the decades the bureaucrats and politicians have promoted and endorsed an evil system of covering up child abuse in this state.

The CMC came close to the mark when it concluded that the flawed and corrupt system was so bad it could not be fixed and it was desperately in need of a complete makeover from the top to the bottom.

Experience in this state is that the culture that sustained the evil system that the Forde Inquiry revealed is extremely hard to root out. I have heard over many years, bureaucrats state “when it gets too hard, always protect ourselves and the system”.

To the best of my knowledge the “Beattie” government is the only government in the history of this state that has had the benefit and guidance of the Forde Inquiry and its recommendations to assist it in righting the wrongs of the past and it is my view that a whole lot more could reasonably have been expected by way of delivering justice to those innocent victims who were the state’s responsibility, and who are living to this day with the consequences and no opportunity of justice and/or redress.

Instead what did he do? He preferred to continue to cover up the abuses and protect the evil system and those whose responsibility it was to protect the innocent and to continue to abuse us, to this very day. An example of this continued abuse is that former residents were told in clear terms to take the government to court. He then clearly instructed us to go to legal aid. We went to legal aid, only to be advised that **this is a civil matter and we have not handled civil matters since 1992—he the Premier, being a solicitor, knew or at the very least should have known that legal aid would not entertain us.** This to my way of thinking is just ongoing and further abuse.

He, the premier, has failed and continues to fail the most marginalised in society.

In conclusion, as a survivor of child abuse in this state I beg this committee to make clear to the various governments—particularly the Queensland government—that as Earl Warren, a famous US Supreme Court Judge observed, and I quote

“It is the spirit and not the form of the law that keeps Justice alive”

Proceedings suspended from 10.41 a.m. to 11.10 a.m.

BROOKS, Ms Denise Joan, (Private capacity)

CHAIR—I welcome Ms Brooks to today's hearings. I remind people that there are media in the room, and they should be conscious of that when they are saying things. It may not worry you, but you should be aware of that. The ABC want to film. If people have a problem with that, they should please let me know. The ABC may set their cameras up here. They can turn the cameras on and off—so, just because they are there, it does not necessarily mean that they filming.

Ms Brooks, you are appearing today in a private capacity and your comments will be on the public record. The committee prefers evidence to be heard in public, but evidence may also be taken in camera if you consider such evidence to be of a confidential nature. I understand that you have received information on parliamentary privilege and the protection of witnesses and evidence. Is that correct?

Ms Brooks—Yes.

CHAIR—The committee has before it your submission. I now invite you to make an opening presentation, to be followed by questions from the committee.

Ms Brooks—I grew up in the Goodwood Orphanage in Adelaide. I do not know how many of you have seen any publicity on that orphanage. There has been a little bit. I did mean to put on a video but, I was so nervous about the presentation, I forgot to put it on. It actually introduced the Goodwood Orphanage, but it would have been difficult for you to look at it.

I am really heartened and very, very moved by the stories that I heard this morning and by everybody from the Esther Trust who gave a presentation. I identify with you so wholeheartedly. The experiences stay with you for a long time in your life. One of the ladies said that she was coming from the other perspective. I come from a family of three sisters, and all of us were put in a home. I was the oldest, so I went in first.

A PowerPoint presentation was then given—

Ms Brooks—The really interesting thing is that this goes in cycles. The photo on the left is of my grandmother. She also grew up in an institution. My mother grew up in an institution. I will share with you part of her life, because her life was so much a part of my life.

The next photo is of me just before I went into the orphanage—a bright sparkly little kid with a couple of dysfunctional parents who found it pretty difficult to cope. I lived in a housing trust area in South Australia. The houses that you see in the photos were provided for socially disadvantaged people who could not afford any other form of housing. My father had come over from Victoria as a carpenter to try to make a life for us. My mother was diagnosed with a mental illness. Therefore, she could not look after us very well—so into a home we went.

The next photo is of Goodwood Orphanage. It is a very stately and beautiful building—a building full of sad memories that many of you can relate to. I do not think I will go over that a

lot. We all know the same old stories. It is pretty repetitive—same old stuff; same old, same old—except I can say that I was not sexually abused in the orphanage, but I was certainly trained to be a victim.

The next photo shows what the nuns looked like. We all know what they looked like. It is a pretty amazing picture, showing what a little kid can look like and how frightening it was. I have actually started to write six chapters of a book, talking about my first day in an orphanage from the inner child. I am hoping one day to be able to finish that.

The next picture is of me a year and a half after being in the orphanage. Just take a look at the difference. I had become far more retiring, frightened, shy and embarrassed by the attention. I was starting to get told that I was insignificant and ugly—and I certainly believed those things about myself. The day the photo was taken was actually a happy day. Dad had taken us out from the orphanage. Fancy having two live parents and being in an orphanage. It is hard to contemplate.

The interesting thing is that my dad is still alive. He is an alcoholic. I brought him up from Adelaide to live near me. He is still none the wiser about the pain he has caused his children. I cannot communicate with him very much about it. I have tried to tell him things, but he is just in his own world. While I was put in the orphanage, my baby sisters were put in other homes. They also suffered.

The next photo is of me learning to be a good little Catholic girl. We all know about it. We all know the training that happens—how we try to be good and how we try to do the right thing.

Then we have a photo that was taken not long after we came out of the orphanage. Dad took us home to a housing trust area in South Australia. I forgot to tell you that, when I was nine years of age, my mother was burnt to death in a housing trust home—a fibre one like those you saw in the earlier photo. I was in the orphanage at the time. I was told by one of the nuns, in a really harsh manner, ‘Isn’t it wonderful that your mother has gone to heaven?’ What an incredible way to tell a child such tragic news. My sisters and I used to cry. One time we got caught crying in a huddle. We were broken up and told not to get together. You know the stories about not being able to talk. We had to whisper at bath time and not communicate.

For years after that, I lived with the pain and abandonment of my mother dying, not being able to go to her funeral, not being able to say goodbye to her, not understanding, and going to a private school where kids had parents who seemed pretty ordinary. They would come with cut lunches, lunch boxes and all the nice things, and a kid would just mention ‘mum’ and I would burst into tears. It is actually my mother’s birthday today. She would have been 73 years of age today—happy birthday, mum.

The next photo is of us, having grown up a little bit more, in our teen lives. In my submission you will find a few admissions about the difficulties I experienced adjusting as a teenager with no mother, no sex education, no preparation and no life skills to cope with the wide world out there. I really did experience some stuff that I probably would rather not talk about in a complete open forum.

I really identify and feel so sad for you people who have not been able to get an education, not been able to articulate your needs, or find it really difficult to put your pen to paper. For some reason—I do not know what I was given, but whatever it was, I am so thankful for it—I am articulate and I did get an education. I have tried and tried to do everything that I can to break the cycle. I have children and grandchildren, and I so much want them to grow up to be happy, healthy people. I want them to know what it is like to live in a supportive, loving environment. So I did my work and I got my education.

What is really fascinating about this is that I got a job as a health promotion officer. I have been living up here in Queensland. I got my masters in public health at the Griffith University, and I actually got a qualification where I could go and do some part-time work in Adelaide. Do you know where my first meeting was? At the Goodwood Orphanage, which had been taken over by the education department. I got a chance to go there and meet with people making decisions about bullying in schools. How about that! Do you know what I did? I ran around that building like a mad woman and, without people knowing it, I went into the cell where Sister Patricia used to sleep—the woman who really gave me such a hard time. It was a security room and on one wall there was a big whiteboard. I went into that room and wrote, ‘Sister Patricia McAuley used to sleep in this cell. This was her room. She abused and hurt many children. Help us to find her.’

That woman has disappeared. She has left the nunnery and she had gone underground. My goodness, I would love to get hold of her and sit her down and ask her a question or two! Wouldn’t I love to ask her what her problem was and what kind of background she came from to make her feel that she was so righteous that she could do these things to little kids! Wouldn’t I have loved to have grabbed that feather duster off her and just whacked her right back with it? But we work out other ways to do it these days. We use our emotional intelligence now. We do not need to do that sort of stuff any more. We are moving forward. We are going to heal. We are healing all the time.

I started a big journey of therapy. I have spent at least \$35,000 to \$40,000 of my own personal money. My studies have allowed me to access information to help me to do the therapy that was needed. But, once you start going there and you start digging those skeletons out of the closet, it is not easy. It is very, very hard to do. It takes a lot of bravery and courage, but a lot of us are survivors and a lot of us can do it. I encourage all of you who are hurting to keep going down that track. I am who I am now—able to speak the way I am now, to do what I can now and to be able to get the message across now—because of the inner work that I have done to help along the way. I am angry enough to use it in a way that is going to benefit all of us.

I would think about mum and dad and I would ask why they did this. I found out that my mother had a mental illness. I used the Freedom of Information Act to get her records. I wrote the following about my experience:

Mother, I Remember You.

I am bored

Perhaps I am lonely

I hurt but I do not feel it

I need more excitement and fun

I feel you don't love me so much—

You start to get this pattern of what happens in relationships—like you are never loved enough, never acknowledged enough, and you never feel like you are good enough.

If you love me, you will weather this storm with me

What is the eye of the storm?

...

Excitement, fun, passion, hurt, pain, confusion, anger, shock ...

I investigate your past with grief and pain, and yearn to keep searching for the truth

I find mother you were the classic victim of our systems

The medical system, the welfare system, the mental health system, the housing system

Mother you were misunderstood

I believe this to the core of my being

You were not treated appropriately to help you heal. Mummy, you died before you could come into your own power. Before I could save you.

I wish you didn't take so many tablets and let them tell them who you were, and allow the despair to eventually kill you.

I miss you, I love you!

My life with you and without you for those precious nine years of dysfunction—

in the orphanage—

and chaos were mine too.

I used the Freedom of Information Act to search your mental health records.

I find more shock and pain, both yours and mine. And I read your history before my eyes.

Its not fair I know!

I go through the storm knowing the private pain that we both shared.

... the Doctor described you as “a thin, young woman, with a flabby tummy, who is rather quiet and indifferent. She speaks softly with a slight stammer and slightly martyred attitude, rather than be openly hostile. She has a history of blackouts, fits and emotional outbursts.

Psychometric testing indicated an IQ below average ...”

I am glad no-one told me about that one. At least I went to university before I found out I was not supposed to have an IQ. So I really feel for all of you who feel that you are not good enough. I further wrote:

She was given ECT, IM Largactil, Mysoline Tablets, later supplemented with Phenobarb.

What a chemical and emotional cocktail.

It seems that she was three months pregnant with me when she had her first fit, when she was given shock treatment. This is also a shock to me. I write:

I was with you in that storm, we were connected.

Come into the eye of the storm with me because in the centre is a child conceived of love, innocent, pure and willing to survive.

In each of us is that. I write:

I am the child with calm and love. I have lots of experience and naivety.

I am me before all this happened to me, to us and to many others.

I embrace the universe with my experience, my love and the very core of who I am.

There are so many things that I love, so many passions where do I start?

With my own family, the Senate Inquiry, perhaps more work in the future.

Aunt Mary—my mother’s sister—told me just the other week that mum had been institutionalised.

As you go through this, you recognise the hurt, the anger and that feeling that absolutely binds you up such that you do not know where you want to go or how you want to do it. You are afraid to love. You are afraid to trust. You are afraid to reach out. The photo displayed shows one of the drawings I did in therapy. There are many tears—many, many, many tears. But tears are beautiful and vulnerability is beautiful. Don’t forget that. Many times in my life I would have happy moments, but there was always that dark cloud over there. I would ask myself: what is going to happen next? Are they going to put me back in the home? Am I good enough? It was just always there. There is the impact that it has on our lives and the impact it has on our relationships. There are the mother images, the many mothers. It was almost like we had a schizophrenic mother, with all the different women who were supposedly providing us with our care. It has an impact on our interpersonal relationships, and it makes life really difficult.

As you go through therapy, your eyes start to open. This inquiry will help us to open our eyes and to start to see through the confusion, the hurt, the anger and the pain. We will start to get clarity and start to see that it is not us—it is not our fault. But we need to see all the impacting things around it as to why this happened to us. I had that longing. I would sit on the merry-go-round at the orphanage and I would watch the wire gates that were always locked. The merry-go-round would go round and round, and I would watch that gate and wait for my parents to come and take me home. They did not for a long, long time—and not both of them ever. The therapy helps you reflect on your life. Most of the photographs are always like they are the happy times. But it is all the times in between. It is all those quiet, lonely times. It is all those times when you wake at two or three in the morning.

My next photo is of Pat McAuley, the nun, in 1987 out of her habit. I really want to find her. I so want to find her. If any of you find her, I want to sit down and have a talk with her!

Members of the audience interjecting—

Ms Brooks—She was from the Sisters of Mercy—have mercy on us! I must admit, though, that I have actually started to have some dialogue with the Sisters of Mercy. It is part of my healing. But of course they are not the nuns who were the perpetrators; they are the generation after them. They are more compassionate and open—but they did give me \$800 towards my therapy! And what did it cost me?

As you go through that, you develop a lot of survival skills. For me, this is the lion's paw, the survival. A lot of skill is developed in the lion's paw, but sometimes those very same survival skills can come and grab our heart and squeeze it until the very essence of it feels like it has had everything wrung out of it. The reason I found this artwork, symbol work and sand play some of the most absolutely helpful therapy I could have ever done is that they are tactile. Because we have experienced inappropriate touching, they give us a chance to express those deeper things that are sometimes so difficult to articulate. The only reason that I can articulate them now is that I have done the journey. We are vulnerable, and a child is like a sensitive flower. If you lean on it too heavily, you are going to crush it and wreck it, and that is what has happened to so many of us in this room. We need to acknowledge that vulnerability and keep moving forward.

I actually made a clay nun. It took me a year to make her, because every time I made her fresh out of clay, all of a sudden she would start to crack and fall apart. How symbolic is that! Then I had my arms around her, trying to glue her together, and then her veil fell right off her. I glued her back together again, and I sat her on a stump in my backyard so that every time I drove in I saw this bitch right there in my face. One day it started raining, and she fell over and she broke again. I decided to glue her back together again. I painted her black and I put a burka on her to honour other women who have suffered under their veils. I looked at it again and I thought, 'No, she has to be nun.' So I dressed her.

During one of my therapy sessions, I asked my therapist, 'Have you got a sledgehammer?' He said no. I said, 'Please don't be afraid.' Then I thought I would ask my dad for a sledgehammer. I got my dad's sledgehammer, with his old tradesman's writing ground into it. I borrowed my dad's sledgehammer, but I could not tell him what for, because he would not understand. I took it to my therapy session, and after I did a really big session and got purged I thought, 'It's time to break the mould. I am sick of this. I am sick of trying to fix it. I am sick of trying to make it

right. I do this all the time with so many things in my life. I have had enough. You're gone, Sister! I can't get you in person, but you're gone anyway. I'll get you now.' I could do that because it was safe anger release. One of the very things that we want to do is to use safe anger release. Why? We do not want to hurt anybody any more. We do not want anybody else to hurt. We want it to stop right now. That is what we are all committed to, I am absolutely sure of that.

Some other people who grew up in the home have other experiences and other things to say about it. Some of them say that it was not too bad. That is okay. We all have a different perspective; we all see it from a different place. My sister Pam is still uneducated. She went only to grade 7 and lives in a socioeconomically deprived area. I rang her up before Christmas. She is suffering from depression. I got on to the Sisters of Mercy and asked them to arrange some counselling for her. Her 15-1/2-year-old daughter, who was in year 9, had run away from home. She did not want to go back home. My sister's parenting skills were lacking because she could not cope. She had enough of her own stuff. She has not done the work yet. She has buried it and pushed it away, but her daughter is going to bring it out. She is going to magnify it for her. She could not cope, so I have brought her up here to Queensland to live, with my daughter and her family. I am guiding her through it. We got her back to school, and I found out last week she is starting to get As at school. This was a kid who was going to run around in the streets. We have to break these cycles.

I got onto the Sisters of Mercy and said: 'This kid's costing us a fortune. We're your daughters, and this daughter of my sister's is your granddaughter—the daughter of your congregation. I need some support.' They are going to get back to me. We will be interested to see how much support we actually get. I am very interested in the outcomes of what you said before, with the Esther Trust, and I support all of your recommendations absolutely. I also believe that it needs to be national, even though you just mention Queensland. I am from South Australia and I am here. I cannot access Queensland resources if you name it just as Queensland. I am living here now and I need that support sometimes, if not for me then for the generations.

You know what? My daughter is a director of a child-care centre. Why do you think she is a director of a child-care centre? She has picked up on her mum's issues. Yes, we have all had lots of hurt and pain—there is the blood and there are the tears. We need, again, to connect to some form of spirituality that feels right for us, that feels trusting for us, to rebuild something to give us some kind of fundamental core again, because it has been eroded. I remember one day going to a session and hearing a nun who sang like an absolute angel. I sat there and started to cry, because I realised just how much I had thrown away any kind of spiritual belief whatsoever; I had thrown out the baby with the bathwater. We need something to support us, whatever that is. We need to find that love and forgiveness and compassion. I mean, all of us hurt; even the nuns hurt. Can you imagine how much they were used by their own church—how underresourced they were? I am not saying they had any right to beat us or to do to us the things they did, but they were exploited as well.

We have to use that compassion to keep moving forward. We have to try not to keep blaming but to keep moving forward. We have all done things in our pasts that we might have regretted. We have all got insights that are different now. We have got to work with that and keep building on it and keep moving forward. We all have special gifts but they are also a burden because they are a responsibility. Now that I have the awareness, I cannot turn my back on things any more. Like somebody said before, 'Once you are aware of it, people who are guilty of not doing

anything are more dangerous than those that are perpetrating.’ Yes, I am a granny. I have five grandchildren, and I hope they do not breed any more. We have got to do this and we have got to move forward with this so that we can sustain our generations with love and connectedness and build life and love and help them to feel like worthwhile human beings, as we all are.

I put this in because it is the lotus flower and it symbolises CLAN; they use it as their symbol. I have actually been very heartened. I have not used a lot of CLAN, but I am very heartened by what I see of what they are attempting to do. They are trying to provide a service to people, on very limited resources, and they need a lot more serious funding and acknowledgement to go their way and to do the work that is needed. As you can see, it is resource intensive. What kind of support do I feel we need? We need serious resources, interlinking and coordinating and providing real and direct resources to those that I have listed below. We need acknowledgement by our government and the Australian community about what really happened in those institutions and the long-lasting effect it has on a person’s well-being and psyche and, most of all, the sustainable impact that these effects can have on a family for many generations to come. What sorts of support and therapy do we need? We need so many that it is hard to list them, but I am going to list some. Psychotherapy, emotional release work—

CHAIR—Denise, we all have a copy of that. That will be lodged in the minutes.

Ms Brooks—Okay. My suggestion also is that we develop—I notice that CLAN is trying to do this and has done a good job. I noticed that CLAN has added some more stuff in the last few days, which I found really useful. Thank you. At the place where I work we have something like a tool box, where you can click in and out of a whole lot of things on a web site and it takes you off to different links that give you all the categories of everything that you would need as a support. I would encourage putting some resources into something like that. I guess that is about all, but thank you for listening. I was really embarrassed to get up here to start with, because I really thought that the good news story that I had was going to be pretty ho-hum compared to what I have heard you all go through today.

CHAIR—Thank you very much, Ms Brooks. That was a fine presentation. May we keep a copy of this?

Ms Brooks—Yes, and I have a CD that you can have as well.

CHAIR—Please talk to the secretary about that. That will go with the additional information. Thank you very much for sharing that with us. That would have been very hard.

[11.41 a.m.]

TREWEEK, Ms Sue (Private capacity)

CHAIR—Welcome. Your comments will be on the public record. The committee prefers evidence to be heard in public, but evidence may also be taken in camera if you consider such evidence to be of a confidential nature. I understand that you have received information on parliamentary privilege and the protection of witnesses and evidence.

Ms Treweek—Yes.

CHAIR—We have before us your submission. I now invite you to make an opening presentation, to be followed maybe by questions or comments from the committee. Please introduce the people you have with you, if you want to.

Ms Treweek—This is my son, Christian Saul, and this is Wally Dethlefs, who is a support person.

CHAIR—Bear in mind, as I think I have mentioned earlier, that the ABC might wish to film. You do not have a problem with that?

Ms Treweek—No, that is all right. I was going to prepare something to bring, but I relive it every day and I figured that, if I prepared something, it was just going to hold me up. I will start off by saying that I was in a lot of children's homes, but I am not here today to talk about that. My issue, and that of many people like me, is that the Forde inquiry and the Burdekin inquiry overlooked us, both inquiries saying that we were the responsibility of other departments.

I was placed in an adult mental health institution as a child. I will start with Warilda, because that is where the mental health side of it started. When I had left my family for the last time because of abuse, they decided, because I was a bit of a nervy kid, that they would put me on medication. A lot of the medication that I was on had really bad side-effects, and they kept putting me in isolation cells, sometimes for 24-hour periods, and I could not handle it. So then they sent me to foster parents. I lasted about four weeks there, then they sent me to Nudgee orphanage. I had been there before, and they figured, 'Just send her back to where she knows.'

The nuns decided that I needed psychiatric assessment, because of all the medication I was on. I used to rock myself to sleep and bang my head, and I was a bed-wetter. So they sent me to D floor at Lawson House, which was an adult institution. It was a big dormitory with about 30 women in it. The day I got there I had to be processed. There was a lady who kept screaming for help. I went to try and help her, and she was in this little cell. Because I made a bit of a scene about that and would not take my medication, they dragged me off to the cell too. They took all my clothes off and just left me on the floor. I was 13, and that was just the beginning.

They decided that there was nothing wrong with me and they told the nuns, 'This child has no psychiatric condition. She has been displaced here and must be removed immediately.' By then, the nuns had given my bed to someone else so they did not have a bed for me. They decided to

send me to Wilson to be with my peers but I had not done anything wrong. Because I was from mental health, at Wilson my treatment was very severe. I spent many, many, many days in isolation, drugged. Some of the drugs had really horrific side effects.

When I was 13 they diagnosed me as being allergic to a drug called haloperidol, or serenace. I had a severe dystonic reaction with bronchial spasms, which meant they were killing me. The first time it happened no-one came. I kept screaming, I thought I was dying. I was in the cell and I was naked. I could not even move to tell somebody I wanted to go to the toilet so I just had to go where I lay. They kept coming in and going mad at me because I would not stop crying.

Eventually, one nurse took pity on me and she called the doctor. When he got there, he went into a panic because my ankles were touching my shoulder blades. My whole body was distorted and all cramped up. My eyes were in the back of my head. My jaw was locked. All I could do was scream. Then they got the crash trolley up there with the oxygen, because my respiratory was shutting down. They said they would not give me that drug again but they did. They kept giving it to me until 1988. I went in there in 1979. It was used in Wilson as punishment because it was not my drug of choice. They wrote to the director of children's services and explained to him what the drug did to me. He wrote back and said, 'Use whatever means necessary,' and they did.

Then they decided that I did not belong in Wilson either so they sent me back to Lowson House. You are only supposed to be in a short-term institution for six months, and I had been there, all up, close to 18 months. I was nearly 15. When I was 15 they transferred me to Wolston Park against all medical and children's services advice. They had all these meetings saying that they feared for my safety, wellbeing and whatnot if I was sent there, but they sent me there anyway. A higher administrative power sent me there.

They put me straight into Osler House, which was for the criminally insane. The women who were there were there because they could not be in an open ward or with other people because they attacked everybody. A lot of them were there for murder. I was not big enough, and it took years for me to be big enough so that people would stop attacking me. Then they put me into a mixed locked ward, and there were men and women there. A lot of the men were there for crimes against children and they were on Queen's pleasure. I was assaulted many times in Wolston Park—and in Lowson House at 13—by male patients. They used to call me jail-bait. They said I was inappropriate because I did not like wearing dresses and I used to let my hair hang over my face. I was just inappropriate. In Wolston Park they gave me ECT and lots of drugs. I was always drugged, which meant when I was too drugged a lot of the men could take advantage.

I witnessed the suffering of other people who were there. When I think about what happened to me in there, I can cope with that a bit better. It is what I saw other people going through. I think I have a right to talk for these people because they cannot talk for themselves, and what gives me the right is that I witnessed what they went through. There was a little boy named Jason. Jason had advanced Huntington's, or Parkinson's disease, and the nursing home would not take him because he was too young. They put him in the mixed locked ward and they put a mattress in the middle of the floor. The patients used to fall over him and hit him, and people would act out their delusions and think he was Satan. He could not talk; he could just mumble. One day when he wanted to go to the toilet, he reached out and he just touched this male nurse's

leg. The nurse turned around and kicked his teeth out. Jason was so helpless that he could not do anything. The nursing home eventually took him.

There was another little girl, called Shannon; she was 12 years old and she had autism. They had her in there. I saw her sexually assaulted. She was in a locked ward and yet they found her wandering—Wacol to Ipswich is a long way—naked down the main street in Ipswich. How could she have got out of a locked ward? They found her twice. The police brought her back. There was another female patient who was also found in the same state; they had both been sexually assaulted. There is just so much to say; I saw so much.

In 1984 I became pregnant—I was assaulted—and they stole my baby. They gave me ECT, shock treatment, until I was 5½ months pregnant. They tried to force an abortion but it was too late and the Royal Brisbane Hospital would not do it. So they give him away to someone else. Then in 1988 I escaped for the last time and I went and lived out in the bush, and now I am what you see today. I got off all their drugs. I have been medication-free for 15 years now. They told me that I would never be able to live outside a structured environment or be off medication or have a relationship. There was no hope for me.

When I was 14 one of my social workers—because I had so many social workers and so many therapists, hundreds and hundreds; every nurse was a therapist, because I was a child so they had to reform me—asked me if I knew what institutionalisation meant. In my file it says that I turned around to her and I said, ‘Yeah, all these people are institutionalised,’ but they were not. It was me—I was. I do not think I have ever been able to break that. It is like a big chain and it just holds me there and it is like any day now they could just come and get me and lock me up.

I have got four kids, aged between two and 11, and then my son Christian, and they live with what I went through every day of their lives. They all sleep with me; I cannot handle them sleeping anywhere else. They do not go out anywhere because I am so scared that someone is going to take them. Then they have to put up with me being depressed. But in all those years I was never diagnosed as having a mental illness—not until the government sent me for an independent assessment about eight years ago. They said I had chronic post-traumatic stress disorder, a depressive disorder and an anxiety disorder. So they just gave me a pension and told me to go home.

Sometimes I think that I cannot live with it, but what I find hardest to live with is what I saw, because I could not protect them. When the Forde inquiry happened it was like nobody wanted to know about us. They wanted to hear everything that happened in the children’s homes. I had a rough time in the children’s homes but it is just so overshadowed by the rest of it. I did nearly 10 years in adult mental health. I had friends who were raped and tortured and murdered. But all I can do for those people now is make sure their stories get heard, because maybe their families might like to know what happened to them—because they have all got families.

I had a big family, but as soon as I had mental health problems my family did not want to know about me because they did not want me around their kids. My uncle and auntie told me that they were coming to get me, just before they transferred me from Lowson House to Wolston Park, but they did not turn up. Then when I was about 20 they turned up, but it was too late then. I think it was too late for me after I had spent that first 12 months in Lowson House. Between Lowson House and Wolston I just snapped. When I left home I did not want to be hit anymore—

that was why I left home; because I could not stand the abuse—and it was like jumping out of the frying pan into the fire.

For many years, like everybody kept saying, I thought that I was just really bad; I must have just been a really bad person. And I must have been mad—even though they could not find out what was wrong with me, I must be; there must be something wrong. So I kept taking all their pills until I would escape or they would discharge me. Whenever they would discharge me they would just discharge me onto the street. I had come from the country to the city. They would just discharge me and I did not know where to go so I used to just wander around. Then the police would pick me up and they would say, ‘Oh, you’re not coping.’ I was too young to get any benefits and so they would lock me up again. This went on and on for many years. I decided that either I was going to die or I was going to make it. I made it, and it has been hard.

When I had been out for about 12 months, I noticed there were so many different colours in the sky, so many different blues. I could just walk up and touch a tree whenever I wanted to, I could go to the toilet whenever I wanted to. I had no living skills. I had no idea how to live outside, so I just went bush. I had a pillowcase with about seven tins of food that I figured would last me a fortnight—it never, ever did—and no can-opener. I had a knife, a little tomahawk and a rifle. The rifle was for if I did not make it or if I thought there was any chance that I was going to get taken back.

The psychiatrist at Richmond clinic in New South Wales refused to extradite me back to Queensland when Queensland tried to have me brought back, which was a credit to him. He had known me since I was 15. I sort of learned things bit by bit and by watching other people around me. Wherever I went, people had never met anyone like me so they did not expect me to be any different: ‘Of course you can do that; I can do that. Just do it like this.’ That is what got me through, I think, that nobody around me expected me to be any different.

There are longer and longer gaps between the bad days. I have been a youth worker. I tried to work on the other side of the fence and I got sick of just feeding kids to the system. So I was more of a voluntary youth worker. I ended up with a very large extended family.

It is like they raped my mind, my body and my soul. Over the years I just kept trying to patch the pieces back together. But now that I have children I think that keeps me alive because I have to make sure that they are all right, and that is the most important thing for me—for my kids to be okay, and to find my son; I just want to know that he is all right. I was on a lot of medication when he was in my belly—a lot of ECT and things. I cannot think of anything else I want to say now.

There were a lot of older people there. There was a lady who was 70. She had gone there when she was 14 because she might have become promiscuous and embarrassed her family, and she was still there at 70. She ended up on Queen’s pleasure because she attacked a nurse who assaulted her. There were disabled kids who, as soon as they got too old for the homes, were sent there. They sent them there to die. There was no getting out for them. They had a ward called Anderson House, and a lot of the old girls from a place called Karalla House were there because they just never got out.

I was the first witness against this nurse who had been assaulting patients over many years. It was the first time the police actually had a witness that could take the stand. On the day of the court hearing, the doctor had been to assess me and said I was right to go to court. The nurses had me ready to go. The police were told at the administration that I was too sedated to go to court. This was at Wolston Park. The matron called me up to the office and said, 'We couldn't let you go to court because we could not sack him.' If they sacked him they risked a nursing strike, so he resigned when I was stopped from going to court. The police had told me that he had been up on 15 charges, including beating a nine-year-old retarded girl and leaving her to die, but they could never ever convict him because they did not have any witnesses—and now they had a witness this witness was not allowed to speak. In the lead-up to the court case the police came and saw me every couple of weeks to make sure I was all right because they knew I was in danger from the other staff, but once the court case was over no-one cared.

I was paid as a volunteer when they did have a nurses' strike in 1981-82. I was a patient and they paid me \$96 for my time spent as a volunteer there, because the volunteers could not control the patients. There is just so much to say, and I am just going to sit here and keep babbling.

CHAIR—I do not think we think you have been babbling.

Ms Treweek—I wrote a couple of poems that I have in here and they are pretty close to the core of it, anyway.

CHAIR—We have them in here. Thank you very much, Ms Treweek.

Senator McLUCAS—Do you have any advice for us about how we should write our report? What is the message about the assistance there should be for someone with the sort of dreadful story that you have been through? You are obviously improving.

Ms Treweek—Yes. I have had so many therapists and people playing with my brain that now to get therapy or any sort of help is so difficult because I sit there in front of a counsellor or a psychiatrist and it is like, 'Here we go again.' I really have to double question every single thing that they say to me because I have to be careful that they do not stuff around with my head.

Senator McLUCAS—We have had that advice before, from other people.

Ms Treweek—But I have got something to say about what they could do.

Senator McLUCAS—Please.

Ms Treweek—Stop putting children in adult institutions for a start, because there is no way that you should put a child in an adult institution with people who are violent. They may not be violent when they are admitted, but they are going to go into an episode or have psychosis or something and they are going to attack that child because that child is weakest. These people are cowards; they will attack the weakest. And staff—why put in burnt-out staff from the adult system to look after kids? They have already burnt out. They have already had the nursing culture and done that. So, as much as some of them are good people, they are going to take some of that with them. Children have to be treated as innocents when they are in the hands of mental

health services. I do agree that a lot of kids do need help, but help them with people who can help them and not people who are going to hurt them.

CHAIR—As there are no further questions, we thank you very much for appearing here today.

[12.03 p.m.]

DETHLEFS, Father Wally (Private capacity)

CHAIR—You are appearing today in a private capacity and your comments will be on the public record. The committee prefers evidence to be heard in public, but evidence may also be taken in camera if you consider such evidence to be of a confidential nature. I understand that you have received information on parliamentary privilege and the protection of witnesses and evidence?

Father Dethlefs—Yes.

CHAIR—Do you mind if they keep filming?

Father Dethlefs—That is okay.

CHAIR—The committee has before it your submission. I now invite you to make an opening presentation, to be followed by questions possibly from the committee.

Father Dethlefs—Thank you. I began to work in Wilson Youth Hospital, a detention centre for young people, in 1973. My job there was as chaplain; I used to visit twice a week. I just could not believe that towards the end of the 20th century we were still locking up young people who had not committed a criminal offence. We had that facility in Queensland under the Children's Services Act 1965, sections 60 and 61. Probably most of the girls who went in there had not committed a criminal offence at all. They were running away from violence—physical, sexual and emotional violence. Many of the boys, on the other hand, were there for criminal offences. Many of them were minor criminal offences. I remember there was one lad who had stolen \$5 and bought a packet of chips. They had actually got the change back but he was processed through the Children's Court and placed under a care and control order. So that was one thing.

The second thing was that there was no education in that place at all, and that really disadvantaged young people. Education in Queensland and in Australia is compulsory up to the age of 15, but in that particular place the psychiatrists who ran it said that education was 'contraindicated'—their word. The other thing that concerned me was the solitary confinement. Young people are only supposed to be in solitary confinement for one hour and one hour only, with a staff member in attendance. It seemed to me that it was common practice for a young person to be in solitary confinement for two or three days, and I came across some who had been in solitary confinement for 3½ weeks.

The medical model, the way that they dealt with young people, was that every young person who went in there was assigned a psychiatrist and treated psychiatrically. So, if a young person was running away from violence, they were treated psychiatrically. If a young person had committed a criminal offence, they were treated psychiatrically. If a young person was not going to school, they were treated psychiatrically—and they were treated without any school at all.

Violence by staff against the young people in there was quite common—physical, sexual and emotional abuse. Many of the staff when I was there were untrained; there were a few who were trained. A lot of staff were being recruited from the Army—ex-Army people and ex adult correctional people as well. In the time that I worked there the manager of the place was an ex-Army major.

Just following on from what Sue was saying, another thing that appalled me was that they would certify young people and send them to Oslor House, in the mental health facility up at Wolston Park. I remember one day I was leaving the premises and there was this man in a suit being escorted down to be let out of the place. I said to him, ‘Who are you?’ and he said, ‘I’m Dr So-and-so.’ I said, ‘What’s your job here?’ and he said, ‘I’ve just had to do something really hard.’ I said, ‘Yeah, what was that?’ He said, ‘They got me in as an independent person to certify this girl to send her to Oslor House.’ She was one of the young women who had been in solitary confinement—on at least one occasion that I was aware of, for 3½ weeks—and she was then sent up to Oslor House. I knew that she had no family and that she would not get any visitors, so I visited her up there at Oslor House, where I saw another young woman whom I had met a year or two before who was sent up there at the age of 13. The second one was 15 when she was sent up there. When I visited the second one I could not believe that the first one was still there.

The observed result of young people being locked up was that they came out of there feeling that they were mad and bad—mad because they had been treated psychiatrically and bad because they had been locked up. Many of them got into self-harm; a number of them that I knew well completed suicide. You have heard other people today talk about the young women’s gynaecological problems and their inability to access good medical care because of what happened to them in there—I can attest to that—and about being condemned to poverty because they missed out on education in there.

The authorities did not want to know what was happening; they did not want to be confronted with it. When I finished up there I could not turn my back on the place. I and some other people set up the Justice for Juveniles group. We studied the juvenile justice system in Queensland—police and young people, courts and young people, secure institutional care and young people and family services and young people—and we made recommendations on what at the time we thought would be better.

But the authorities did not want to know about it. For example, two of us went to see the then health minister to say, ‘We are absolutely appalled about these young people being sent from Wilson to Oslor House and being locked up with people who are criminally insane,’ and he said, ‘That doesn’t happen.’ I said, ‘I could give you five names of people that I know who have been sent up there.’ He picked the phone up and he said, ‘I’m just going to ring the person who would sign the document if that should happen,’ and he said he would get back to me the next day. Of course, he never did. That kind of cover-up stuff was appalling. Whenever anything was said in the papers about Wilson being a bad place or bad practices that were going on, the minister at the time would say, ‘Wilson is full of rapists, murderers and arsonists.’ That would attract publicity, and people would say, ‘They’re all bad people. What’s Justice for Juveniles raving on about by criticising the place?’

I was involved in the Burdekin inquiry into homeless children and young people in the late 1980s. It reported to federal parliament in 1989. One of the conclusions that we came to there,

which I could back up from my own anecdotal experience, was that one of the best ways of becoming homeless was to be placed in the care of the state. That is actually written in the report. We commissioned Dr Ian O'Connor from the University of Queensland—he was there at that time—to extensively interview 100 young people who were homeless in Logan City south of Brisbane, the Gold Coast, our national capital Canberra and Kings Cross. One of his conclusions was, 'Indeed, coming into care or attempting to have a child committed to care provides a clear path to homelessness.' Interestingly enough, way back then, the Queensland government in a submission to that inquiry said:

A substantial proportion of homeless youth have records of involvement with law enforcement authorities. Many young homeless have been or still are the subject of statutory child welfare orders for reasons of care and protection after abuse or neglect, offending or because of status.

The final thing I wanted to mention from that report, and I do not know whether your committee is able to come to grips with this, was that one of our conclusions was:

The states are ill equipped or unwilling to offer appropriate services and the Commonwealth regards the matter as a state responsibility. These children in particular then fall through the nets of support, inadequate as they may be, extended by the state and the federal government.

That is an indictment on the state and federal governments of Australia in my book.

Another report was done in 1997, called *Seen and heard*. I thought it was an excellent report, and many of my colleagues thought it was an excellent report as well. The committee has probably seen it. There are chapters on child protection. Chapter 17 is on children's involvement in the care and protection system, and it is an excellent chapter. I was and still am a member of Justice for Juveniles. When that report came out and we were able to read it and study it, we then approached the Australian Law Reform Commission and the federal Human Rights Commission, which were the authors of this report, and also sent copies of chapters to relevant state government ministers, saying, 'What are you going to do about the implementation of these?' The Australian Law Reform Commission and the Human Rights Commission got back to us and said, 'We haven't got any money for implementation or to follow through the implementation of this report.' The state government people whom we contacted basically said, 'Thanks for your letter.' There is good stuff that has been done around the place, and I am sure you are all aware of it, but it just goes up on somebody's shelf. The recommendations that are there—many of them are excellent—just do not get implemented at all. We have seen that in Queensland as well.

You have heard a lot about the long-term effects. I will not go in to that. Because I have had a long-term involvement with many young people, which I regard as a great honour and a great privilege, I continue to see the long-term effects of the abuse and neglect that the systems have perpetrated on these young people. I need also to mention Aboriginal young people. I hope that you have had a lot of submissions in this area. The statistics are there—they have been there for a long time—showing the numbers of young Aboriginal people who come into care and the numbers of young Aboriginal people who come into the juvenile justice system. For example, if you went out to the Brisbane Youth Detention Centre you would probably find that 60 per cent of the young people there at this moment are of Aboriginal and Torres Strait Islander descent. We criminalise these young people a lot earlier and we prolong their criminal career because of that. Again, in these reports there are what I believe to be excellent recommendations.

My present concerns are things like the fact that in Queensland we have a children's commission. I am sure it does good work, but its title is the Commission for Children and Young People, when really the title should be the Commission for Children and Young People in Care. It does not have a universal statutory mandate. It can advocate on behalf of young people who are not in care, but it has not got that statutory mandate. For example, I come across 15- and 16-year-olds who should be receiving some of the benefits for being in care. The department will say, 'No, no way. This person is nearly 15 or nearly 16. They are too old.' Yet the law says that they have responsibility for young people in this state under the age of 17.

I want to finish with maybe two or three other points. One is that as a state and as a nation we need to be putting a lot more money into the prevention of youth homelessness and the prevention of juvenile crime. In our own state, according to state figures that came out about three years ago, for every \$1 that we put into crime prevention work, we put \$58 into prisons and courts and all the rest of it. I think the same is true in the Commonwealth area with regard to the dollars that we put into counselling versus the dollars that we put into the Family Court. We are a reactive society, not a proactive society.

The second last point is that while Australia has ratified the Convention on the Rights of the Child it is not incorporated into our law, and it ought to be incorporated into our law. The final point is that, yes, there have been apologies made in this state, as you know, by the state government. They have said that they are sorry, and the churches have done the same. But in my book, if you really say you are sorry, you say, firstly, 'I acknowledge the wrong that I have done' in detail. Secondly, you say, 'I am sorry for this wrong that I have done.' Thirdly, you make amends—you say, 'I will do whatever I can to right the wrongs that I have done.' Finally, you make the promise not to do it again. We do not do that; we say we are sorry and it is, on the whole, something very hollow. That is about all I wanted to say. Thank you.

Senator KNOWLES—Father, I would like to ask you about exactly that type of reparation. We had an example from the previous inquiry where C-BERRS, for example, provide very comprehensive support for those who are affected. What has the Catholic Church done in this state to provide unconditional support—in a counselling sense or in terms of any compensation, financial advice or further education—to try and make amends for what has gone on in the past?

Father Dethlefs—The church in Queensland has had a very piecemeal approach. It has produced a document called *Towards Healing*, which is an Australia-wide document. That is progress in one sense. There is some counselling that is provided for young people but my impression is that the churches are not being proactive enough in listening to the stories of the people who have been through the system, listening to their needs and trying to work with them to meet those needs. For example, in the Catholic Church in this archdiocese there was some kind of retiring collection taken up, and I think the money was forwarded to the Forde Foundation trust. To me, that is not substantial; it smacks of tokenism.

Senator KNOWLES—I suppose what I am trying to get at is that those who have had wrongs perpetrated against them should have access to ongoing counselling that does not cost them anything, including financial counselling, education, family counselling and all of those sorts of things. Some may choose to accept it or not, for obvious reasons. One might say that the Catholic Church, which has been one of the providers of these institutions, would have a huge responsibility to do that. If that were undertaken in each state then a lot of that workload would

have been absorbed by now. I guess I am asking you whether you or others in the church have put submissions to the church to provide resources such as that. If so, what has happened? If, as you said, you think their reactions are inadequate and piecemeal, what do you think needs to be done to actually get the church to move on something like that and do something substantial to try and right the wrongs?

Father Dethlefs—I am not very proud of the Catholic Church in the sense of what they have not done. They have done little bits and pieces, but it seems to me that what they have done is quite inadequate. I do not know how you could possibly get them to go through that fourfold process that I just mentioned.

I know that I have been involved in individual cases, in assisting people who have been through Catholic institutions. I know from that point of view just how difficult it has been just to try to get something done—and that is the individual cases. My impression, from where I sit, is that we are not seeing the Catholic Church embrace this universally, except through the Towards Healing process.

Senator KNOWLES—How do you suggest we go about getting them to realise the responsibility in this area?

Father Dethlefs—There needs to be some type of truth and reconciliation commission—that is what I think needs to be done—where they come and listen, as you people have listened today. They need to be prepared to commit some substantial resources, not just crumbs off the table, and some substantial time to actually listen to the people and their needs and to work towards meeting those needs.

Senator KNOWLES—I understand what you are saying in that respect, but I do not necessarily agree with having another gabfest, in essence. I do not think what we have heard today would come to the church as a surprise. I do not really see what would be achieved by delaying it further and saying, ‘We’ll have another commission and another inquiry, so you really know and understand what has happened.’ They could read the *Hansard* of our previous inquiry and this inquiry, if ever anyone was in any doubt, and they should not be. I am more keen to get them to recognise the responsibility and to act now, as opposed to be provided with further evidence.

Father Dethlefs—Yes. My problem is that I do not know how they can be moved from where they are to where all of us here would like them to be. I honestly do not know how to go about that. From that point of view, I am sorry but I cannot answer your question.

Senator MURRAY—Ms Treweek’s testimony was so horrifying that none of us could really ask her a question. It was just mind-blowing, the extremes to which that poor woman was exposed. But, in a sense, her story is very common. There are just lesser versions of it all over the country. The scale of it is huge. What is valuable from your testimony is the pastoral understanding and the experience which confirm the numbers of people and the consequence of such treatment. I want to ask you a question to see if we are on the right track. You said to us—not in these words, but it is my understanding—that inquiries have discovered these things and have made good recommendations but not enough has resulted from them. Is that because the wrong questions were asked of government? What I mean by that is this: when you give those

recommendations to a government, it says, ‘Why shouldn’t I do this?’ and the bureaucrats answer, ‘Because it will cost you too much.’ I think the question, which this committee has in its terms of reference, should be: why should you do it? The answer is that, if you do not, it will cost you too much.

In other words, I am saying to you: would you agree with the committee’s general findings so far—and bear in mind these are conclusions on the record rather than in the report—that the scale of abuse of children in institutions has such significant individual and social costs that it would pay governments to invest a lot of money in it to lessen the costs on our mental health system, our health system, our welfare system, our prisons and so on? Is that the direction you were going in when you spoke about the \$1 versus the \$58?

Father Dethlefs—Yes. I think prevention is incredibly important. I also think that if governments invested the right amount of resources in these areas then we could lessen the needless pain of so many thousands of young people in our nation.

Senator MURRAY—You have given me a good priest’s answer and I am not minimising it because you are talking about pain. Governments talk about money. Have you ever said to a government, ‘If you stop the kids getting into the system in the first place, you wouldn’t have to build prisons, pass laws to lock up people and have endless programs to deal with the effects of institutionalisation’? Have you said that to them?

Father Dethlefs—We have said that to them.

Senator MURRAY—What is the answer?

Father Dethlefs—Basically they are not interested.

Senator MURRAY—Because they do not understand?

Father Dethlefs—I do not know whether it is that they do not understand. Unfortunately to me, and probably to many people in the room here, it is quite clear. I talk to them in terms of viable, healthy communities where people do not have to worry so much about the extra safety grille or locking up their place all the time. If you get in and do the prevention work, that is going to make your community more cohesive and more viable. Governments and churches say, ‘That is what we are on about,’ but somehow or other they have difficulty in the doing of it.

The federal government has certainly picked up a little bit on prevention stuff through the Reconnect program, which is an Australia wide program, but it is peanuts compared to what ought to be done. Every youth refuge in this nation is chockers and has a waiting list because we are not doing that prevention work. A lot of young people are being wasted because we are not doing it. I do not know how you get that message across because some of us have been saying it for a long time.

The prevention stuff was in the Burdekin report. A lot of us around Australia spent something like 10 years trying to talk to the federal government and the Queensland government about prevention and it took 10 years before something tangible happened. That might be a reflection on our organising ability and that kind of stuff—and I accept that—but that is what it took. The

federal government set up a task force to investigate prevention issues. It was a great task force and it spent a couple of years doing that. Its findings got evaluated and then they decided they would set up some pilot projects around the nation, so they set up four or five of those. They got evaluated and then finally they said, 'We're going to put \$60 million into the Reconnect program.' They announced that \$60 million three or four times over an 18-month period. I kept saying to people, 'It's going up. It was \$60 million, then it was \$120 million. Now it is \$180 million.' Finally, the \$60 million came through, but it is peanuts if you look at the prevention costs versus the reactive costs, as you were saying earlier.

Senator MURRAY—You have spent a lifetime in this field. Were you aware that across Australia there are hundreds of thousands of people who have been through institutions?

Father Dethlefs—Yes.

Senator MURRAY—Does it come as a surprise to you, as it has to me and I presume my colleagues, that we are starting to see figures which are way beyond the scale of what we had contemplated? In my own mind, I am getting to the idea that 500,000 is the minimum in Australia last century. Does that surprise you?

Father Dethlefs—In one sense, yes; in another sense, no. Having worked locally here in Brisbane for many years, as you mentioned, I have some idea. I have never seen aggregate figures, but you do come across them from time to time. But it does not surprise me that there would be that many.

Senator MURRAY—I hate to simplify what are unique and very painful experiences for each individual, but there are very common themes across them. It seems to me that you can take this category of Australians and classify them in terms of pretty common experiences. There is a portion that had dreadful sexual assault, there is a larger portion that had dreadful physical assault, there is a huge portion that were not properly educated, there is a massive portion that suffered from emotional neglect et cetera. You can parcel it up. But my question is this: I had started to think of these Australians as the forgotten Australians. They are not in politicians' or bureaucrats' or policy makers' minds as a group needing attention, in the way that other communities of Australians are. Would you agree with that view? Do you think there is a failure to understand that this is a community where cause and effect are pretty obvious and you need targeted responses?

Father Dethlefs—Yes. I would agree with that totally. Like Sue and other speakers have said, these are voiceless, powerless people; they have no political clout at all. Yes, there have been some inquiries and, yes, a few things have surfaced over the years but, on the whole, for that whole cohort of people, it is basically the case that we as a society do not know much about them and do want to know much about them. From that point of view, they are quite neglected.

Senator MURRAY—I am coming back, in a circle, to the question of why an obviously concerned, committed and dedicated activist and advocate like yourself has not been successful and why a message would not get through. Governments generally react when they see large problems and large numbers of people are involved, so that inclines me to the belief that they have not understood the problem. I asked you the question: were you surprised that there were

hundreds of thousands? Do you think the bureaucrats have any concept that there were hundreds of thousands? I am referring to across Australia, not in Queensland.

Father Dethlefs—They collect statistics, they do research; they have got to know.

Senator MURRAY—I disagree with you, if I may.

Father Dethlefs—Disagree with me!

Senator MURRAY—We have submissions which show that there is no research. We cannot establish this. We asked the people who had institutions: ‘You ran these institutions for 60 or 70 years. How many people went through your institutions?’ They have no idea. So I do not know why you think that is so. Why do you say that?

Father Dethlefs—In every annual report that each welfare agency of government puts out every year, there are statistics of the homes and the size and capacity of those homes. You do not have to be a genius to work that kind of stuff out.

Senator MURRAY—Would it surprise you that most state governments have declined to give submissions to this committee?

Father Dethlefs—No. It would not surprise me, in one sense, because I know that we had to hunt up state governments to put submissions in to this inquiry. We had to get on their backs. In fact, we delayed getting the final report out for a number of months—it might have been six months.

Senator MURRAY—From experience, politicians learn that they are mostly stuff-ups, not conspiracies. But in this area it does seem to me that there is a deliberate desire to turn away from the problem. I would hesitate, on the evidence we have so far, to call it a cover-up, although it might be a cover-up, but to me there is no sign yet that state governments or the Commonwealth government have been able to assess the scale of this, the consequences of it or what needs to be done in a general sense. Do you agree with that, with respect to your Queensland experience?

Father Dethlefs—Yes. There are all these indicators all the time. For example, I am chairperson of an accommodation agency for young people with high and complex needs. Our waiting lists are something like 18 months. We put in submissions to our state government every year. We have accountability requirements and we do an annual report in which we put the number of young people who are waiting to get into our accommodation facilities and the number of young people that we have accommodated. They know all that.

This is a sidetrack, but just in the education area in Queensland alone, we expelled and excluded close to 6,000 young people in 1997. Now it is 36,000. We have 10,000 young people in Queensland who are not at school and who are not working. We have 3,000 young people in Queensland who are hanging onto school but are not living in home situations; they are living in out of home situations. We put new legislation through last year—the education training reform for the future legislation. We do not take cognisance of these 3,000 young people at all. We take it for granted that they are living at home and doing well. What I am saying to you is that there

are all these indicators out there. Where do I get the figure of 36,000 from? I get it from the education department. They know. I am saying that governments know. Is it that one department does not talk to another department?

The dollar per capita for welfare in Queensland for the last 30 years has been somewhere around half the national level. That is why our services up here are so poor. That second Burdekin report on mental health was absolutely scathing of Queensland and the support that it gives to people in this state who have mental health problems. The indicators are all there. As a private individual, I have my work to do, and that is all-consuming. I try to make some time to look at this other stuff that is coming out, but I do not get paid to do that. But there are people in bureaucracies where this stuff is going across their desks quite regularly.

Senator McLUCAS—I have myriad questions I would like to ask you. I follow up the question I asked of Sue: how do you assist people in finding appropriate counselling? How do you assist people down that path?

Father Dethlefs—It is very difficult to talk them into counselling because so many of them have had counsellors, social workers, youth workers and people like that who have done the wrong thing by them in terribly substantive ways. It is terribly difficult and a long process to try to get a person who has been through the traumas that these young people have been through to go to a counsellor. When you get to that stage, you try to get them to someone appropriate and suitable—someone who is going to help them, not someone who is going to further disadvantage them, so to speak. For example, with the post-Forde stuff, some of the young people were granted 15 sessions of counselling and then at the end of the 15 sessions were told: ‘That counsellor was too expensive. We’re going to appoint you to another one.’ They just say: ‘No, I can’t start again. That counsellor was good.’

There are some professional people who are more suited than others to dealing with people who have been through this kind of trauma. So you try to get to know who they are and then when the ex-resident gets to a particular stage you say, ‘I know this person is really good and I will go with you for some sessions if would like me to,’ and hopefully make that connection.

Senator McLUCAS—We have had almost identical evidence from other people who work with people post care situations. I suppose I am looking for the recommendation that stops people being linked up with counsellors who are trying to do the right thing but are not the appropriate person and who cannot assist, for a range of reasons—maybe they just do not link with that particular individual. It has been put to us that going to counsellors who are inappropriate can be damaging in itself, which can add to the hurt that people already have. Let us stop doing that. That is what I am trying to find out. What is the recommendation we can make that avoids that compounding of people’s problems?

Father Dethlefs—How do you suss out good GPs? How do you suss out good counsellors? It is just your experience.

Senator McLUCAS—Is it the role of organisations like CLAN and Esther Trust to be referral agencies? Is there any conflict there that you can see?

Father Dethlefs—I do not see there is any conflict. It is from practice that you know who the good ones are, and you avoid the other ones. For example, if I come across an ex-resident and they say, 'I'm going to counselling,' I say: 'Great. Is the counsellor good? How is the counsellor helping you?' If they say, 'This counsellor is really excellent because of blah, blah, blah,' I ask them, 'Can I write their name and phone number down?' That is one way I get to know.

Senator McLUCAS—We had that fantastic evidence this morning from Ms Brooks. Her counselling model is very different from what other models might be, but it has been extremely effective for her. It is being able to link those people with an appropriate person. It seems a bit hit and miss at the moment.

Father Dethlefs—That is right. If an ex-resident is into working with clay, art or whatever it might be, then you try to connect them with a counsellor who works that way so that the bridging is a lot easier. It is terribly important that when you talk to somebody about seeing a counsellor you say: 'As I know it, this is the way they operate. This is one, and this is the way he or she operates. Here is another one. They operate in a way that is quite different.' You give them some choices. The other thing that is difficult is physical location. If you have an ex-resident living on the south side and there is nobody that you know is really good there, then there is the extra expense of getting from A to B.

Senator MOORE—There is a lot I could talk to you about, Father, but following on from the issue of physical location: you mentioned in your submission regional issues and that so much of the evidence seems to be based on Brisbane and Brisbane situations. But we know Queensland has particular issues with regional servicing and people moving. Would you care to comment on that point?

Father Dethlefs—Just from a little bit of work I have done on country areas I know that some of the practitioners in country areas will say to a young person, 'If you are going to get depressed or become suicidal, just wait for three months because the psych is not due through for three months.' It is just about like that. In other words, the psychiatrist, good as that person might be, will only visit that centre once every three months or something. I did some work out in the South Burnett area, the Kingaroy area. They are having to take people into Toowoomba for services, so a professional person's time is taken up transporting people from A to B, which takes probably half a day by the time you get in there, have the appointment and get them back again. These are often with people who do not have their own mode of transport or who have not got the resources to take them there.

That is my own experience there in regional areas. As you say, this is such a vast state that people who are outside the metropolitan area or outside the bigger regional cities have very poor access to the services that they need. Certainly I have had some contact with some of the ex-residents who have lived in remote areas, and there is nobody for them. They use the phone to their peers, but the professional services just are not available.

CHAIR—Thank you very much, Father, for coming along today.

Father Dethlefs—Thank you.

[12.51 p.m.]

WILLIAMS, Mr Garnett Bruce (Private capacity)

Mr Williams—Father, could you answer a couple of questions for me, please?

CHAIR—No; we ask the questions. You might want to make some points and Father Dethlefs may wish to see you privately afterwards. You were going to say something before you heard Father Dethlefs speak, so say that.

Mr Williams—I wanted to find out about specific funds and about migration people, and I want to speak of Archbishop Rush when he was Bishop of Rockhampton.

CHAIR—Go on, if you would like to say something.

Mr Williams—I would like to ask Father Dethlefs whether he was aware of—

CHAIR—No; as I said, you may make a statement if you like.

Mr Williams—Archbishop Rush was Bishop of Rockhampton for 12 years. While he was Bishop of Rockhampton, they were bringing a lot of English migrants to Australia, and he knew quite well of all the sexual and physical abuse of those children. Bishop Rush ignored it, of all the complaints at that time. I would like to know whether they were aware of this thing.

CHAIR—Fair enough. Is there anything else you would like to say?

Mr Williams—The other issue is the \$2 million that has gone from the state government into the Forde Foundation run by the public trust. I would like to know—could he tell me later, in fact—how much the Catholic Church has put into that trust. I know perfectly well that it is very little.

CHAIR—You may actually know more than Father Dethlefs does.

Mr Williams—I do know a lot of the diocese, yes, being an ex-acolyte of the cathedral. So I do know how the Catholic Church runs.

CHAIR—We have the Forde Foundation coming this afternoon, so they may be able to answer some of your questions, if they are here. If not, we will certainly have an opportunity to ask them.

Mr Williams—Would Mrs Forde be here?

CHAIR—No, I do not think so.

Mr Williams—No, she is interstate.

CHAIR—Okay?

Mr Williams—Yes, thank you.

[12.54 p.m.]

McKEW, Mrs Mim (Maria) Kaye (Private capacity)

CHAIR—Welcome.

Mrs McKew—I am from Airlie Beach, but I was in five different institutions in Melbourne. I am only going to take up about two minutes, hopefully. I just want to read a poem, which I think basically generalises for everybody. Before that, I want to say that I have an article on the CLAN web site, at www.clan.org.au, and that article was in the *Age*. I want to know whether I will be funded for my book—which I have already written—because I cannot afford to publish it.

CHAIR—Could you tell us the date of the article?

Mrs McKew—It was in the *Age*, ‘Perspective’, Friday, 21 June 2002. It is basically about how my childhood was lost. That is me at five years old when I first started to get sexually abused, or what I can remember. My poem is called *Parents Day*. We never had dolls or anything as children in the institutions, so I have a doll now—my little escort that comes with me whenever I travel. My poem reads:

Mothers Day and Fathers Day

Oh, what *do* those words mean?

Love, caring, nurturing

Of the child that’s *meant* to be

Hugs and kisses, loving smiles

Someone to always know

A Band-Aid on your knee

And the sweet smile of hello

Flowers, hugs and laughter

Out to tea with family

Whatever naive birthed the thought

Was totally off his tree

Mothers Day and Fathers Day

What does that *really* mean?

A punch in each kids belly

No way was there ice-cream!

Constant bashings and abuse

Never affection or caressing,

No sweet smile that we will see

Just rejection and molesting

Alone, in and out of 'Homes'

For the State to do the same

Their so called 'Care of Duty'

In their own God's name

Kind people, where are you at all?

A helping hand, I see nowhere

We are motherless and fatherless

And 'State Care' sure don't *Care*

The silent sobs we cried at night

That no one cared to hear

Australia's little boys and girls

All scared for life we fear

Mothers Day and Fathers Day

I know what it *really* means

It means I'll want to end the pain

On ... a 'Parents Day' it seems!

I wrote this on Mother's Day in 2001. Thank you.

CHAIR—Thank you.

Proceedings suspended from 12.57 p.m. to 1.47 p.m.

BRADY, Mr Bernard Francis Patrick (Private capacity)

CHAIR—Welcome. You are appearing today in a private capacity, and your comments will be on the public record. The committee prefers that evidence be heard in public, but evidence may also be taken in camera if you consider such evidence to be of a confidential nature. I understand that you have received information on parliamentary privilege and the protection of witnesses and evidence. The committee has before it your submission. I now invite you to make an opening presentation, to be followed by questions from the committee.

Mr Brady—I have not been involved in the state institutionalisation; I have been part of the Commonwealth institutionalisation. Most state commissions, including the Forde inquiry, have failed to mention the fact that there were Commonwealth orphanages spread throughout all the states of Australia. They were opened in former Army barracks in 1946, and the last one closed in 1967. I believe it was in Coronation Drive, just down here. These orphanages were set up under Commonwealth auspices and were run by Legacy. They were to cater for double orphans and for children where there was a failure in the family structure of the sole parent, and they qualified. There was a qualification system, which is in the Legacy manual. It states:

Sub-normal children should not be admitted under any circumstances, and ‘problem’ children or dull children should be admitted only after competent psychiatric, or medical advice had been obtained. ... if they fail to adjust themselves within that period, arrangements should be made for them elsewhere.

My sister and I never qualified for Legacy war orphan homes. We were placed in the general orphanage system and in a number of foster homes from the age of three. The last institution I went through, I left at the age of 20.

My father was a soldier who fought in the Second World War. He fought both in North Africa and New Guinea, and died as a result of malaria contracted while fighting in New Guinea. My mother was in the Air Force. She was a drill instructor, and she suffered an accident which has still got a question mark over it. It is acknowledged that there was an accident that involved a fall during rope climbing. The repatriation department—or, I suppose, the military—acknowledge that she only had a leg injury and did not suffer a head injury. My mother was committed initially to the repatriation hospital in Heidelberg in Melbourne and then sectioned by the repatriation doctors to the Royal Park mental home in May 1948. She was to remain as either an inpatient or an outpatient there until 1952, when she died there at the age of 27.

One of the major things is that I realise, listening this morning as a lot of people have talked about Catholic and other institutions, that we also need to look at icons such as Legacy and the RSL welfare department to see how they handled children after the war so that we do not go through this again with soldiers’ children in the future. Legacy, in my opinion, is well meaning. It is a group of enthusiastic amateurs, who are soldiers from the war who felt some fulfilment. I believe they were used by the federal government as a cheap way of managing orphaned children. The problem is that they had no professional backup. The repatriation department, which is now the Veterans’ Affairs department, administered a war orphan pension and administered medical care. But they did not have a welfare department that saw that the money was being used—in other words, were I or my sister being fed? Were I or my sister attending a

doctor? The problem was that there was no proper check-up on the foster homes that I was placed in until a situation occurred where I was removed from my stepfather, who was a paedophile—he is now dead. He was murdered in 1957. We were then subject to a trusteeship under the Repatriation Act, under section 9 of repatriation regulations. I was placed with Monsignor Perkins of the Catholic Family Welfare Bureau.

We were then basically sent to our grandparents. The repatriation department knew that my mother and her sisters had previously been removed from my grandparents' care, but they still sent us there. Three years later, they had to remove us from that environment. Throughout that period we had legatee guardians. Legatee guardians were good with material items such as toys, lollies and clothing, but they were unable to cope when there was a problem within the family or if there was trouble. Those soldiers who were legatee guardians were also young men growing up and developing their own families. They had their own problems, and did not have the professional time to deal with a troubled child.

What would normally happen is that they did not want to hear about problems. They basically wanted a smiling face every time they saw you, when they stuck a lolly in your mouth—it was a 'let's go on to the next visit' type of thing. There were no checks to see if I had been going for medicals, and it was suddenly recognised when I was 10 that I had polio. That should have been picked up when I was seven. The repatriation department took direct responsibility for me and placed me in Concord Hospital. I was there for 15 months, until the problem was corrected. I must say that being there was one of the happiest times of my life.

I think we had four years each in Catholic orphanages. I have listened to what people have had to say about the orphanage system and I realise that, to a certain extent, I felt that living with my stepfather was much worse than living in the orphanage, where I had the support of a peer group of other children who also did not have parents. I felt safer there than I did in the care of my stepfather. My sister, even though she is not present here, feels the same.

The worst situation I felt was when we went into secondary; we were upgraded under the soldiers' children education scheme and we were sent to a boarding college. In both the orphanage and the public school system I was normally top of the grade. Unfortunately I had difficulty going through college, which was very sports oriented. I was basically still suffering from polio. There were five war orphans who were sent there: three ran away in the first three months and two of us stayed—me and my closest friend both went through the system there. It was a situation again where we were basically out of sight, out of mind.

It was a very cruel school. It was cruel because, in many ways, they were not trained to deal with children who were different. I suppose the Marist Brothers had a background of coming out of families. All of the children at the college were from families—other than us. It was also a school which I do not think soldiers' children should be sent to in the future—that is, a school where no fathers had actually fought in the war. Basically they had been militarily exempt because they were primary producers. I feel it is sort of throwing children into a culture that really does not have any empathy for them. They may understand what Anzac Day is, but when it actually comes to dealing with kids from an orphanage system that have no pocket money and no parental support it is a difficult situation—as difficult for them as it was for us. And I think it was difficult for the teachers, who were not trained to deal with us. Our table manners were different; our clothing was different. I probably had never seen margarine or butter before and I

made a guts of myself. It was that sort of situation. The other thing was that you were used, more or less, as the one the brothers picked on to demonstrate: 'What we have done to Brady will happen to you.' I think it boils down to the fact that I never had a father—I had no-one to go to—and that is basically what happened.

I think the main thing in the future in dealing with war orphans is that the system within the repatriation department or veteran affairs has to be reviewed. I also feel the armed forces groups and military associations are not aware of what actually happens to war orphans. They assume that the government decides there is a war orphan budget and there is medical care, so therefore we have done our job. But no-one goes and sees that it has actually happened, that you are actually being fed. In the future we really have to look at this. I think the soldier and service associations should be aware of this and should be making applications to the government. If we go into another big war, the same thing will happen all over again.

The other thing is that, looking at welfare departments from my point of view, I feel that there is not enough input, there is not enough mix in the management of the welfare department, whether state or Commonwealth, that allows for the experience of orphans that have come from the postwar period who are now in their fifties and sixties to have an input into how welfare to orphan children should be cared for in the future. The intuitive knowledge is sort of cut off, the experience of people who have gone through the system—no-one actually says, 'We can turn a positive around by looking at the mix People say: okay, we do have a lot of academics who have read it up and they can do this and do that and they tell us this is the way to handle orphans. But in my opinion, no-one asks the orphans who have gone through the system what input they can make into the system to actually allow the system to take advantage of their intuitive knowledge.

The other thing is again the files of both my father and my mother and me. The veterans' affairs department is refusing to date to handle over those files. I have made representations to the minister for veterans' affairs and they refuse to answer me. They have actually asked me to correspond with a solicitor, a crown solicitor, to find out why I require those files. The point is that I do have the files. The files have been given to me by a member within the department who is sympathetic to my cause and has provided me with all those files, 600 pages of those files with regard to my mother's death and my father's death and our management. They have been given to me unofficially and I am not to divulge who that person happens to be. But I do now have them and that is how I know what occurred during that time.

I do not believe that you should have to fight with a department a third world war. The repatriation or veterans' affairs department is acting as though they are fighting a third world war to defend all the information and you have to breach those walls to find out exactly what happened to you. During the period of our time we were never counselled, even with the death of my mother. We were always expected to remain grateful for what was done for us. We grew up actually both of us feeling guilty that we were the cause of our parents' death.

The other thing is generally speaking within the orphanage system there were a lot of children who were regarded as illegitimate whose fathers were soldiers. They have never ever been recognised by the RSL, Legacy or the federal government. I know there is a system where if a parent admits that their child was illegitimate and that their father was a part of the army camp system then they are entitled to a repatriation system. But at that time the social situation was that young women did not want to do it and preferred to put their children into an orphanage so

it did not affect their marriage prospects. There were other children too who did have a sole parent who survived, obviously most of them mothers, but the mother again was also in a social situation where she probably at a young marriageable age in a boom time Australia did not want to be trapped on a widow's pension and a war orphan pension when she had the marriage prospect situation which was available to her of a house and that. And I do not think that social problem was taken into account at the time.

The Australian Bureau of Statistics have written to all orphans, whether they are war or civilian, out of history. I would like to see us rewritten back into history—back into the ABS statistics. How many orphans were there? No-one knows at this stage. Everyone is destroying files or holding on to files or preventing that information being passed out. Legacy have destroyed their files. I know that we have approximated that there were 600 orphans who went through Coronation Drive. We do not know that officially because the records have been destroyed. We know that because someone took notes at the time of how many went through certain classes. That information was published in a book and I made it available to Senator Murray with regard to the Moorlands War Orphans Home down there. Again, I do not want to gripe too much about the past, but obviously we have to look at the future and I do not want to see other orphans go through what happened after the war in the boom time orphan period.

My personal belief is that the institutions, whether they were Legacy, RSL, the Catholic church or whatever, were not there to please the child; they were there to please the government of the day and ensure that they came in under budget. If they came in under budget, the government would possibly turn around and say, 'God, they did that cheap; let's see if we can cut them down even further, see if they can do it even cheaper.'

I would like to remind the members of the Senate that the responsibility of looking after Australian children is not with the state governments and never has been. The Constitution gave the power to the federal government under section 51. It states:

The Parliament shall, subject to this Constitution, have the power to make laws for the peace, order, and good government of the Commonwealth with respect to:

...

... custody and guardianship of infants ...

The Commonwealth government has basically stepped aside from its responsibility and allowed a de facto management to take place within the states, and that has not been addressed. The problem of the past has to be addressed because you really are getting half-citizens going through this country; how can they be loyal and be an Australian citizen and be a fully-fledged citizen when they have been brought up as second-class citizens? We have Anzac Day on 25 April but no-one ever thought to get a bus and drive around the orphanages and pick up the soldiers' kids. We go and remember the soldier but no-one asks the question: what happened to the kids of those soldiers who went and died in New Guinea or North Africa? That is the point I would like to make.

CHAIR—Thank you, Mr Brady. Are there any questions from my colleagues?

Senator McLUCAS—Perhaps I can go to the issue of accessing information; it has been raised with us at a number of hearings. Did you use FOI at all to try and get information?

Mr Brady—Yes, I did. It is a very interesting system.

Senator McLUCAS—What was that experience like?

Mr Brady—The experience was that I initially got with a number of phone calls was to be told, more or less: go and live your life; we don't know you; we never looked after children. It was the sort of situation where I gained more and more courage as I made my approaches. But it began more or less that way: go and live your life; do not bother us—type of thing.

Senator McLUCAS—This was with veterans' affairs?

Mr Brady—Yes, with veterans' affairs. I think they had already looked at my files and realised that there was a storm brewing. I was then advised that I could make application. I did so and I was advised that they had the power to decide what files to give me if it involved a third party. I presume the third party happened to be a dead person; it was my father and my mother. But they still had the powers to prevent it because of that, which is a ridiculous situation. I was provided eventually with a file that was all my temperature charts for the 14 months I was in hospital—my daily temperature charts. That was what I was provided with by veterans' affairs, and that is all I have been provided with. The other 600 pages have come from a person working in the public service.

Senator McLUCAS—When you applied under freedom of information, all you got were your temperature files?

Mr Brady—My temperature files, yes.

Senator McLUCAS—Did they give you reasons why they could not give you other documentation?

Mr Brady—The reason was that it affected a third party.

Senator McLUCAS—And did they identify the third party?

Mr Brady—No. I assume it was my mother and father because I cannot in any way work out who the third party could be.

Senator McLUCAS—Would it be the department?

Mr Brady—Possibly it may be; I do not know. My sister and I have a half-brother whom we have not seen since we were 13; we have been separated. I do not even know whether he is alive or dead. The situation really is across the board, whether it was in religious institutions or whether it was within the welfare department or whether there was government involvement. I think the same actions were taken because things were done on the cheap. One of the worst parts about it is that for 40 years I have hidden all this because I was encouraged never to tell I was out of an orphanage—'Say you are from Xavier College because it will help your career

prospects.’ So it is only now in the last four years that I have come to admit and realise the whole situation. My sister does not want me to, and she does not want to do so at this particular time. So it is a sort of a thing that hangs; even for 40 years it is like a hump on your back. You have to come it terms with it sometime.

Senator McLUCAS—With the other issue about accessing of information, you said that Legacy had destroyed all of their records.

Mr Brady—That is correct.

Senator McLUCAS—Do you know how that happened?

Mr Brady—Their answer to me was to protect the—I was going to say the innocent—the children who were a part of the system; they wanted to protect their identities. But what I wonder about is how is Legacy ever going to perform in the future if it does not have a background history of how they did things in the past? That has really got me. I think to a certain extent there was the qualification of dealing only with what they regard as normal children and that subnormal children were a bit of an embarrassment all round, actually. Then again, if one looks as it, it is rather illogical too because, if Legacy did not have a professional backup provided by the government, they probably could not handle subnormal children or troubled children. So they probably took a practical approach to the whole thing; unfortunately they put it in writing, which I think is the embarrassment of it all.

Senator MOORE—In your submission you talk about a social empowerment program. You actually recommend that there be some form of social empowerment program.

Mr Brady—The government has to, even now.

Senator MOORE—What do you mean by that?

Mr Brady—We need to be made to feel that we are full citizens. There has to be something that really says: you orphans are as good as everyone else; get out there. I think it is the same thing that has been done with the Aboriginal movement, what has been done to a great extent with the women’s movement. The same thing has to be done for orphans. Also, there needs to be recognition by the community. They understand Anzac but they do not understand that there are children who resulted from those parents who died; it is just not known. It is not only war orphans. The same thing happened right across the board.

But I think, if we did a study of the situation after the Second World War, we would probably discover that a high proportion of those orphans, because there was a boom orphan population after the Second World War, were what were regarded at the time as illegitimate children and were not protected and therefore did not come under the repatriation budget because of that. My best friend who went through the orphanage with me, he is illegitimate. He never got any acknowledgment or so forth because it is a hidden situation. Both Legacy and RSL do not want to take it on. It is the sort of thing that you do not touch; you walk away from it.

I would say that a high proportion of children who went through the orphanage system would probably need to be acknowledged and Anzac Day should be an important day for them to, not a

day that you are alienated from. I have never attended an Anzac Day in my life, and neither has my sister. We have never been invited; we have never been asked—neither have any of the others. No-one ever came to the orphanage and said, ‘Get in the bus; we’ll put you in the front of the march.’ I asked RSL why and they said they never thought of it. So probably it is easy to deal with the dead because they are a bureaucratic number; it is easy to deal with them. But when you have to deal with live people it is better to put it to one side.

Senator MURRAY—Whilst this is in my head, I want to ask you, Mr Chairman, if you could ask the secretary to explore this area a little more with the repatriation and veterans’ affairs people.

CHAIR—I think we actually did look into it at one stage, but there is still a bit more work to do. We were aware that there was a number but we were not aware of what number. I think it might have been because it sounds like they got farmed out to the state institutions.

Mr Brady—That is interesting. The religious organisations did not have to report to the state with regard to the numbers of repatriation children. They only reported to the repatriation department. I was always referred to as the repat boy; my sister was referred to as the repat girl. This is until we were 13. Then we were referred to as the Legacy boy and the Legacy girl.

CHAIR—We are continuing to investigate it.

Senator MURRAY—I put it that way because, as in life, every time you think you know something you discover there is one more thing you do not know. I was not aware of the particular division that you have outlined in your oral submission, which is also in your written submission. As you have been doing research on this—and we are pretty ignorant in this field—have you any idea how many orphans came out of the Second World War?

Mr Brady—It is so difficult. It really requires a professional investigation, and it can only be done at government level. The cards are being held from you. You not know what aces are in the pack. Having spent 40 years hiding everything, I am now making a break and trying to recover a lot of friends who went through the orphanage system. Does your question refer specifically to war orphans?

Senator MURRAY—Yes, war orphans.

Mr Brady—It is again a question of knowing who were legitimate and who were illegitimate, but they were really both war orphans. My best friend, who went through Assumption College Kilmore, was regarded as a legitimate war orphan.

Senator MURRAY—I understand that point. My next question, in terms of your research, is have you been told why these records have been destroyed?

Mr Brady—By which bodies: Legacy?

Senator MURRAY—Go through the various bodies. You referred to a government department and to two private organisations.

Mr Brady—Yes. I have been advised by the Department of Veterans' Affairs that the administration files on my sister and I were destroyed the moment I made my first inquiries.

Senator MURRAY—Can I stop you there? The Commonwealth has very precise rules about what can and cannot be done with records, which tie in with the archival rules as well. Do you have anything in writing which says that it destroyed your files?

Mr Brady—I was advised by the person who handed over all the medical files—the 600-odd pages—that this is all there was and that the administration files, the decision-making files of why we were moved from orphan homes and why trustees were removed, reappointed or not appointed were destroyed. He felt that they were destroyed the moment I first started making inquiries, but prior to my filling in the form requesting the files.

Senator MURRAY—When was that?

Mr Brady—That was 1999.

Senator MURRAY—Would you mind if the committee wrote to the department and, using your name, asked whether your files have been destroyed and why, just so we can see what they are doing? Would you mind that?

Mr Brady—No, I do not mind that. Having worked in the Public Service, I am sure that government departments keep an inventory of all files when they are destroyed. What I want to see is a copy of the inventory, which should state what date those files were destroyed on. I would be very happy if you would include that as one of your questions.

Senator MURRAY—Yes. Our purpose would be to discover whether the Commonwealth rules about the retention of records have been breached in your case. Now take me through the other two organisations, which are private—Legacy and RSL. Tell me what they told you and when they told it to you.

Mr Brady—Legacy has advised me that all files were destroyed—and I also know this from other children in my own situation—to protect the identities of, I was going to say 'the innocent', the children who have gone through the system, which I find rather extraordinary.

Senator MURRAY—Do you believe that to be true? Do you think they have hidden them somewhere and have just not told you?

Mr Brady—I really do not know.

Senator MURRAY—And what about the RSL?

Mr Brady—The RSL were basically a social welfare group. I really cannot give an answer on that. All they have said to me is that my files are not available. I have not traced that any further, because they would have been only responsible to the point of dealing with my mother before her death. I did not follow through on that. I also followed through on the Catholic Family Welfare Bureau and the Archbishop of Melbourne, requiring my files, because they were appointed as trustee under the repatriation act for such a long period of time. They have said that

the files are no longer with them. I have also been advised privately from within the Catholic welfare department that they do not know whether the files have been destroyed or are still in existence. Those are the files on all of us; not only on me.

Senator MURRAY—I made the remark that we know a fair bit about this, because, as Senator Knowles outlined, we have been through a previous inquiry, and this one, where records have been right at the forefront of people's minds. I don't know about my colleagues, but this is the first time that I personally have come across the Veterans' Affairs link.

Mr Brady—I do not know of any other soldiers' children who are making attempts to find their files. Another point I would like to make is that, when I first started making inquiries, suddenly the soldier management agency sent me a letter telling me that my father's war medals were available for me to pick up—at 55 years old. I wonder how many other children have gone through the orphanage system and have not known that their fathers' or their parents' medals are waiting for them.

Senator MURRAY—Do you think there should be some sort of tracing mechanism?

Mr Brady—There has to be. Those children could have felt proud of their parents if they had had those medals.

Senator MURRAY—The easiest way for anyone to trace anybody in this country is through their tax file number. I can only ask you—I cannot ask all the people out there—if you, for instance, were traced by Vet Affairs through your tax file number to tell you that they had some medals, would you personally object to that? Would you think that was a breach of privacy?

Mr Brady—No, I would not. I would say no now, but 15 years ago, when I was probably hiding the fact that I was an orphan, because of my career within companies, I probably would have been embarrassed by it happening, I imagine. Now it would not embarrass me.

Senator MURRAY—So, whatever we recommend, your answer is that we ought to be very careful as to how we trace people?

Mr Brady—Yes, because some people may not even have told their wives.

CHAIR—Thank you very much, Mr Brady.

[2.23 p.m.]

ALLEN, Mr William James (Private capacity)

CHAIR—Welcome. You are appearing today in a private capacity, and your comments will be on the public record. The committee prefers that evidence be heard public, but the evidence may also be taken in camera if you consider such evidence to be of a confidential nature. I understand that you have received information on parliamentary privilege and the protection of witnesses and evidence. The committee has before it your submission. I now invite you to make an opening presentation, to be followed by questions from the committee.

Mr Allen—First of all I would like to personally thank the people who have made this Senate inquiry possible. I would also like to acknowledge all the victims of physical and sexual abuse who are unable to attend this hearing today. I know that their thoughts and best wishes are with me today as I give evidence of past wrongdoings committed against children by people in positions of power and trust. I am here today to answer any questions the committee may have. I attended the Neerkol orphanage just outside Rockhampton in the early 1970s—1973 to 1974. I was then transferred to a government run facility in Brisbane, and I was there from 1974 to 1976. That facility is now called the Sir Leslie Wilson Youth Detention Centre, but back in the seventies they called it the Sir Leslie Wilson Youth Hospital. From 1976 to 1978 I was placed in the St George's Orphanage at Parkhurst in Central Queensland.

During the time spent in these orphanages and government-run facilities, I was denied a basic education and my childhood innocence was stolen from me. The reason I say it was stolen is because of the beatings, the mental and physical abuse and the torture that I endured in these places that robbed me of any feelings of comfort, safety and security. Belongingness and love are things that every child born into this world has the right to experience. Not only was my innocence taken from me at such an early time in my life but it was also brutally absent from the lives of my fellow residents for whom home were these government-run facilities and orphanages.

Today I would like to make reference to the fact that the government has not fulfilled its obligations set down by the Forde inquiry to uphold the rights of victims—to reveal truths and to gain some form of legitimate justice for those who have been wronged. It has not happened. I find this appalling. It would seem that our government, under the leadership of Premier Peter Beattie, has protected the rights of people responsible for committing heinous crimes and atrocities against innocent victims—helpless children at the centre of this entire bureaucratic mess, who were supposed to be and entitled to be cared for and protected by a government organisation. 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.

This fact is entirely reminiscent of the situation that currently exists where those people responsible for crimes against children in institutional care and orphanages continue to hold senior positions within government-run facilities and within governmental organisations. I can name names if required. I feel that if the statute of limitations were to be lifted and the victims

were by choice able to take their cases to court in a worthy attempt to receive proper justice and recognition, and I am not just talking about monetary justice but a formal apology, then perhaps in my heart I could believe that our Premier was acting in the best interests of the victims, finally recognising us as human beings and not just as numbers—just out of curiosity, my number was 116—or as some kind of thorn in his side calling for misplaced attention and demanding a change in policy. We the victims have legitimate cases. We have been wronged in the very worst way and, to make it even worse, we were wronged as children. We are asking that these facts be given great consideration during this inquiry. These terrible things happened to children, innocent by their very definition, who so largely put their trust in adults. While our current government hides behind the statute of limitations, we the victims are unable to seek any real form of justice through the legal system.

I would just like to point out that in Queensland we have protected species. It seems to me that in Queensland a protected species is a person who works for the government or works for the church. These protected species can drug, molest, rape, torture and beat kids into submission, and the Queensland government protects them. It is my belief that the Queensland government, especially the Beattie government, are a bunch of torturers, paedophile protectors and child beaters. In the end, the Queensland government are just a pack of mongrel cowards who protect evil and dishonesty and hide behind the statute of limitations.

I was a ward of the state for nearly 10 years. By the time I was 15, I had to fend for myself. For three years, I had no assistance for food, clothing or shelter. Mind you, when I was 18 the government gave me a letter to say that they were not my legal guardians anymore. Also, I would like to point out that Sir Llew Edwards was an MLA of parliament. He represented the Ipswich area, and he was Deputy Premier of Queensland in 1974. He was the Minister for Health. He now sits on the board of the Forde inquiry, and I find that to be a personal insult and an insult to all of the other victims as well.

To conclude, while our government hides behind the statute of limitations, we—the victims—are unable to seek any real form of justice through the legal system. I am a survivor of cruelty, brutality, molestation and medical experimentation, and I find it extremely difficult to accept that I cannot receive justice in the world in which we live. I cannot move forward with my life; my life is on hold through no choice of my own, and yet the government, led by the Premier, can very quickly start a CMC inquiry over an \$8 or \$10 bottle of wine.

Finally, I genuinely hope that the Australian Senate are not a group of grandstanders—influenced only by the media and what can be gained for themselves. The Queensland government has let us, the victims, and society down in the past. During the Forde inquiry, they promised the earth and said they would deliver justice. But there was no justice awarded, and our pain did not subside or simply go away. I hold faith that the Australian Senate will be full of guts and honesty and will be steadfast in working towards the truth. Only time will tell if the Senate is made up of the kind of individuals this country has been built on since the First World War put us on the map: decent, honest, proud human beings who care about their fellow Australians and want the best outcomes for those who have suffered and still suffer today.

CHAIR—Thank you very much, Mr Allen. Are there questions from the committee?

Senator KNOWLES—Mr Allen, would you care to explain to the committee, when you talk about your life now being on hold, what you really mean?

Mr Allen—From childhood to now, it is on hold because of things that have been promised and said through the media, through politicians and stuff like that. I have gained through inner peace for myself, but the last bit I am waiting for, so that it is all over, is the government. I have made peace with the Catholic Church and the Church of England—that is a bit of a ding-dong battle, but they will see sense eventually, when they get embarrassed and shamed out. The government is the last bit because they were, in reality, my parent, guardian or whichever way you call it, and they were responsible for the atrocities that they did to me and to other victims. Some children did not make it to adulthood but committed suicide, and even some of the ones who did make it to adulthood maimed themselves with self-inflictions or committed suicide. When you hear of one of those people, it hurts you dearly, but once this stuff is over and done with, then it is over. Then you never have to come back and have any more inquiries or royal commissions or anything; it is done. Everyone should just get it over and done with and let people live their lives so they can contribute better to society instead of going off the rails here and there. At the moment, it is on temporary pause. I do not want to see this stuff over in 10 years. It should have been finished four years ago, when the Forde inquiry came out—two years after that. If you fellows are fair dinkum, it should be over and done with in about two or three years. That is what I believe, anyway.

Senator MURRAY—Mr Allen, earlier you would have heard us remarking that the numbers from institutions are very high, but the numbers that have come forward in submissions, and even the numbers in this room, are lower. We know why people keep themselves away and we know something of why they are not appearing in droves—

Mr Allen—That is easily explained.

Senator MURRAY—There are three steps: recommendations, then the government accepts them and then programs. If the committee makes recommendations which the government accepts and then there are programs, how do you think we can reach all those people who have similar experiences and similar pains to yours but have not come forward to us—those who are out there but are difficult to reach?

Mr Allen—That is pretty easy. It is the survivors who stand up for the victims. The victims are still ashamed and embarrassed about what happened to them, and it is the survivors or community based organisations who stand up for them. Usually the community based organisations find out before we do, and then there are the meetings or whatever and you bump into people. It is just like a big grapevine. From here, I can get to people from here to Cairns via a phone call.

Senator MURRAY—One of the reasons I ask you this question is that, in many circumstances, witnesses tell us that, having left the orphanage or the institution, they have never contacted or had any relationship with anybody from that orphanage or institution. That was a bit of their life that they wanted to get away from. Consequently, when we ask them whether there is a network or support group from, for instance, their Salvo home, the answer is no. Are you telling me that you think there is a network out there?

Mr Allen—I would not use the word ‘network’; I would use the word ‘family’. You have to realise that when you have kids who have all been put in a place, it does not matter whether they are black or white or yellow, that is their family. They eat the same food, they sleep in the same dormitory, they wash in the same showers and they get the same beatings. Some kids are more fortunate than others. I consider myself more fortunate than some of the victims, because I was not sexually assaulted—but I was molested. I consider myself very lucky—even though there is a fine line between being molested, sexually assaulted, raped or sodomised.

For some of the victims it is like a normal family and they have a bonding. And, when they leave that home, they keep in touch. It could be from here to Mackay to Cairns. One person knows the other and one might come down to Brisbane and ask whether you saw so and so. You bump into people. Then you have another group of victims. They are ashamed that they were in the orphanage, so they never say anything. If you see them in public, they deny that they were in the orphanage, because they are so embarrassed. That is the way it is.

Senator MURRAY—How do you reach those people?

Mr Allen—You can’t, because they do not want to know. They do not want to be recognised as being a ‘shame job’ or shameful.

Senator MURRAY—One of the things that we would seek to do is recommend programs to government which would relieve pain and suffering—mental health problems, relationship problems or whatever the issue is. It is not that minority which is prepared to come forward and be helped; it is the big majority you want to get to. One of the many suggestions that have been put to us was that these sorts of programs should be, not advertised, but pushed through doctors and doctors’ surgeries. The feeling was that, if there is one place that people do go and tell people things in confidence, it is the doctor’s surgery. Is that a sensible suggestion?

Mr Allen—It is to an extent. You can use a doctor’s surgery, you can use pastoral care through the church or you can use community based organisations. You can even take an ad out in the paper if you wanted.

Senator MURRAY—How did you hear about this?

Mr Allen—Just here and there through people.

Senator MURRAY—Not through an advertisement?

Mr Allen—No. As I said, one person knows something and they will ring up someone and it just gets around. Going back to the people who do not want to be noticed, they end up having good scholastic skills. Some of them actually think that they are better than others. Those people do not want to know these people because they think their pasts will be brought back and they will be shamed out. So you really do not worry about those people, because they think they are better than other people. In reality, though, they were all sitting at the same table eating the same food. No-one is better than anyone else, even if that mob there has a good education and this mob here has none.

ACTING CHAIR (Senator Knowles)—Thank you very much, Mr Allen.

[2.41 p.m.]

BATEMAN, Mrs Rosemary Irene (Private capacity)

CHAIR—Welcome. You are appearing today in a private capacity and your comments will be on the public record. The committee prefers evidence to be heard in public, but evidence may also be taken in camera if you consider such evidence to be of a confidential nature. I understand that you have received information on parliamentary privilege and the protection of witnesses and evidence. The committee has before it your submission. I now invite you to make an opening presentation, to be followed by questions from the committee.

Mrs Bateman—Thank you, everyone, for being here today. I was a much loved and awaited child, born to a family that had their own experience of bigotry forced on them during the World War II years. My parents worked their farm and built a house. I remember the picnics under the she-oaks—before the burn-off season—which stopped at the creek. I remember the hut my father built. At first my mother took me to town and I ate an ice-block. Mostly I waited for my father to come home. He smelt of tobacco and musk Lifesavers. I sat at the gatepost near the pineapple store. My mother was ill and she could not eat. It was a bad year on the farm. My mother got worse. She had kidney disease. They separated and my father went to Brisbane for work.

At some point I was taken by my father's parents. After a short time I was taken to WR Black. I ran after my grandparents' car. I was terrified. That terror is still with me now. I tremble, I shake, I cry. I experience more terrors: pushed off the slippery dip on my first day at the home, leading to injury; force fed weevil porridge, tripe, liver, castor oil, Epsom salts and cod liver oil; standing with arms out for ages; being bitten by the matron; being pushed over at school.

I was not a state ward then. My father paid for my board until he could not work. One of the times he took me out he told me my mother had died. I sat on the floor and he told me. I always cried when he left me. I always asked him, 'When can I leave and not go back to WR Black?' I did not understand school and I did not learn anything, except it was just as terrifying as WR Black. I got very sick and coughed a lot for a long time. Now when I get a bit stressed, I cough a lot. I also have some breathing issues. I still have pain in my back from the fall. There were nightmares and bed-wetting at WR Black. There is not much that I do remember and I do not remember—I blotted a lot of it out.

My father knew something. He always checked me and he asked me about my treatment—so did my grandmother. One day he told me that I did not have to go back and he drove me home to Toorbul. I was scared to go into my mother's room. I would have nightmares. Every night I slept in my parent's room. I did not understand school. I tried so hard to read. My father helped me. Grade 1 again! Then grade 2.

My father had so much grief. He had money problems. There was never enough of it. Governments are always unrealistic when determining families' requirements. A man from the government came to visit my father. He asked questions about things, and my father spoke of

money. They never helped us. Our washing tub was stolen, but the police did not help or do anything either.

My father's parents and brother came one day and killed the dog and took me away. Then my father went to the hospital. He was in handcuffs. He wanted to leave ward 16. I stayed with his parents and I went to school. I was 8½ and I was in grade 3. I still could not read words. One day I was hit by a car and my nanna took me to the hospital. The doctors did nothing. I still have that pain today. It is called sciatica, I believe.

A man came to see my father's parents, and I went to Harrison. I had visited Nicklin to see a friend. At Harrison I said, 'This is a concentration camp. You think I am crazy.' After this I was sent to the hospital for an EEG. Please cross-reference this with my father's files, if you have that opportunity. Mrs Gollan also states that I was a difficult child. No-one accepted me at the new home. I was shunned because my father visited, my grandparents lived in a house and dressed well, although they did not go to church—and I suffered religious bigotry.

I suffered much pain when my father visited. In the hospital I had seen him stamping and dribbling from the effects of drugs and electric shocks. He visited me when he could, between strokes and shock treatment. But the other children had no-one, so they would say he was an alcoholic et cetera and otherwise ostracised me. I spoke to no-one and I cried a lot. I was sexually abused by other inmates every day. One day a staff person threw a Scholl sandal at me. She was having a nervous breakdown herself.

Then I went to Nicklin. I was raped. I was gang raped. I overdosed. I left school in grade 9 on or about 24 July. I had had an interview at Macken East and started work. My new housemother and social worker wanted me to pay \$15.50 for board out of the \$17 I earned each week. I could not even buy a train ticket to get to work. They did reduce it, but I never could save that dollar. Just as well—they would have stolen it, from what I understand today. One day I did not go home straight after work. It was all just too much. I was so tired and dispirited because I never had lunch or breakfast. For months I was too scared to ask for any—I just did not know how to.

I had no money. I snuck in late and I got in trouble. It was the first day that Mrs Stokes was housemother at Nicklin. Irene Hall, the one she had replaced, had left. When Irene Hall was there, I would get up before breakfast and cook the porridge for the children. She was abusive to many of those children. On the day that I snuck in late, Mrs Stokes grabbed me by the hair and tried to pull me off the bed. In the struggle, I grabbed her hair. I had previously requested Ms Gregory, the social worker, to find another placement. She had said, 'Give it another go.' As a result of the incident with Stokes, she said that I would be charged with assault and I could not go to work. I asked Mr Stokes what to do. He said that I would be allowed to go to work. All the same, except when I was at work, I was confined to my bed every day until the social worker could take me away. I was frightened of losing my job. I knew that this job was my way out.

At my new placement, Mrs Squires had a pet lodger with whom I became friendly and then I was told to leave. The social worker took me to a place in Brunswick Street, where I had to learn to cook my own food. I visited Bindari Lodge to see some of the girls there and, after a while, I stayed with Mrs Gollan briefly.

I had many experiences over this time. Two of the defining ones were after my fiancé and I were refused permission to marry. He was killed on 19 February 1974. I had no-one and nowhere to go. So I stayed at Bindari until March. Mrs Gollan ended up telling me to leave. She cast out evil spirits and then she told me to leave. At Bindari, Mrs Gollan's niece, who prayed a lot, told me that if I did not come to God all my future husbands would be killed. Today I still live in terror of my family being killed. Just before I left, a package arrived for me. Mrs Gollan had refused to give it to me. It contained photos of my fiancé and his family. They had wanted me to have them back.

Not long after this I attempted suicide. I saw someone at the RBH who was my father; he did not know me in 1974. In November 1973, he had given my fiancé and me his blessing and he hoped that we would have children soon. Sometime later I get pregnant, as a grief reaction, and I found out about an abortion. I could not afford a rental house, so I lived with friends. I was no longer a state ward. On 25 July 1974, I was made redundant and my father died. I helped to arrange his funeral and then I had an abortion. I was put on the NEAT scheme, through Ms Godkin, but I was refused work because I was going to marry my present husband. I was told I would get my file; I never got a letter. My fiancé at that point—not my present husband—and I were to marry on my 18th birthday, when I would no longer be a state ward. When I was about to marry my present husband, I was coerced by Reverend Dineen to become baptised and to baptise my child in the Church of England. Otherwise, he would not marry us.

What is needed? I hope this inquiry's findings lead to a royal commission so that real change can occur. We need to bring about a paradigm shift in the way the state treats those in most need of support, instead of creating more need, more have-nots and more fear. If we are to have respect for each individual, we need to respect those in most need: ourselves. If this is not attended to in a very real way, we are just delinquent and irresponsible, pretending to care when we do no such thing. To bring about change is our highest good—change for families, in mums and dads, in our children, in education, in health, in the workplace and in aged care. Intergenerational changes must occur in seeking this shift so as to relieve suffering in the most needy areas.

Many of us were in care due to poverty, health, employment, war, refugee status et cetera. Telling us to seek legal options is a hoax and an insult in anyone's language. It increases the isolation of victims and is seen as a legal government tool of suppression. This future abuse by church and government institutions is why so many people cannot come forward or accept assistance, and become antisocial or violent or just go away and die. Certainly this is why many have found addiction or prison such a comfort in their extreme rage, fear and then rage again.

All this information is well documented, and research is available. For example, Wisconsin University doctors—and probably doctors in Australia—know that, to begin the process of healing, one must make the connection between abuse and health issues. This is not new information. Complementary health is just that: helping clients through counselling, and a choice of modalities to allow the healing of wounds—physical, emotional, mental and spiritual—and to educate instead of rehashing abuse verbally only or taking a pill and expecting abuse to fade away in another kind of haze like that from drugs both legal and illegal.

A recurring theme in ex-residents' stories is the alleged—and I mean 'alleged'—mental illness of their parents; illness that more often than not was simply due to poverty. My brother was

diagnosed with schizophrenia and was utterly without support or anyone to be accountable. At the age of 10 he was caring for me as a baby when my mother was ill, changing and feeding me. He was already working at the age of 14. When I was first taken into care, my father's illness worsened because of his institutionalisation. The brutal shock treatment did not prevent him from visiting me, but in the end the system won and he was destroyed. There are many people whose bitter anger is not confined to the memories of their own experience in care but comes from the brutality with which their parents were summarily removed to be institutionalised themselves when alleviation of poverty would have been the obvious and appropriate therapy.

What is also needed? Compensation, remuneration, ex gratia payments, and access to a choice of health options—not to have health options dictated by Forde, for example \$500 for dental work. I have paid \$300 for root canal for one tooth. Over time, I have paid hundreds of dollars each for several extractions. The \$500 goes back into free dental health care recipients, but we get to pay twice or more, plus tax for Medicare. Thanks for what? Also needed are automatic pensions for those who are unable to work, who are TPI.

Speaking of work, many of us worked towards the Forde inquiry and this inquiry, for example, performing informal counselling roles. The TPI factor prevents us from working at regular jobs, but the informal work that we have been doing could be the one thing we could do. Others of us put in incredible amounts of time at weekends helping each other. Attending network meetings is another way we contribute to this public community service along with service providers and each other.

Those of us with family, especially children and teenagers, face special trials. Often we try harder because of what we lacked in our childhood and teenage years. This takes a toll on relationships and often we end up single mums or dads—an even greater burden. I believe Mr and Ms Blayse had a support group back in the early nineties. I believe you have their submissions. Ms Blayse is a tutor, and her services have been refused by the present Forde system. Why is it that we cannot run our own group? Why is it that the groups that have been functioning have always been refused funding?

Education is a crucial issue for many of us. On many occasions I have been refused funding for the courses of my choice. It is important for this inquiry to hear that the ex-residents know what type of educational experience they need. There has been a prescriptive approach by funding bodies due to a lack of funding—an approach that says, as many have said in the past, 'We know what is best for you.' In this case, I beg to differ.

TAFE and, for that matter, ordinary teachers are too scary for me. On the other hand, I have found several educational establishments that suited my needs. I have their prospectuses with me here today. Many of these courses have direct benefit for post-trauma victims. The teachers did not make me feel intimidated. They acknowledged that because of my experience they could learn something from me. In gaining the education we were denied, we need people who have lived the issues: tutors like Ms Blayse—people who understand us. Understanding teaching has not been my experience, nor have my four children found this to be the case. Rather we have experienced rigid conformity suitable for a militarised work force, bells, assignments and so on. We wonder why children are suicidal—ha!—use drugs or alcohol, burn down schools or are otherwise violent. Many of us cannot cope with that system, and nor could most adults today.

In my daughter's senior years, her English teacher told her she would always be a C student. Her maths teacher told her the math problems she was solving were ones that she had not learnt until the fourth year of uni. Now this girl has a diploma in child care, has risen to middle management, has two children and is about to start running day care.

The course of study I began in 1989 was TCM—traditional Chinese massage and medicine. I became ill before and during that time, and my children required all my resources. After two major operations I commenced aromatherapy for my health. Now, because I have not received the support I needed, I may not be able to complete the diploma. I need support also because of my health. I have physical problems left over—as many of us do—from accidents in my childhood. I have sciatica, for instance. The RBH gave me anti-inflammatory drugs. I was under chiropractic care for six years; I had acupuncture for many years. Now I cannot get to the doctors for treatment—which is bulk-billed. My husband has high blood pressure. He starts work at 4 a.m. and finishes late, so he cannot take me to the doctor.

I tried doing a correspondence course in 1982. I requested books et cetera as I was a state ward. I was refused any assistance. Why should my husband have to pay for my education? HECS does not cover the course I am doing. I have paid for certain courses—workplace training and assessment and introductory aromatherapy—and I have paid for symposia. ARC and Forde have generously funded the aromatherapy training programs and an effective communication course and perhaps a couple more that I have not mentioned and some books. I asked a Centrelink officer about the possibility of doing a training program I wanted to do. She told me that I was not approved as it was not available for people on PES. She lied. I spoke to her constantly about the course over a 12-month period. I planned to get PES so I could pay for another unit or more. The officer got away with denying that we had spoken—she lied completely. No written records were kept, so it did not happen. Nothing was there. I knew, I know and I feel that I was victimised—again. I cannot comprehend learning concepts, except at home, and then only sometimes. I would like to use my computer more, but I may not be able to remember how to use what I learn, due to stress. Travel makes things worse. The person I am keeps changing and I sometimes repeat a conversation.

In conclusion, we do not need to prove we were abused. I live more than one life, hoping that one day I can be free of my fears. There are too many unresolved issues and they keep creeping up. When I least expect it or when I am asleep, there they are—the fight or flight reaction takes me to edge of the abyss sometimes. I return, but each time part of me changes, and not always for the best. We may get angrier and use this to make changes, both healthy and not healthy—sometimes, I do not know the difference. Each flight and each fight opens Pandora's box again. What is this thing you call grief? What is this thing you call self-esteem? What is this thing you call love? What is this thing you call self? Abuse is always easier to define than it is to detect. The abuse I have endured I have branded the final authority of violence. It has clinically robbed me of a more healthy life.

CHAIR—Thank you for that very thorough submission. It adds a lot more to the documents we have got here. You have covered a lot. Thank you very much.

[3.03 p.m.]

JOHNSTON, Mrs Hetty Margarette, Founder and Spokesperson, Bravehearts Inc.

CHAIR—Welcome. Information on parliamentary privilege and the protection of witnesses and evidence has been provided to you. The committee prefers evidence to be heard in public, but evidence may also be taken in camera if you consider such evidence to be of a confidential nature. The committee has before it your submission. I now invite you to make an opening presentation, which will be followed by questions from the committee.

Mrs Johnston—First of all, thank you for the opportunity to speak to the written submission provided by Bravehearts, which is a child protection group. The submission was provided late, and may not have even been provided at all. It was with deep disappointment that we submitted it, because the terms of reference were not broad enough to allow for more children who have suffered to be encapsulated in what is a really important process here. I began my submission that way and I would like to open my statement that way.

Over the five years of Bravehearts' technical existence we have seen thousands of people. I am fortunate enough to say that I had a lovely childhood. I did not have to endure what I have to hear of every day. These are children who came through the Forde inquiry—people whose lives have been totally destroyed.

Then we have the boarders that attended St Pauls, Brisbane Grammar and Toowoomba Preparatory School. Technically this inquiry does cover that, in my view. These children too were away from their parents. They were with an organisation, an institution, which had a duty of care, which was licensed by the government to provide care and protection to those people, and they were betrayed in the same way as children who were living in orphanages were betrayed. Fortunately for them, most had wonderful homes to turn to when the worst happened, unlike the people that lived in children's homes. More recently there was the very brave young Indigenous lady who came forward with her stories of horror and hell in the foster care system in this state. I wonder why we have to drip-feed this information to the public and why this government and any other government, before or after, will not have a royal commission.

We reiterate our belief that the only way to get to the bottom of all of this, to put the facts on the table, is to have a royal commission. The only way that governments will respond is when the public are aware of the facts. Once the public become aware of the breadth of this problem across this nation, once the public become aware in the same way as they became aware of the foster care stuff, the public demand will be such that governments of any flavour will not be able to run and hide. That is what we aim for. I will continue to press for that until the day I die. We will have a royal commission in this country.

I think predominantly the reason is to articulate the problem. We cannot even agree across states what the definition of child abuse is, let alone begin to address it. We hope that this Senate committee does make that a recommendation in the document at the end of the day, that collectively you will have heard enough horror in these hearings to understand that that is the only way we are going to ever stop it. I do not know that I want to say a lot more at the

beginning. I think the incidence of child sexual assault and child abuse and neglect has been documented across this country. In the last two years in the United States, 700 priests have been removed from the Catholic Church. These were the same organisations, institutions, that ran children's orphanages. They still run boarding schools and hope to have more male teachers under their control.

I would suggest that, before we proceed further down any path like that, we ensure that children are safe, that the environments children are in are safe, that they are aware of their rights and that somebody is making sure that their rights are being protected. Sadly, that is not a position that we are in today. There is no statute of limitations on people's pain. Statute of limitations law in this state and across the country is an absolute farce. It is ducking and weaving by governments of their collective responsibilities. I believe that the institution of the parliament of Australia has a duty of care to all Australian children and, together with the states, they have betrayed that duty of care. It is time it changed.

Senator KNOWLES—I have become a little perplexed, I suppose, with this constant call for a royal commission; not because I do not believe what is being said but because I find it amazing, particularly coming from someone such as you, that you would actually want to delay action further and you would want to throw more money at it—and we are talking about big bucks for a royal commission—that could better be spent on delivering services to those who are affected. I am most concerned that, throughout this inquiry and the previous inquiry, we have real people here calling out for help and yet we still have people saying, 'Let's delay it; let's delay it; let's have a royal commission; let's throw big money at it,' and we are not actually getting to the problem.

Mrs Johnston—I am not saying 'delay it' at all.

Senator KNOWLES—A royal commission would delay it, let's face it.

Mrs Johnston—Why would it delay it? It should not be a 'or' situation. It is not: let's have a royal commission or let's fund these people who need help; it is both. I do not understand the position of government that says we do not want one. Is it because if we finally know the truth we might actually have to put some money behind it and fix it? You asked the question so permit me to respond—no-one is calling for a delay, and you say that, while these Senate committees are really important to the process, at the end of the day they are not going to change your mind, obviously. We have already had two and you are still sitting there saying we do not need a royal commission. So the only thing—this is a trilogy, isn't it?

Senator KNOWLES—Just calm down.

Mrs Johnston—This is the third inquiry of a trilogy; is that correct?

Senator KNOWLES—We do not need accusations. Just calm down.

Mrs Johnston—It is not an accusation. You have just said that you do not believe we need a royal commission.

Senator KNOWLES—I did not say that at all.

Mrs Johnston—You cannot understand why; it is perplexing for you. Why do people keep calling for a royal commission—that is what you have just said, and I am saying to you: because parliamentarians sit and listen to this, as they have in the last two inquiries of this trilogy, all horrendous, all necessary, and nothing has changed. Nothing has changed, Senator Knowles. That is why we call for a royal commission.

Senator KNOWLES—Mrs Johnston, you do not believe any royal commission would delay any outcomes. Is that what you are saying to me? You do not think that it would take time for a royal commission to be established, to have hearings and to come to recommendations? Is that what you are saying to me?

Mrs Johnston—No, I am not saying that. I understand that royal commissions take time, but it would be your choice and the government of the day's choice as to whether that meant that people suffering had to wait until it was finished. If a government had the right kind of conscience you would be providing services now for these people, not waiting for a royal commission or for the end of this inquiry or for the next one or the next one. I think there is enough evidence on the table from around this country, institutions and otherwise, inside churches, inside schools, inside family homes. Every 15 minutes in this country six children are notified to authorities for abuse and neglect, potentially sexual abuse as well. Every 15 minutes one is substantiated. It is not rhetoric. It sounds like soap box stuff but at the end of the day children are the future. When you have every 15 minutes substantiation of abuse and neglect against them it is important to me and I think that is just an absolute tragedy. If you put that across the population and statistics, you are talking one in 25 children in notification across this country. If that is not the most pressing political issue to face this country today then I am sorry, I do not know what is.

Senator KNOWLES—That is why we are sitting here.

Mrs Johnston—I think it is great that you are sitting here; I am not having a go. I think this committee is important. I am using this opportunity as my right and I have been invited here and in my submission I told you what I would be talking about.

Senator McLUCAS—I would like to talk about two matters. You talk about mandatory reporting and you are strongly supporting the introduction of full mandatory reporting. That is an issue that I have been troubling with in my mind. When we were in Western Australia there was a very strong request to the committee from, I think, community organisations saying, 'Please don't bring in mandatory reporting.' Their statistics say that when you bring in mandatory reporting a lot of time is spent going through the process by departments—in our case what used to be family services—because mandatory reporting then requires that any notion of an abusive or neglectful situation has to be reported. Whilst the reporting rate goes up, the actual identification of real neglect and abuse remains the same. You have thought that through?

Mrs Johnston—Yes, and you are right.

Senator McLUCAS—Can you tell me why you think you still support mandatory reporting?

Mrs Johnston—If there were the resources to deal with the allegations when it came through you would not be having that fallout. The only reason the mandatory reporting does not work is

because there are no resources on the ground because governments do not provide them collectively across the country to deal with the matter properly. While some disagree, a lot agree strongly with what we do as well, because it seems to be the only way to get people to do the right thing really. At the end of the day, sadly, unless people are mandated quite often they just do not report, and when you do not report a whole child's life, a whole person's life, is being destroyed because of some personal little issue that you might have. I just think it is sad. If it is all about the best interests of the child, let us do that. Let us say, 'Should we report in the best interests of the child: yes or no;' there should not be another consideration. That should be the first one. That is why we are supporting it.

Senator McLUCAS—You also call for national leadership in the area of child protection if required. Tell me how does the Commonwealth involve itself in child protection matters? How do you want that to occur?

Mrs Johnston—What I was saying there is that at the moment child protection is a state responsibility. While the Commonwealth has some input, basically it is a state responsibility. While that remains the case, each state has its own definition of abuse. Each state has its own way of handling reports. Each state has different ages of consent, different everything. So it just makes even collectively statistically collecting the data impossible. I believe state governments are goodbye any way and we should just have the federal, but that is another—

Senator McLUCAS—It is a different matter.

Mrs Johnston—That is for another Senate committee hearing.

Senator McLUCAS—We will do that later.

Mrs Johnston—So I just think that all Australian children deserve the same protection no matter where they live. In this country today there are children being sexually assaulted, raped and abused, their mothers being brutalised within an inch of their lives. We know it. This is Australia in 2004 and this is happening. So, yes, I think we need federal leadership because the states are not doing it, basically. They have abrogated their responsibilities.

Senator McLUCAS—So is it in policy setting or actually in service delivery that you would see that the Commonwealth would have a role?

Mrs Johnston—Probably policy setting, to have a standard, an Australian standard of what is the UN convention, to enshrine this to say that these are children's rights and states have to enforce them. Personally, as I said, I would like to see service delivery as well as policy but I know that practically that will not work. So I think at least policy direction, in the same way that health is in trouble.

Senator MOORE—Following on from Senator Knowles's point, a number of organisations have actually put as one of their claims a royal commission. What I am trying to work through is why exactly is the royal commission going to be the circuit breaker in your mind. These kinds of inquiries and a number of very brave people going to the media and exposing their own stories have raised awareness and the stats you have quoted are already public knowledge. The horror of the stats is there. We know about abuse. We know where it occurs. Various governments are

trailing different things to try and toughen things up. What exactly do you expect that a royal commission would deliver that cannot be delivered in any other way? Just bring into mind in your answer that we have had royal commissions on a number of key social, political and legal issues and there is argument that they have not caused change; they have caused awareness, they have caused debate but they may or may not have caused change. What is the guts of the argument for the royal commission?

Mrs Johnston—It is like the CMC inquiry here. The victim had to come forward and, sadly, had to tell their truth before the government had to have their commission for inquiry. And the commission for inquiry itself found such tragedy beyond the scope of anything anybody had ever envisaged, even though they had all the facts on the table, and that revelation created a political will. Sadly, it is all about votes at the end of the day, and if we can get the population saying, ‘This is not good enough—fix it, Mr Politician,’ then it will get fixed. But unless we get to that it will not happen. Maybe I am just overly cynical, but that is my experience. For me the royal commission means getting the facts on the table in a credible document that no-one can argue against. When I go around and I quote these statistics which I would like to see refined as part of a royal commission—one in four girls and one in eight boys, or even worse than that, depending on which one you are reading—most people just do not believe it, and I can understand why. They go, ‘It is just bloody some lunatic leftie over here who doesn’t know what she’s on about. That can’t possibly be true.’ I think the statistics are overly alarming, to be honest. I would like to see them broken down, because we are talking there about children being exposed to pornography and children being exposed to flashers, and I think that needs to be further refined.

But while that muddiness, while that greyness is in the area, while we are not clear on it, it is just a tough subject that people want to put it under the carpet. I am saying, ‘Let’s roll the mat up, let’s get the facts, let’s put them on the table and let’s have all governments agree, all sides of politics agree, that this is the problem.’ Sadly, I think you are going to have to put some gruesome facts in it like those you have been hearing, on the public record. Get the media—the media and the vote are what is going to change this at the end of the day. It is going to be the media and the public awareness and people’s pain at the end of the day. I just hope I am wrong but I do not think the political will is there, because you have to spend money and governments would rather spend money that you can see results from in a three-year term than 20 years of a child’s life.

You need bipartisan agreement that this is crucial to the country’s future, and for heaven’s sake, it is. We will support this in a bipartisan way, once we agree on what the problem is, I have my view, Senator Knowles has her view. Let us get it right. Let us collectively agree on what the problem is, and I think the only way to do that is to have a royal commission. We know it is tragic. The problem is huge. We got to know the problem is huge. It is everywhere to see. On child abuse, child pornography is worth a lot of money, might I say at this opportunity, the same as drugs. So it is something that we increasingly have to take a note of at a criminal aspect as well as at a social moralistic aspect. It is an issue that is evolving.

Senator MURRAY—Being me, I agree with both Senator Knowles and you.

CHAIR—That is why you are a Democrat.

Senator MURRAY—That is probably why. There are three things I would like you to react to. The first point is Senator Knowles's point that we know enough to get busy with programs and to attend to lots of the problems.

Mrs Johnston—Yes.

Senator MURRAY—The second point is probably Senator Moore's point, which we have discussed at previous hearings, that we do not know enough to do all the things we should be doing, and I think very much this committee is breaking massive new ground. Some people will tell you that everything is known, but it is not. The research abyss is massive. But the third area of royal commissions is of course that they can address matters which normal statutes cannot. Royal commissions have special powers, and I am a supporter of royal commissions because there are areas where present law and present law enforcement simply do not go. A royal commission can go into the archbishop's files and open them up and have a look at what is in there. The police are not going to do that and they do not do that and this committee cannot. So it is why I say I agree with Senator Knowles, because I am all for action now, but I also sympathise with your viewpoint.

The question that follows on from part of what Senator Knowles was on about and part of what my other two colleagues were on about is: do you think the primary role of a royal commission is information gathering or is in fact establishing who has been covering up crimes and getting the evidence to punish them? You see, if it is the first, then you fall into the difficulty you had in your discussion with Senator Knowles. If it is the second, then you are addressing an area which just has not been addressed. Where are you with those two areas?

Mrs Johnston—I think it is a combination, to be honest. We know enough now to do it now; I agree. Let us do it. What are we waiting for; why aren't we doing it? We need to know more—yes, we do—and that will require research and that is part of the information gathering of a royal commission. Part of that information gathering is to know what the culture is now, how this has been allowed to go on for as long as it has. That is part of the investigative side of it.

And, yes, I do think someone should go through those files, because, in the case of the school, both offenders committed suicide. So that is where the police investigation stopped. The statute of limitations took over and locked these kids out. They are now young men, and I see them today. You will have to forgive me if I get a bit riled, but these are real people for me. They are like my family now. They have become that way over the last five years. I speak to them every day. I know their pain; I am living it with them. A royal commission has to expose what has been going on, shine a bit of light on it and make sure it never happens again.

Senator MURRAY—You are a national campaigner in this area but you are Queensland based. When you say to us that a royal commission should occur—and you use the school's example specifically—do you mean a state based Queensland royal commission, which is perfectly possible to run, or do you mean a federal royal commission?

Mrs Johnston—I mean a federal royal commission. But isn't it interesting. When the Governor-General debate was on and we were calling for a federal royal commission, the feds were saying no and the state was saying, 'Yeah, let's go for it.' And then when the foster care issue hit the fan we were calling for a royal commission here in Queensland, and Queensland

was saying no and the feds were saying, 'Let's go for it.' So I think it depends which regime you happen to belong to.

Senator MURRAY—But what is your—

Mrs Johnston—National. This issue is not confined to Queensland, just like it is not confined to institutions that provide homes for children. They are in institutions that are churches, they are in institutions that are schools and boarding schools, they are in the family home and they are in sporting clubs—everywhere.

Senator MURRAY—Moving on from that topic—it is a big topic, but we must move on—you refer to the United Nations Convention on the Rights of the Child, which has also been referred to by other witnesses, both here today and before. There is something in Australia and internationally called principles based law. It is a topic that Senator Knowles and I have been discussing off the record. If the federal government wished to lay an onus on the state governments it can do so by trying to enact very detailed legislation. Another route it can take is to try and persuade state governments; but they are independent bodies. But there is a route that has been used in Canadian law, and there are many instances all over the place, where you lay down a principle based on a convention such as the Convention on the Rights of the Child and, because the federal constitution has the external affairs power, the federal government simply says that the states must abide by it; they would have to meet a standard—and Australia is a signatory to the Convention on the Rights of the Child. As someone very much concerned with the detail of all these things would you respond well to an initiative like that by a federal government to enshrine the rights of the child in principles based legislation and simply saying to the states, 'You must abide by those principles'?

Mrs Johnston—I do not have any legal training at all, and I do not profess to. So all I can do is answer that by saying that, in the Child Protection Act in Queensland, whilst these children were being raped and otherwise brutalised, there was a bill of rights which almost copied the UN Convention on the Rights of the Child and did not help those children at all. By the way, I do not profess that a royal commission is going to be a panacea. I intend it to be a very meaty starting point that no-one would be able to duck and weave away from. Words are fabulous and we have had lots of them; they are just so wonderful. But these kids are still being assaulted. So anything the federal government could do to enforce it would be good, but it would have to mean something. For instance, what would be the ramifications if the state did not abide by those principles? Whose head would roll?

We are really good with words here in Queensland, but when someone does something wrong, particularly if they happen to be a parliamentarian or a top bureaucrat, nothing much happens. That is a fact. I am a cynic; I am sorry, but I am only going by what I am seeing. So, yes, it sounds great, but it would have to work. It would have to be enforceable and there would have to be some real repercussions for a state government that did not meet its obligations. I do not know how you make a government meet its obligations. I know how you do it for a church: you threaten to sue them. It is the same for a school, any sporting organisation or anyone else—it is amazing how that works. But I do not know how you make it work against a government, although the government has its own little suing thing going on here in Queensland at the moment. Hopefully it works and it will change things. So the short answer is: I would support anything that worked to protect children if it were effective, not just more words.

Senator MURRAY—Mrs Johnston, I have known you for a long time. I know you as a vigorous and passionate campaigner and then I hear you make a remark such as you just made. Are you ever worried that your approach may switch some people off a little? I will give you an example. You just said, ‘Politicians in Queensland will get away with things.’ I hold no brief for any particular political party but I know that Mr Beattie fired several politicians, I know that politicians in the state have gone to jail, I know that politicians lose their jobs and so on, so I felt that was a bit unfair, just drawing a brushstroke. I am a very strong supporter of your campaigns because I think we have to stamp out paedophilia and abuse of children in every circumstance we can, so you know where my heart lies with this, but do you find that your brand of strong advocacy is a bit of a switch-off in some cases?

Mrs Johnston—I do not care. I do not care; that is the truth. I do not give a rat’s. Not a child in this country has not benefited because of the debate that was produced over the G-G. They might hate me; I do not care. It really does not bother me; I do not lose any sleep. It is the same with the foster care stuff. I think we all tread so bloody carefully around this issue because we are talking about sex—God forbid—‘Sh, let’s not talk about it.’ My own daughter was the victim of sexual assault. No-one and no government policy and no legislation anywhere, no matter how well crafted, is going to tell me that I cannot speak publicly about that—yet they do. There is a veil of silence and secrecy that covers this whole issue. It goes back a long time and is embedded deeply in legislation in the guise of protecting the victims. There is no choice for the victims as to whether or not they want that protection; it is just there. If you are a victim, you cannot speak. It is all of those things. I make no apologies for it. I do not really care. I might if I choose to run for the Senate; I might have a different tune then. But no, I will not. I am me—

Senator MURRAY—But don’t you think it is a bit unfair sometimes just to paint everybody as being the same?

Mrs Johnston—I suppose it is a bit cynical.

Senator MURRAY—There have been politicians who have gone to jail here and there have been politicians under inquiry.

Mrs Johnston—There have, but with one of the politicians that you are referring to—there are two—it was known for some time before he actually did go to jail. He was re-elected and his position within the party was kept up until that point; there might be good reasons for that. But I am telling you about the foster care stuff. Those children survived the most horrendous abuse and they did so whilst under the care, the legislative care, of this state: the director-general. The information was given to the director-general. It went up through the tree. The ministers knew. You had the CMC inquiry, I know. I know that from a political, legal point of view it probably sounds a bit brash or whatever. But from a real point of view, from a people’s point of view down here on the ground where it is really impacting, it stinks. It stinks that people who have a duty of care for children are not held responsible. If in my job I made such a boo-boo or screwed it up so badly that something like that happened to a person—my God, I would be five seconds away from jail.

Senator MURRAY—You know me quite well too and you know I do not ask questions idly. The reason I am pursuing this with you, apart from the fact that I think you must be careful of broad brushstrokes, is that there are often comments made by the media, people writing to you

and in general about politicians covering up things, concealing things—and there is that general view in the community.

Mrs Johnston—I cannot understand why!

Senator MURRAY—There is that general view in the community. You are not a person sitting at a bar or passing a remark in a kitchen; you are a person who has dedicated yourself professionally—and I mean that—and intensely to examining a particular social problem. Based on your Queensland experience—and it is a credible experience; it has now been eight years, I think you said, that you have been campaigning—do you feel that there has been a deliberate attempt to avoid the nature of these problems and to fail to follow up these issues?

Mrs Johnston—Yes.

Senator MURRAY—Are you able to give the committee any examples?

Mrs Johnston—Absolutely.

Senator MURRAY—Obviously you have to be careful of names.

Mrs Johnston—Well, let's just talk about the Forde inquiry.

Senator MURRAY—Give us a feeling of what we are up against. Look at it from our point of view: this is a very tricky social and political problem that the committee has embarked upon. We have to come to an agreement. We have to then go and persuade governments to come to agreement. There is a long road ahead. So we need to be quite sure of what we are saying.

Mrs Johnston—I think it is generally obvious, to be honest. When the statistics are known, as they are, to every parliamentarian, hopefully; when you have the AMA calling the situation for children a pandemic, as I understand they did yesterday; and when you have inquiry after inquiry, particularly in this state—and I cannot speak so readily for the other states, except for the Woods royal commission, and New South Wales has poured more money in—the bottom line for me is that every parliamentarian knows there is a problem. We have been and I have been telling this government for years and years. For years we have been going there begging. For years we have been going to the media. The media for years have been printing stories. I went through some of my old newspaper clippings the other day, and back amongst all the Democrats stuff from a million years ago there is a front-page story from a local paper about a foster care child who had endured this horrible abuse. So it is not unknown. The governments knew they were underfunding. There is no way that they could—

Senator MURRAY—Did they know the scale of it, though, in your view?

Mrs Johnston—How could you not? If I know, they know. Can you go back—you would be lucky in this state to go back because freedom of information just shuts the door right in your face. Everything is wheeled through cabinet and you cannot get your hands on anything. But you would have to be an absolute idiot as a parliamentarian in this state if you did not know—and that is a fact.

Senator MURRAY—Can you tell me why you think—we all have our own views on this, but I want to know what your views are—governments have avoided this one?

Mrs Johnston—It is expensive, it is a difficult one and it is an issue that affects the family—the very culture. It is not fixable; you cannot fix it overnight; there is no easy fix. You cannot just say, ‘Look, here’s \$100 million; all fixed, thank you very much; let’s go away.’ It is a long-term plan. It is a whole cultural shift. It is such an enormous cultural shift to go away from the silence and secrecy and stuff that has been there for ever and move away from that into somewhere that says, ‘Okay, let’s talk about it. Let’s actually talk about it and protect children.’ The family is sacrosanct; the church is sacrosanct. There are difficulties for a lot of people to actually believe in that. In a lot of cases—too many cases—the church is not sacrosanct, and certainly in a lot of cases the family home is not sacrosanct. So it is a shift away from the ideological—the whole families thing—and it is really difficult. It is difficult for everyone; it is difficult for me.

Senator MURRAY—This is a difficult question to ask you, but if somebody like the AMA—and I have not read the comment, but I accept what you say—says it is a pandemic, to me that means it has suddenly appeared, suddenly grown and so on and so forth. I find it hard to believe that the quantum or scale of sexual assault of children is any different proportionately within society to what it has always been. I accept that it might have been secret then and it is not so secret now; it might not have been reported then and it is reported now.

Mrs Johnston—Yes.

Senator MURRAY—But a pandemic means that it did not happen and it suddenly happens, and I have difficulty intellectually in believing that.

Mrs Johnston—The Australian Institute of Health and Welfare released a report, which I think was the basis for that comment, which showed that numbers of notifications and substantiations of children who have been abused or harmed had doubled in the last two years or maybe even in the last year—I am not sure; I would have to check that. They had doubled. You are right that there is a big debate about whether there is now more abuse than there ever was or we are just hearing about it more. But this is part of the cultural shift we are talking about. This is about taking it out of the shadows and bringing it into the light. The more money governments throw at it, the more they have to find; because the more they throw at it, the more people are going, ‘Yeah, it happened to me too.’ More and more people are coming forward. So I think it is predominantly that more people are coming forward, but for whatever reason it is, if someone has been harmed as a child and they come forward, then they need support services and they have to be provided by somebody. Survivors do not care whether the state government or the federal government pays for it; they just need it. Bravehearts are not government funded at this stage—we never have been so far. We are only funded by corporate people who want to support what we are doing, which gives us the opportunity to be so blunt and broad brush.

Senator MURRAY—Oh, no; you are not blunt!

Mrs Johnston—Not me! These children, if it were not for Bravehearts, would have nowhere else to go. And I mean that: there is nowhere else for them to go. For many, they will present at the police station or somewhere, and their allegations cannot be substantiated. Mum knows and

the child knows, but they cannot prove it. If you cannot prove it in this state, there are no services for you. But if your child is still being harmed, you still need help.

Senator MURRAY—Just for the record so that the committee has a clear idea, how many full-time, part-time and volunteer workers do you have?

Mrs Johnston—I have actually stood back as executive director, so I have lost touch with that. Let me do a quick count. I think we have four full-time workers, we probably have two part-time workers and we have more volunteers than we know what to do with. But it is very difficult to volunteer in this area. In our office you really do need professionals who are trained, because, with the stuff that comes down the phone line, quite often someone's life is at the end of it. So we do not use volunteers in the sense of our day-to-day operations, other than maybe for envelope stuffing and stuff like that. But it is a struggle for Bravehearts to stay, because again it is not a subject about which some big fancy corporate is going to say, 'Yeah, let's go and help them fight child abuse,' because they are more likely to say, 'We would rather help the sports idol or some fluffy, nice leukaemia.' I am not saying it is fluffy and nice. I should not have said that—it is not what I meant. For those children it is just awful. But what I am saying is that it is safe—people react to it by saying, 'Aw.'

But when it is a child that has been sexually assaulted and their life is absolutely torn apart, inside out, you cannot see it. It is invisible torture. It is there and it lives in their soul, but you cannot see it, so you cannot put it on the advertisement. You cannot have a billboard saying: 'I feel better now. Thank you very much, A-B-C.' You cannot do it. It is just a very difficult area altogether. You know, Senator Murray, how many issues I have covered over the years. I have to tell you that this is not only the most traumatic—and I do not have to tell you anything, because you know—but also the most difficult for which to get any kind of corporate support or any kind of community support. On that, all I can say is, 'Bless the media,' because without them we would be sunk. It is the media that make a difference in Queensland.

CHAIR—Thank you very much, Mrs Johnston.

[3.47 p.m.]

GLENNON, Ms Shirley, Executive Officer, Forde Foundation

MALLAN, Mr Mick, Board Member, Forde Foundation

CHAIR—Welcome. Are there any additional comments you wish to make about the capacity in which you appear here today?

Mr Mallan—I am also a representative on the board of advice.

CHAIR—Thank you. Information on parliamentary privilege and the protection of witnesses and evidence has been provided to you. Is that correct?

Ms Glennon—Yes.

Mr Mallan—Yes.

CHAIR—The committee prefers evidence to be heard in public but evidence may also be taken in camera, if you consider such evidence to be of a confidential nature. The committee has before it your submission. I now invite you to make an opening presentation to be followed by questions from the committee.

Ms Glennon—I begin with apologies from Leneen Forde, who would have very much liked to have attended here but unfortunately is unable to as she is not in the state today. I would also like to make a statement in relation to the scope of our submission. People often confuse the foundation and the inquiry; we are representative of the foundation and we do refer considerably to the inquiry in our report.

For our submission today, we will not go over the issues raised in detail in our submission but will use those terms of reference for further comment. We will add to those issues covered in our submission and include some things that have occurred to us since. Much of the evidence given today has been very bravely, powerfully and credibly put in relation to the experiences of people in institutions. We will not try to describe that; we could not do it better than it has already been done.

Regarding term of reference 1(a), which relates to the scale of unsafe, improper and unlawful care, as in our submission we would refer you to the report of the Commission of Inquiry into the Abuse of Children in Queensland Institutions. While it is not the foundation's role to investigate or provide counselling in relation to improper or unlawful care it is reasonable to reiterate that, from our experience with and knowledge of former residents, unsafe, improper and unlawful care or treatment of children did occur in government and non-government institutions in Queensland; there is no doubt about that.

Regarding term of reference 1(a)(iii), while the foundation cannot estimate the scale of abuse, we are able to advise that numbers of applicants to the foundation continue to increase. Currently

the foundation has 583 clients on its database and we would expect that to reach 600 by the end of this round. We are receiving approximately 70 to 90 new referrals each round and we have two grant rounds per year. Discussion with former residents and written material supplied with applications to the foundation reveal a very consistent and disturbing picture of the scale of abuse in particular institutions at various times. Predisposing factors to abuse seem to be the isolation of the institution, both geographically and socially—in terms of a lack of integration and involvement with the local community—overcrowding, underresourcing, untrained staff and a lack of monitoring from the state or governing church bodies.

It is important to determine not just the scale of abuse which occurred in the past but also the ongoing trauma being suffered by former residents now. Many of the residents who contact the foundation state that they are only just now, at 40 and 50—and someone before said 80—years of age beginning to feel strong enough to deal with past abuse. This is perhaps one reason why our list of applicants continues to grow with each round, but it also makes it hard to estimate the potential size of the population with which we need to engage. We made comments in our submission in relation to some research questions that we thought were significant and should be looked at but would say that we also need to try to estimate the size of the population and the depth of the need within it.

Mr Mallan—I am a former resident. I was a ward of the state until I was 21. My mother lost her father at the age of three. She was institutionalised for 33 years. She suffered from schizophrenia. Adding on to my comments regarding 1(b) of our submission, there is the problem of the intergenerational effect of this experience. There is the fact that, when we have been raised in an institution, development does not follow the normal course. One of the things that we miss out on—we might get our daily bread—is developing relationship skills that are so necessary for building the future. We miss out on developing defence mechanisms, being strong enough as an individual to be able to cope with the knocks and bumps that you receive when you are in a relationship. You can, I suppose, learn this.

This comes back to resources. What if, at the age of 25, I had access to the doctor that I have been seeing for the last five years? Funnily enough these crises seem to turn up at the age of 50, when we start to say: ‘Who am I? What happened to me? What have I achieved? Where am I going in life?’ You turn to a professional service. We have got some wonderful professional groups presently who are helping us come to terms with this delayed sense of self, delayed development of behaviours which are appropriate and delayed use of more mature defence mechanisms that are learned back when you are 12, 13, 14 and 15. So that is part of this cost—a huge cost to the economy—to delay the provision of those services to this end of our lives.

My suggestion is that we look at this as an intergenerational problem. It is not just the people who are here and now at the age of 50; what has happened to the younger people who are coming through, to our children? How well have we prepared them to cope with this? What sort of economic platform have we given them as a starting point? One of the points that came out of being educated in St Vincent’s Orphanage and other places was that it was a shock to be fostered out and put into a high school and to realise just how weak you were and how unprepared you were for dealing with other children who came from regular families.

Our defence mechanism says: ‘Don’t share anything with these other people. You are a child of shame; you are a child who hasn’t got a father.’ When I was growing up that was a slur on

one's character. You did not reveal anything about yourself. There is a defence mechanism which drives you to either of two extremes: complete withdrawal or aggression.

We are now in a state where we are starting to recognise that this has happened. We have important groups, like the Esther Centre in Brisbane, the Ark Group, and our own doctors, thanks to Medicare, who are talking to us and providing us with the support we require. I have attended classes on cognitive behaviour therapy to try to understand and rationalise what has happened, and to develop new strategies for dealing with relationships. The Forde Foundation is part of this response. We receive a lot of requests from people.

The inadequacy of our funds is just staggering. If we are going to be serious about providing services to people who have had a poor or inadequate education, who come from lower incomes, surely we can see the problems that will perpetuate down the track for the new generation of children, who probably have not had wonderful lessons in how to deal with their emotions and problems and how to resolve issues. Dad was not shown that, so how can he demonstrate it to his youngsters?

This is an intergenerational thing. I think it is bigger than just what happened to me; it is happening to our children as well. For everyone coming through from a fractured family where there has been violence and abuse of all sorts, we have the next generation to think about as well—not just those who are coming along now.

I would like to leave it at that. I think it is something that will require monetary resources to be spent on wonderful support organisations such as Ark and the Esther Centre. We are very fortunate in Brisbane. Unfortunately, the same level of resources and support is not available all around Australia.

Ms Glennon—In relation to the other part of 1(b), the adequacy of existing support mechanisms, we have a few comments to make in relation to the foundation in particular. We find that there are some inadequacies with the foundation and its operation at present. Mick mentioned the amount of funds available. There is a dependency associated with the model of the charitable trust, which is the way the foundation was set up in the first place. In recent years we have received poor returns on the funds invested and that of course affects the amount we are able to distribute each year.

Most importantly, in the absence of any other form of redress, there is a misperception that the foundation offers compensation. The amounts able to be disbursed by the foundation fall a long way short of any form of fair compensation. This is confusing and in some cases humiliating for applicants, who believe that they are receiving compensation. There is a sense of, 'Is that all I get?'

We recently held a consultation with former residents and other service providers about the foundation. At this meeting the point was made that, while clients appreciate the efforts made by the foundation and its board of advice, the very existence of the foundation militates against other more equitable and effective forms of redress being established.

Mr Mallan—A number of applications have been received by the board from people who were inappropriately placed in psychiatric or disability institutions as children. Unless such people were also in an orphanage or in foster care at some time in their lives, they are ineligible

for assistance through the foundation. Yet they experience considerable trauma and isolation, and continue to suffer similar long-term problems to other Forde Foundation clients. This distinction is an arbitrary one. We operate as a foundation according to the deed of trust but, if the Commonwealth is to get into this area and is to look at different funding models and ways of addressing these problems, instead of just looking at people who are in one type of institution, the area needs to be broadened to include all types of institutions and all types of care—for instance, one of the other excluded groups from our foundation's deed of trust is the children who were in the dormitories: the Aboriginal children who were in the mission dormitories in places such as Cherbourg. Under the terms of reference, they were not given to the Forde inquiry. Therefore, when it came to the Forde Foundation being established, they were not included in the foundation's terms of reference. This has resulted in the marginalisation of groups within a group. I think we could have been more inclusive. If we have the opportunity to build afresh, let us be more inclusive. Other jurisdictions have included this group—the group to whom I referred earlier—under the banner of institutional care. I think we could follow that as a good way of doing things.

Ms Glennon—We have received comment—and this has also been the Canadian experience—that it is quite possible that the type of trauma people experienced in psychiatric institutions is an even more damaging variant of the abuse and degradation people experienced in the reformatory or detention facilities from which they were usually referred—for example, Karalla House. We have heard some very powerful evidence about that today. There is another group too that in the workings of the foundation we want to highlight—that is, children who have been abused in foster care. After leaving care, they find there are no specific longer term services available for them. Eligibility for the foundation is generally limited to those who were in foster care prior to 2000—again, this is in the terms of reference. While some assistance is available from both state and Commonwealth, those types of assistance tend to be one-off and relatively short-term. Yet we know from this group that they suffer the long-term problems in the same way that people who were in institutional care suffer.

Mr Mallan—We would like to move on and refer to 1(c), 1(d) and 1(e). There are no further comments on those, and we did refer you to chapter 11 of the report. Beyond affirming the foundation's recommendation that the committee should investigate models of reparation—for example, as have been developed in Canada, Ireland and any other relevant jurisdictions—in order to redress the harm done to former children in care. We would also like to suggest that any model developed following this investigation by the committee needs to be developed collaboratively with former residents rather than imposed. To some extent, the charitable trust model of the foundation was and is an imposed model rather than one developed in consultation with former residents. That is a disempowering thing. It is a humiliation to have to come and beg to the foundation twice a year for things which are necessary to assist us in providing for our children—for example, those people who are living out of iceboxes because the fridge has broken down or those people with families who are having to hand wash because the washing machine cannot be repaired or replaced. These are simple everyday things that we all take for granted.

For people who are trapped in this poverty cycle, with children to care for, this particular model—with its two rounds a year, when we have to bare our souls, swallow our pride, forget our dignity, make an application and then, because of the limited funds available, suffer the disappointment—is, as has been described, almost a form of abuse. People are re-traumatised by

going through this process. Remember that we do not suffer disappointment very well because we have not learned how to cope with life's knocks; we have not learned to see them as positives. That may not be for everybody, but it has been said to me and others on the board by a number of people who work with Forde Foundation clients. I think if we had a chance to do it again we would certainly do it differently.

Regarding the statutory or administrative limitations, we have set out in the submission that we made last year to this committee our disappointment in the response of the state—which had a statutory obligation to children—to notions of some sort of compensation, some sort of restorative justice for the harm that was suffered while people were in state care. There is disappointment in the response of the churches which ran these institutions, and there is disappointment in the justice system whereby former residents committed themselves to deals with churches and then walked away—not having the knowledge, the cultural capital or the legal resources behind them to understand fully what they would have been entitled to if they had come from some boarding school and had a well-resourced family with the cultural capital, know-how, connections and money to hire a wonderful legal team. The differences are appalling.

The confidentiality clauses that bind people to silence when they have made these agreements with church groups—that is just hiding. That is hiding the real issue; and perhaps that is part of what Hetty Johnston was saying: let's put some things out in the open. We hide behind these confidentiality agreements. We keep everybody in a position of non-power; we are without power. It binds us to silence. We do not have the resources to go and hire a legal team to represent us. The government is not interested, because the government does not want to go broke.

I do not think there is any more to be said on that. Our submission uses some very fine research by a member of the Anglican Synod, and it details just how churches have operated with respect to dealing with people who bring compensation claims against them. I think it is a shameful practice. It is hiding behind the law. It has nothing to do with natural justice.

CHAIR—Thank you for that contribution. Do committee members have any questions?

Senator MURRAY—Ms Glennon, term of reference 1(a)(iii) states, 'an estimate of the scale of any unsafe, improper or unlawful care or treatment of children in such institutions or places'. The first thing that we as a community need to know is: how many institutions there are; then, how many children went through them; then, within those, what the ratio or incidence of abuse or neglect or whatever was. Do you know whether the Queensland government has—or do you have—any list of all the institutions that cared for children last century in Queensland?

Ms Glennon—The report lists a large number of those. It does not include some of the ones that we mentioned as having been outside the terms of reference, but that probably should be considered.

Senator MURRAY—Let's be specific: it excludes Indigenous children in those residential dormitories, doesn't it?

Ms Glennon—In the dormitory system—although we do have Indigenous clients who were in homes. But there are also a lot of issues for many Indigenous clients in terms of being able to

apply to the foundation in relation to things like literacy. Those things are exacerbated even more. We had an Indigenous representative speaking with us last week talking about some of her clients not even having birth certificates. So proving that they were in those homes is sometimes extremely difficult. That is a separate issue from what you are asking.

Senator MURRAY—Where would we as a community find a list of Indigenous institutions? Is there one?

Ms Glennon—It would be through state government—whichever department now looks after Aboriginal affairs.

Senator MURRAY—Who would we write to? What would happen? Our secretary would have to write to somebody. Where would we get that?

Ms Glennon—I will just seek some advice on that.

CHAIR—What is the answer to the question?

Ms Glennon—ATSIC is the answer to the question—and possibly Link-Up. I suggest you probably need to approach a number of organisations. I am not aware of anywhere where it is.

Senator MURRAY—If we put those two together, the other thing we heard today was that there might have been Commonwealth institutions. Are there any others?

Mr Mallan—The Montrose Home and other homes for children with a disability. They are exempt. We oftentimes receive applications from people who are in places such as Montrose Home.

Senator MURRAY—Where would we get a list of those from?

Ms Glennon—Disability services should have those, I would think.

Senator MURRAY—Now we have got three. Are there any others?

Mr Mallan—There is Karalla House, the psychiatric units.

Ms Glennon—Yes, but they would be listed in here.

Mr Mallan—They are listed in there. They were investigated.

Senator MURRAY—That lists the names of the institutions. It probably does not list their time of operation from whatever date to whatever date, does it?

Ms Glennon—There is a document which does try to summarise that information and it is called *Missing pieces*. That is available; we can provide that to you. But it does not cover all of the institutions.

Senator MURRAY—Could I through the chair ask if you could provide that to us?

Ms Glennon—Certainly.

Senator MURRAY—The last and hardest question, of course, is: how many children went through those institutions?

Ms Glennon—I understand that there was some attempt to estimate that during the inquiry. I was not involved with the inquiry, so again it is a little outside our area. But the efforts to do that did not meet with much success because of the difficulty of finding records and feeling that the records were reliable. The estimates were very broad and they were not reliable, so they were not included in the inquiry document. So it has not been done. It is a difficult process. What we are saying is that some estimate needs to be done.

Senator MURRAY—I made the point earlier that governments need to cost things according to need. For us to kick governments along in this direction, we need to establish what the need might be—and it has been very difficult in this inquiry. After this session, could you think through any of those areas and perhaps provide us with that information—even if it is with respect to particular institutions? For instance, the Mary MacKillop homes told us—and this absolutely floored me—that, from the 1850s to the end of the century, 115,000 children went through their institutions. That is just Mary MacKillop. So you can see what we are starting to think. So, if you could do your best to guide us as to any figures at all, it would be of assistance.

Ms Glennon—We will certainly attempt to put that together as best we can, but it will be very ballpark.

Senator MURRAY—Thank you. As I understand it, you liaise closely with government agencies.

Ms Glennon—Not especially. We work closely with the Forde contact officer, with the other agencies which provide services to former residents and with the department of families' FOI section.

Senator MURRAY—I think it was Mr Mallan who made the remark that you are very short of resources relative to the need. The question really is whether the government people you deal with are alert to the size of the problem and to the long-term social and economic consequences. Mr Mallan referred to it as the intergenerational effects—although with one generation alone, you can live to 75 and, if you were hurt as a kid, that is 55 years worth of that sort of pain and hurt. Do you get any sense that the bureaucracy that you deal with are alert to the scale and need that we have been discussing?

Ms Glennon—Yes, I believe that they are aware.

Senator MURRAY—Do you deal with ministers?

Ms Glennon—Irregularly.

Mr Mallan—We have met the minister once or twice.

Senator MURRAY—Would the minister be alert to the size of the problem—in a generally informed sense?

Mr Mallan—I think the minister is dealing with problems of resources within a very cash-strapped department. It is no secret that it was noted in the Forde inquiry report that one of the major problems with the families department was a lack of resources. Subsequent to that 1999 report, there have been attempts to increase the budget. However, one has to also look at the numbers of staff in the department. I think there are 2,500-odd staff in the department of families. The CMC report also highlighted the fact that it has lacked funding. It recommended that new appointments be made and that new structures be put in place to enable proper supervision of the work done by field officers. The department of families is under siege in terms of public perceptions, in terms of its need to reorganise and restructure and in terms of what has been described by many in the field as an inadequate budget, despite the increases in funding over a number of years.

But we are in there. We are a very small organisation. We do not appear on the front page of the *Courier-Mail*. We do not have the structure or the capacity to fundraise. We have—as you can see in our report—made attempts to engage with the religious orders and the churches. We have made attempts to engage with government, but we are left with a dwindling amount of money.

Senator MURRAY—Let me go in a different direction. The universities and TAFEs produce the people who end up as therapists or counsellors. They are also the places where a lot of the basic research is done which eventually ends up in the hands of policy makers and helps inform them. Are there academics with an interest in your work? Is there any research that you are aware of which is focused in a meaningful way, as opposed to just isolated projects, on this area of unmet need or on the training of people in this field?

Mr Mallan—I have a couple answers here. The department of families did offer three or four PhD scholarships to people to work in the area of families, and I think one of those was in this particular area of historical abuse and dealing with people who have been institutionalised in their younger years. It is quite interesting. They have a lot of counsellors being trained. Very young people come out: 21-year-olds go and work with families in Mount Isa and far-flung places around the state. You have very young people coming out. The burnout rate, as shown in the CMC report, is very high. People choose to do other things, because that is such a big call for so young a graduate to deal with. Even when you go and meet and engage with psychiatrists, they have not got a clue what you are talking about. It takes a long time. There is a problem in that there is a lack of knowledge even within the professions. People who have been psychiatrists for many years suddenly meet a person from my background and say, 'This is all new to me.'

Senator MURRAY—Forgive my ignorance, as a Western Australian—I know there is none in my state—but I do not know, of the five, six or more universities you have here, of any of them having dedicated departments which specialise in the kinds of disorders which result from neglect or abuse of children or in any of the matters that we have been discussing here, including the training and education of people to deal with either the public policy consequences or the counselling and therapeutic consequences. I am talking about a specific focus, as opposed to general psychiatric and psychological degrees. Would I be right in thinking that?

Ms Glennon—I think so. I do not think universities would be doing specifically that.

Mr Mallan—From my experience, I met with three psychiatrists as a double-check. You go to one and they say, 'I think I will refer you to somebody else,' who then asks you to go and check with somebody else, just to make sure they are going down the right track. I have gone to three of those. They all come up with, 'This is new.' A visiting Sydney psychiatrist came up and had a chat with me for two hours and thought: 'Okay. I have not heard any of this before. This is new.'

Senator MURRAY—Do you think that it has not hit the professional radar screen, the professional university academics' radar screen, for the reasons that you, Mr Mallan, and other witnesses have said—that people conceal this background, these problems and so on, and therefore they do not acquaint the profession with the scale of the problem, the incidence of the problem?

Mr Mallan—I think we are loath to go and see a psychiatrist because a social stigma is attached that. There always has been.

Senator MURRAY—Did you tell your doctor?

Mr Mallan—I told my doctor in 1998 because I felt that I had control. I decided that that was a step I was going to take.

Senator MURRAY—So all the doctors you had seen up until that period—

Mr Mallan—I never told any of them.

Senator MURRAY—And that would be typical in your experience?

Mr Mallan—I do not know about other people.

Ms Glennon—It certainly seems to be that many people approach the foundation relatively late in life and say, 'I only just feel like I can talk about this now.' I suppose that effect would contribute to what you are talking about as well.

Senator MURRAY—You see the problem we are faced with, don't you? Our instinct, both from previous inquiries that we have discussed and this one, tells us that there is a huge need, but the need has never come to the surface at the levels you would expect it to, so the government says, 'Prove there is a need.' It is a circular argument. Do you follow what I am saying?

Ms Glennon—Yes, I do.

Senator MURRAY—Would you think there is sufficient evidence, therefore, for this committee to be able to go to, for instance, the Queensland government and say: 'Look, fellows, get off your jacksies. There is a huge need. Lots more money, lots more training, lots more research is needed'? How would we counter their argument, 'Show us the evidence'? You do not even have a list of the number of institutions with the number of kids that went through them.

Mr Mallan—I think I am in a position where I can say that I have reliable knowledge that funding has been so poor in the counselling area that, when we have approached the government's brokered counsellors, we have been told that we can only have 10 sessions because that is all the funding will allow. They say, 'To be equitable for the number of people on the books, the only way we can make it through the funding cycle in the year is by limiting people to 10 sessions a year.'

When you are in crisis, you need regular contact. I have not been down the track where I have met my doctor every two days, but I have visited my psychiatrist every week. That is a necessary; it gets you from one week to the next, to the next, to the next. Ten sessions over a year is not enough. I see that as not being good professional practice to be having to say to people, 'Sorry, we can't see you because we've got no funding. All we can give you is 10 sessions.' When you go to see your doctor, the first three or four sessions are virtually 'get to know you' sessions. That is when the doctor will just find out what makes you tick, who you are, what the issues are. He might think when you go there that the issues are one thing but, by the time he has talked to you for three or four weeks, he has discovered that there are quite different issues underlying the problem.

So, yes, funding is an issue. I do not think it is satisfactory that the counselling services have to impose these limits of 10 sessions a year because there is no more funding. The attitude is: 'You work it out.' The counselling services say, 'But we have got 25 new clients,' and they are told: 'You work it out. That is your funding for the year.' That has not been a satisfactory response.

Senator MURRAY—That is all I have.

Senator MOORE—You highlighted in your submission the issue of regional services. You have outlined the problems with limitations generally, but you say that there is a particular issue when it comes down to the regional nature of Queensland. Would you care to comment on that for the record?

Ms Glennon—In that part of our submission, we were talking about services in general rather than the foundation specifically, because the foundation largely operates the grants program. The regional issue is not as strong in relation to the grants program as it is to other services, in particular counselling. That was the one that we particularly wanted to highlight.

Mr Mallan—With counselling, you should be aware of the major issue of dealing with many people who are in the prison system. It is a fine line, but many of us end up in prison. I have never been there; I do not want to go there. There is a problem with counselling in prisons. It is very expensive for outside counsellors to gain access to prisons, because they are sitting around waiting for access to the inmate.

We have been called on a number of times to provide money for counselling. To provide counselling for people in prison costs a lot more than it costs for people who are not in the prison system. If you make an inquiry with people who do provide that service, you will find that that is the case because there is a lot of money spent on wages while the counsellor has to wait for access. That creates a major problem. The other problem is that a lot of people in prison do not trust the prison counsellors. They write to us with statutory declarations et cetera attached

pleading for funds for a counsellor. We normally do not provide funds for counselling because those funds have already been allocated to other agencies, and we try not to double up on that. However, there are instances where there are exceptional circumstances.

Senator MOORE—Senator Murray has made the point about the range of departments involved in working in this area and, I think, with the intent of pointing out the communication difficulties between those departments. On your last point, if there is one area where there is data about the background of people who have a history of both suffering abuse and ending up in prison, it is in that area of corrections. Every submission that has the relevant figures mentions that that is an area where there a lot of people who have suffered abuse and have for various reasons gone through the process and are now facing another form of government involvement. So you would think that if there were going to be dedicated services anywhere, it would be through corrections, in that area. Are you aware what services corrections offer?

Mr Mallan—We have had a briefing by people from correctional services because we are receiving seemingly an increasing number of applicants. Basically we are supporting these people with education while they are inside—they are pretty grateful for that—and some form of recreation that will occupy their mind or help them to relax. We are also aware that there are other systems at work within the whole system. When they come out we are there as well, through the Micah Projects which are tied up with the Esther Centre, trying to put in place some resources so they do not have nothing when they come out and they have some sort of base. Oftentimes, we try to make sure we have funds set aside and available for Micah and other groups to provide that emergency accommodation. They may need a bed to sleep on, a small fridge to put into their unit or some clothes. If they are going to present themselves for a job interview, they need to be dressed appropriately. We are aware of that and we are receiving more and more requests. These people have been in the institutions and you can track them on our database from birth to age 15 or whatever through various institutions, and finally to the big institution which is the correctional centre.

Senator McLUCAS—I refer to your recommendation about our committee investigating further reparation models. Mr Mallan, you made the point that whatever we recommend should be done in collaboration with former care leavers. I am loath to recommend that someone investigate. I would like to think that we could come to some recommendation that is clearer, that says what the committee think. You might want to think about this and write to us later. Are there any principles that are so obvious to you that we need to ensure are the sorts of things that are included in any model for reparation? You say in your recommendation that it be non-adversarial and that it be transparent. Can you tell us what the great things are out of the Canadian model? What has come out of the Irish model that, in your mind, is suitable to our situation?

Ms Glennon—I do not know if I can remember them all, but certainly the processes that we see as being an important are the apology and the acknowledgment—in fact, the ongoing acknowledgment. Many people come to us and say, ‘I wish I had known about the Forde inquiry, because I would love to have given evidence.’ But it is gone now, so I do not know how you do that—whether there could be a once a year opportunity for people to have their experience acknowledged. There is the provision of services, which is very important, but also some sort of tangible reparation is also very important. I am not talking about having to go through the legal system to achieve compensation, which people have to do now, but something else. That is

where the issues about it being non-adversarial and transparent are very important. They have attempted to look at degrees of abuse and degrees of reparation that might be achievable by people. Those are the sorts of principles. I think the charter of redress that the Historical Abuse Network is working on and presented this morning is a really good place to start.

Senator McLUCAS—Mr Mallan, you talked about the number of care leavers who have made agreements with various church organisations, and how confidentiality clauses mean that, essentially, a door has been closed for those individuals. Has any legal advice been sought about whether or not that fits under the legal principle of informed consent—that these people were in fact operating outside of informed consent? We are getting into legal questions now, but can you give me any information on that?

Mr Mallan—I am not personally involved, so I only know what I have read in other reports. I have not seen the documents, so I cannot comment on what sort of consent statement was signed by the person and whether it met those five necessary ingredients of informed consent. I cannot tell you that. That would be something you might investigate further, because I am not going to ask people, ‘What sort of agreement did you make with the church?’ I have stayed away from that; I do not ask people personal questions about their agreements. All I know, from what I understand from reliable sources, is that they are quite insignificant when you consider the size of the payments. Both children suffered, whether they went to the private school or the other school. The one who went to the private school got more support than the child who was in the St Vincent’s home as a 10-year-old, but he or she has nobody to go to.

Senator MOORE—Does the fund offer money for legal advice? If someone wrote to you and said they wanted some money for legal advice, specifically in this area, is that one of the things you can do?

Mr Mallan—We do not do that. We have made that decision. It is a really hard one to go through, but we would not be able to do anything else. It would be impossible with the limited funds that are available. The way that fund was set up was, first and foremost, to live off the capital, to disburse the interest earnings. We have been in negative growth for a couple of years, so there were not any interest earnings. The deed was amended by legislation and it provided us the opportunity to spend. As a matter of fact, it was felt that it would perhaps be better to spend it all very quickly.

Senator KNOWLES—That leads into my question. I notice that you live off the earnings of \$2 million and disburse that amount. Can you tell me how much the churches have put into that amount?

Ms Glennon—I cannot give you a breakdown by each church. Since the foundation was established we have received close to \$135,000. That is all.

Senator KNOWLES—From all of the churches.

Ms Glennon—From all of the churches. That includes donations by individuals, not church groups as well.

Senator KNOWLES—Could I just ensure that I have got that straight. In your submission it says:

Donations of about \$117,000 from the congregations—

So that is the members of the congregation—

of major churches and their agencies and about \$10,000 from individuals ...

I suppose what I am asking is not what the good parishioners have given you but what the churches have actually given you.

Ms Glennon—I was not here for this, but my understanding was that the foundation did go to a lot of trouble to establish a combined appeal, through a number of churches, and they did meet with a number of church representatives. There were two elements to it. One was an appeal through the congregations and one was a direct donation from the central church bodies, if you like. My understanding is that the donation from the central church bodies, which included the major churches, was just under \$75,000, and then the balance was made up by donations from parishes and individuals—

Senator KNOWLES—The congregations. That still gives us the total of \$117,000—

Ms Glennon—The \$135,000 that I mentioned includes some donations that we have had in the last quarter since I did this report. That adds up to \$127,000, and then \$135,000 is the total to the end of December.

Senator KNOWLES—So the churches do not come along to you every year and say, ‘Here you go; here is this year’s allowance.’

Ms Glennon—In fact, my understanding—I was not there—

Mr Mallan—I was there.

Ms Glennon—is that they wanted to see that special collection as a one-off. That was their sense of what was needed.

Mr Mallan—It should be clarified that when we talk about churches it does not include the Salvation Army. To my knowledge they were not part of that, and that was a disappointment. I understand that people in Sydney make those calls.

Senator KNOWLES—I know that we are running short of time, but I would like to ask you one more question, Mr Mallan. You have talked about the intergenerational problems with dealing with children and so forth, and I think they are very real problems. You have also talked about the reluctance of people to go and seek assistance. That is very real. You have also talked to Senator Murray about the lack of awareness of a lot of the counsellors, and that is very real. But could I ask for your wisdom as to how best one could recommend that that intergenerational cycle be broken for the younger men and women who are coming before us, week in and week out, who have got younger children now. What do we do to try to snap it now?

Mr Mallan—I think that one of the key things is going to be resources, changes in attitude, and the availability of support for young families and for young mothers and fathers who have not had the best of beginnings. I am a little bit loath to single out people who have been in institutions, because we have got some pretty tough regimes that kids are expected to comply with. We have got so many children who are disengaged from the education system—and I value education because, for me, it has been a gateway to learning about myself and being able to improve my economic opportunities.

Senator KNOWLES—Who do you suggest provides that support? Given that we have already discussed that there are few who really are aware and conscious of the intricacies of the problem, how do you suggest we go about getting the providers?

Mr Mallan—We have community groups who are engaging with young people and taking on this task. We have reforms to the education system, which look at people who are disengaged from the system. They are usually children at risk anyway, where they have disengaged early. Community groups are taking on this task if they have enough resources—instead of just enough to give them 10 counselling sessions. Community groups are on the ground. They are up close to people. They are oftentimes manned by young people, who can communicate with other young people. I guess I have never worried too much, because I have had some economic resources to draw upon to make those gap payments but, for other people, having access to counsellors they trust—who understand them, whom they can go and see week after week—is very important. But that has been, as we have said, limited by inadequate funding.

There are a lot of people out there with problems, and generally they surface only when people crash. When we have gone through life doing the best we can, remaining within ourselves, and then the world topples, we start accessing services and then we recognise that we have to do something about it. I do not have any panacea that I can offer you except to say that perhaps we just need to be a little more humane in the way in which we approach social welfare and our social programs. Some of them are rather skewed towards being a little bit hard. The way we have zero tolerance for young children's behaviour is, I think, a retrograde step. It starts very early. We had zero tolerance with regard to our behaviours in institutions, and it is damaging. It puts you outside.

CHAIR—Mr Mallan, you referred to the confidentiality agreements that are being signed. To your knowledge, has anybody broken them? If they have, do you know what has happened to them?

Mr Mallan—No, I do not know—sorry.

CHAIR—Thank you very much. I have an advertisement here that says: 'Griffith University and the Aftercare Resource Centre are currently working together with ex-residents of Queensland institutions to create a play which will tell our story to all Australians.' They meet every Wednesday morning and people are welcome to come along and to participate, with all the ex-residents. It says: 'Transport costs are covered.' That is an advertisement from ARC. I have to go, so I will leave it to Acting Chair Knowles.

[4.50 p.m.]

ADAMS, Ms Mary Ellen, Member, Jobe's Trust

CARPENTER, Ms Diane (Private capacity)

KEYS, Mrs Suzette Carol (Private capacity)

LINDENMAYER, Ms Sarah Louise (Private capacity)

MATTHEWS, Dr Ben, Lecturer, Faculty of Law, Queensland University of Technology

SYED-WAASDORP, Mrs Lana, Historical Abuse Network

TRONC, Ms Diane Patricia, Member, Historical Abuse Network

WALSH, Ms Karyn Joan, Coordinator, Esther Centre

WALTON, Mr Barry, Relationships Australia, Queensland

WILSON, Mr Graham Dennis (Private capacity)

ACTING CHAIR (Senator Knowles)—We have set aside this time for people to make public statements, but I would ask people to keep their statements very short—no more than five minutes—so that we have an opportunity to hear from people. And some members of the committee have to go pretty quickly, as they have planes to catch. I remind you that your comments are on the public record, and I ask that you identify yourselves before speaking. Perhaps you may wish to comment on what you think or hope this inquiry will achieve and what recommendations you would like the committee to be making.

Ms Walsh—I am the coordinator of the Esther Centre. I have been involved for 25 years with people who have been in marginalised situations, such as young people who are homeless. I started off doing street work. In the last 10 years I have been working with people who have experienced abuse in institutions, and I have worked with others in creating the Esther Centre and the Historical Abuse Network. I want to answer a couple of your questions, particularly in terms of what can be achieved around the issue of redress and bringing the churches on board. I think it is really important that churches in Australia are held accountable for their public role in society. As we saw with the debate, with the Governor-General, around abuse, and the issues around Bravehearts, which Hetty referred to, the public were horrified about the lack of accountability.

I think it is the role of government to look at what partnerships and what administrative arrangements need to be made so that institutions such as churches, private schools, independent schools and non-government organisations are accountable for what they say they do in the community. The mandate they are given is very significant. The power held by any of us who belong to a church, an organisation or a helping institution is something that should be given.

People should not have to beg for people to recognise that. So I think the inquiry is an important instrument in looking at what arrangements need to be made for churches in particular not to operate outside the legal system and not to operate outside the societal norms of public accountability.

It is one thing for churches to have their own mechanisms of accountability that may not be democratic; but they exist in—and are given an enormous amount of power in—a democratic society. They are given a mandate to work with marginalised people, and for years they have had a very privileged position in Australia. They have influenced public policy and they have received government money. There should be arrangements whereby they have to report to government and to the public about the extent of abuse that has occurred, what they have done about that abuse and what have been the benchmarks.

People have talked about confidentiality agreements. Thanks to the media, there has been a move towards people not signing confidentiality agreements around their experience but signing confidentiality agreements around the amount. This is another really important issue that you might want to refer to. Wherever there has been a response to historic abuse, the church and the state have not done it in partnership. That means the state have set up their programs and put in their money, and the churches have said: ‘We’re not going to cooperate with that. We’ll do our own thing.’ That means some people have been able to access ex gratia payments. But that has all been done in a very fragmented and sometimes secretive manner, so what one party gets another does not know. Certainly there have been no benchmarks set before these processes were entered into, as was done in Ireland and Canada. That means someone can be getting \$3,000 and someone can be getting \$50,000.

Certainly the principles about informed consent which were raised before are really important. There is also an imperative on lawyers. There have been some class actions in which I would say due process around informed consent for every member of the class action has not actually been taken. It is really important that there be some standards around what sorts of negotiations there are and how those processes are done, because people are feeling that they are being ripped off and that it is being done in secret. We have worked across seven or eight churches. Some of the churches have done very little and some have done a lot. Certainly with the Anglican Church I would have to affirm that, in Queensland, people think there is one story for the rich and another story for the poor.

ACTING CHAIR—Thank you very much, Ms Walsh. Welcome, Ms Lindenmayer.

Ms Lindenmayer—I would like to thank the panel for the opportunity to speak. I have come in as an observer. As a child I spent time in a Uniting Church foster home here in Brisbane where my parents were the foster carers. So I have had a very different experience to many people here today, but I do empathise quite deeply. So I am speaking from my heart here. Today I am a social policy adviser, and I have been working with the Uniting Church in Victoria.

You must feel pummelled by the ocean of grief and suffering that has come out across the country. I know it is a very difficult task, because what you are dealing with is no less than a battle between good and evil. The way that institutions behave is quite predictable, because they behave like human beings do. The reason why nothing has been done about it is that no-one likes to be put on a guilt trip. We know the evidence is there, but institutions such as churches and

governments will not take it on because no-one likes to be put through a guilt trip. Institutions are behaving in the same way as an individual would behave. It is the nature of the human conscience and of sin.

What we are doing is we are raking up all this sinfulness and darkness from the past. I go to church; I love going to church. We should not be seeing the church as the enemy. Because we can predict what their behaviour will be as an institution, we need to work with the church to provide some concrete recompense to people who are suffering. If we can speak to the churches and the people in the hierarchy of the churches—and that is all the major churches that have provided care to children—I think we can use those resources in a more constructive and positive way.

My parents went into the foster care home to give love and warmth to those children whom we lived with. My father is now an Anglican priest, and he is a fine, decent, kind and loving man and priest. While I think that the church deserve every single bit of dirt and curry that they get—and I will not stand up and protect what they have done in any way, shape or form—I think, to follow up on Senator Murray's questions to Hetty Johnston, that slandering and branding people does actually hurt innocent people. My father is spat on in public now when he wears his dog-collar down the street, and he has spent his life uncovering—and protecting children from—sexual crimes within the church.

Interjector—That is because they don't acknowledge it. That is why he is slandered.

ACTING CHAIR—Ms Lindenmayer, your situation is very true, because we cannot blame those in the clergy today for the sins of those yesterday.

Interjector—But you can blame them if they don't acknowledge it.

Ms Lindenmayer—I acknowledge it.

Interjector—But you can't speak for your father.

Ms Lindenmayer—No, and I don't speak for anybody. I am just saying that we need to work with the churches because they have enormous resources and they also have avenues for reconciling people. One of the great crimes is that people here have been denied a spiritual life. Many people—and I know through my work as a social policy adviser with the commission in the Uniting Church—do want to reconcile to God and to the church; they are not seeking money. We need to work with churches and governments on corporate sponsorships. I think big business benefits a lot from children and merchandising to children.

I think we need to have funding put towards an Australian institute that does integrated care for past members who have left institutions and current ones. There is a program in the state government in Victoria called LAC—Looking After Children. It is based on much international study. That is an excellent program for giving children an identity and simple, practical things like making sure that when they leave one place and go to another, they have photos and records of their family; they have a journal. It gives them an identity.

ACTING CHAIR—Can I ask you to conclude, please?

Ms Lindenmayer—My other concern is about counselling for children who themselves become perpetrators of sexual violence against other children.

Mr Walton—Thank you for the opportunity of speaking. My name is Barry Walton. I am from the Aftercare Resource Centre, which is a program of Relationships Australia, Queensland. I would just like to applaud and congratulate all the people who have spoken today on their integrity and courage in coming forward and sharing with you, the committee members, parts of their lives, to help you to inform and make recommendations to address a major issue in our society. I would like to very briefly address some of the questions and points that were raised regarding counselling services.

The Aftercare Resource Centre is a funded service by the state government and came out of the recommendations of the Forde inquiry. We supply counselling and support to former residents who were in Queensland institutions named within the Forde inquiry. We have provided counselling services and other financial support services to several hundred people during the 4½ years that we have been in operation. I would like to acknowledge the comments that Mick made about the inadequacy of the amount of counselling sessions that we are able to make available. We have limited funds within which we operate and unfortunately, as the numbers of former residents who have contacted our service have grown, we find ourselves having to impose guidelines and restrictions upon the amount of counselling sessions that we can provide.

We provide counselling services via a number of different avenues: a 1800 telephone counselling service, face-to-face counselling services in Brisbane from our premises, and face-to-face counselling from all Relationships Australia branches within Queensland and nationally. We also have the facility to broker counselling services to private practitioners throughout Queensland and throughout Australia. We have used and utilised those services widely. However, having said that, imposing an upper limit of 25 sessions per individual, trying to trim it down to 10 sessions per year, is totally inadequate. As has been quite rightly mentioned, it can often take 10 sessions or more just to allow somebody to gain the trust and build a rapport that makes that individual comfortable sitting in an office—let alone trying to address the very complex issues that go with a lifetime of abuse and emotional deprivation.

What are the solutions? I do not really know. It is very easy to say additional resources and I hope your committee recommendations will advocate on behalf of that. The various service providers that provide services to this very important and special client group include the Esther Centre, the Forde Foundation, us, the Forde contact officer and other allied agencies like Bravehearts. We all do, I think, a great job and we serve this community in the very best way we possibly can. However, having said that, there are limitations—severe limitations—and we just hope that, through your committee report and recommendations, the whole business of institutional abuse and the impact and effect of that abuse on children and adults and their families subsequently will be kept on the agenda, that public awareness will be increased even more than it is already and that, out of that, perhaps some additional funds may be made available to various organisations to ensure that we can provide these ongoing services in a really meaningful and adequate way. Thank you very much for your time.

Senator McLUCAS—I have to go, and I do apologise for having to leave at this point. I have to go and see my daughter. Can I also congratulate everyone who has given us evidence today.

This is the fifth day of evidence that we have received and it is always heart-wrenching; but I have to say that I walk away thinking how brave everyone has been—you have been able to share some very personal things in such a public way. So I congratulate you all. Thank you.

Ms Tronc—Before you go, I would just like to say: you have got a young daughter to go home to but how would you all cope if something happened to your children?

Senator McLUCAS—Someone said that earlier today, and my stomach squeezed together.

Ms Tronc—That is what we are here today trying to tell you. It is not just our children; it is yours.

Mrs Keys—I am from Sydney. I was put through the care system in New South Wales. I have a couple of comments about what Senator Murray said before. I have been trying to access counselling in another state and it is very hard. Because I am not from Queensland, I have to apply in New South Wales, which can take up to a year. Most of the people I know who have tried to get counselling through New South Wales actually give up because it is too hard. They make numerous phone calls but the centre does not ring them back so they give up. So one counselling service for the whole of Australia would actually be better than services in individual states. You asked before about how people are getting information about what is happening. The only way I know, because I was not brought up in Queensland, is actually through CLAN. That is how I find out all my information about the Senate inquiries and all of that.

Senator MURRAY—Which I might add was the point of Senator Knowles's remarks because we have been told that, apart from community groups and services, the provision of houses which are dedicated to people would work well.

Mrs Keys—That is true, thank you.

Dr Mathews—In the last year, I have researched some of the legal issues in this context and I have published some papers in this respect. I have made a submission to your inquiry and appended to those papers, so I will not rehash that ground. I will just address a few comments that you made.

First, Senator Murray questioned whether academic centres in psychology, policy or law had investigated this area. I think one of the reasons they have not is that revelations of the incidences of abuse are so recent. As well, in both Australia and overseas jurisdictions, psychological inquiry into the consequences of abuse—physical, sexual and emotional—is a relatively recent pursuit. Only in the last 20 or 30 years has there really been detailed investigation.

Second, I understand your need to be able to demonstrate a kind of critical mass of people who need services, compensation and so on. One of the reasons that that is hard to find is that the key response from most survivors of abuse—whether sexual, physical or emotional in this context—is the desire to avoid any stimuli associated with that. Only a relatively small proportion of people will even seek counselling, much less any legal redress. So it is very difficult to estimate the precise number of people who need such measures. I do not know a way

around that except extensive information to the public, good infrastructure and centralised services that can possibly get to as many people as possible.

In relation to the point about the lack of a compensation scheme in Queensland, the government has not implemented recommendation 39 of the Forde inquiry at all—not a cent, not a dollar. But I would like to make the point that the government is not the only responsible institution to provide that compensation scheme. The recommendation said that responsible religious institutions ‘and’ the government should do so. That has not happened at all, in contrast with many jurisdictions in Canada, Ireland and most recently Tasmania.

On the related point about principles of compensation schemes—which I think was raised by Senator Moore or Senator McLucas—there is a detailed report by the Law Commission of Canada which gives many of those. Senator Moore raised one point about mandatory reporting. I have just written another paper on this comparing the Queensland position, which has some recent legislative changes, with the rest of Australia. The key argument against extending a broad reporting obligation to teachers and other professional groups is obviously the increase in the number of reports. I think that is not a principled basis for opposing that extension of a broad obligation. It is really an argument against inaccurate reporting. That can be addressed through proper training, resourcing and support for the groups who are meant to report and for the investigative and treatment bodies.

Senator Murray mentioned the issue of the incorporation into Australian law of the UN Convention on the Rights of the Child. My instinctive feeling is that that could be a good move if only demonstrating the commitment of governments to it. It is obviously a very complex issue and it would need a lot of other resourcing and infrastructure associated with that as well as policy. At the moment, the UN convention is, apart from the legitimate expectation it raises in administrative law, pretty toothless. The other point I would like to end on is that the Queensland government has a fundamental conflict of interest in the area of litigation in this context. The Limitation of Actions Act is used by it. It does not operate automatically. There is not a statutory bar to actions based on time. A statutory defence of expiry of time must be pleaded by the government, and it has done so. Despite the government being required to be a model litigant, it has pleaded that expiry of the three-year time limit. More to the point, in Queensland there is new personal injuries legislation that makes it even more difficult for survivors in this context—the Personal Injuries Proceedings Act compounds the Limitations of Actions Act position. That is a fundamental conflict of interest that the government has used to advance its own interests and protect itself from liability and publicity.

ACTING CHAIR—Thank you very much and thank you for your submission.

Ms Adams—I have two quick points on matters that were raised before. I would like to request that the Senate attempt to gather correct statistics for the number of children that were actually admitted into these institutions. The reason for this is with respect to the report of the British child migrant contingent that came over to investigate the outcomes of the children that were brought to Australia and put into institutions and placed in government care. Their report was very scathing about the Australian government. I remember Minister Philip Ruddock saying that it was a bit rich that the British government should come out with such statements when they had sent 10,000 or so children to Australian institutions to deal with what was an overwhelming issue. The Children’s Commissioner at the time, Mr Norm Alford, came up with

some correct statistics which, I think, were that around 3,000 all told went into these institutions. For instance, only 48 children went into Neerkol orphanage. Again, 4,000 children went to Neerkol orphanage during the 100 years since it was established—that is on their records. So the statistics are very important.

The last thing I want to say is with regard to the lady who made some comments at the end, and Father Wally Dethlefs. I have been trying to campaign for this since 1996 and even back in 1980. I am involved with a very small group which is self-funded. What we have tried to do is get the church to be accountable for the sexual abuse within the church—at great expense to our small group. We have got together case studies on sex abuse within the church; we have also campaigned with the chairperson of Towards Healing to acknowledge the abuse and to reconcile and compensate these victims; and we have come up against brick walls all the way around. One of our members even sold his home and spent the money on supporting these victims. What we do is go and meet them; we put them in contact with task force Argos and the support agencies. We also spend our own money, ringing them and so on. We have put to the church our grievances about how difficult it has been for us to get them to the table, but they just refuse to budge. I am sorry, but this is a fact: Towards Healing is a farce. Thank you.

Senator MOORE—Can I just clarify—was that particular group working within the Catholic Church or across all churches?

Ms Adams—Some of them are parents within the church; they are a parent group.

Senator MOORE—Within the Catholic Church?

Ms Adams—Yes, the Catholic Church. But it is a broader spectrum; we do actually involve ourselves with all denominations.

Senator MOORE—Thank you.

Ms Carpenter—My name is Diane Carpenter. I am an ex-Neerkol resident and I have a diploma in counselling. I have been given a little verse I would like to read. It is a gift from Susan over here, in recognition of everyone who is here. It is dated 12 March. It says:

We incest survivors may prefer to be invisible.

If we cannot be seen we cannot be abused.

But does not remaining invisible lead to neglect or isolation?

We have learned to avoid attracting attention so as not to be raped,

Yet we are deeply wounded people in need of human love and affection.

We cannot remain invisible and also hope to heal.

Being seen does not mean being a successful public person that everyone knows.

Becoming visible means sharing who we truly are with at least one other person.

We are incest survivors and also people who are worth while.

To risk being visible is to risk believing that I matter.

ACTING CHAIR—Thanks very much.

Mrs Syed-Waasdorp—Last but not least, I would like to thank the Senate inquiry people and everybody that is here for coming down and giving their statements and everything. I wanted to thank you for being so very patient with us. We wanted to let you know that we all had suffered a hell of a lot and that a lot of us are getting older, and therefore we should snap to it and hopefully get this all processed soon. Thank you.

ACTING CHAIR—Thank you.

Mr Wilson—I was in government institutions when I was a child, and what concerns me the most is that I have noticed that some of the abusive people in these institutions are still working in the system. A royal commission would be able to address these people who perpetrated this abuse against others. It would help in the healing process, because we are telling our stories but we would like to hear the stories of the perpetrators about what they did to us and why they did it to us. In these inquiries, we are all telling our stories, opening ourselves up to you, but what about the people who inflicted this upon us; what is happening to them? Where are they now? Are they still doing the same things to kids? I am sure that they would be.

ACTING CHAIR—Thank you. That is a very good point.

Mr Wilson—It does not just disappear. These people are still in the community. What effect are they having on children and the community to this day?

ACTING CHAIR—Thank you very much, because it is certainly something that worries the committee enormously.

Mr Wilson—Another thing is that I believe the Uncle system is a good system, where a kid at risk is taken and given a mentor. I believe that person has to be checked out completely. It should not be some sort of upstanding member of the community, because a kid who has been abused might be on the street and they would see this person—it may be a church person or someone like that—as too straight for them. Their mentor needs to be someone who is on their level—someone who will not abuse them but who they can relate to, not like a church minister or someone like that.

ACTING CHAIR—That is a very good suggestion. On behalf of the entire committee, we would like to say a huge thank you to you. These inquiries are never easy and, quite frankly, are never pleasant. This story has to be told, and we have to get to the bottom of it. Without you and your contributions that would be impossible. We know it has been exceptionally difficult for many of you not just to be witnesses today but to sit in the audience and listen to some of the stories, because it must open your hearts up again and again. To each and every one of you, from each and every one of us, I say a huge thank you, and we wish you well. I hope you wish us well

in our deliberations, because we have a lot of work ahead of us now to put something together. We will certainly be hoping to help you sooner rather than later. Thank you again, from all of us. You have been a tremendous group.

Committee adjourned at 5.21 p.m.