



# **‘Our Child Welfare Ideas are Medieval’**

**(The Argus, Monday 24<sup>th</sup> November 1952, p.7)**

**A Submission by Care Leavers  
Australia Network (CLAN) to the  
Inquiry into the handling of child  
abuse by religious and other  
organisations**



## **About CLAN**

Care Leavers Australia Network (CLAN) was founded in 2000 by two Care Leavers; Leonie Sheedy and Joanna Penglase. CLAN is a support, advocacy, research and training organisation for the 500,000 plus people who grew up in Australia's 800 plus Orphanages, Children's Homes, foster care and other institutions. CLAN members include people raised in every state of Australia and in overseas orphanages; child migrants, the stolen generation, and foster children. Many of our members are middle aged or older with our oldest member aged 96 and our youngest member who is 19 years old.

Care Leavers still carry the burden of unresolved issues from their past – the loss of their parents, siblings and extended family, loss of identity, the shame and stigma, and feeling like an outsider in society. Many left the 'care' system with little preparation for adulthood or parenthood, many with the scars of physical, sexual and emotional abuse.

CLAN's Mission is:

- To listen, hear and believe.
- To advocate on every level for justice, peace and healing for care survivors.
- To identify specific and individual strategies which will deliver positive life-changing outcomes to heal the past and give Care Leavers a chance of happiness and closure.
- To document our history and our personal stories through a National orphanage Museum.
- To have a Royal Commission established into abuse in State Care.

CLAN can provide information, understanding and emotional support through:

- Telephone support
- Socials in all states
- Reunion support
- Bi-monthly newsletter
- Help to obtain your ward file or Home record
- Help to write your personal story
- Free advertising in the CLAN newsletter to reconnect with family or Home friends
- Advocacy and lobbying on issues relating to Care Leaver services in all states so that we do not remain Forgotten Australians.

CLAN advocates for justice and redress for all Australian Care Leavers.

## Table of Contents

Introduction .....	5
Why were children placed in 'Care' .....	5
How many children were in 'care' in Victoria .....	7
The Criminal Abuse of Children in 'Care' .....	8
Physical Abuse .....	8
Physical Torture .....	9
Malnourishment .....	11
Deprivation of Medical Attention .....	12
Medical Experimentation on Care Leavers .....	13
Deaths in 'Care' .....	14
Sexual Use of Children in 'Care' Settings .....	15
State Sanctioned Rape .....	18
Forced Labour.....	19
Working for the profit of the State, Church or Charity.....	20
Maintenance and Upkeep of the Home/Orphanage/Institution.....	20
Severe Psychological Punishment and Mental Pain & Suffering – Lack of Emotional Attachment .....	21
De-Individualisation .....	23
Locked in cupboards/isolation .....	24
Humiliation and Degradation .....	25
Bedwetting .....	25

Absconders.....	26
Reasons Why Abuse and Neglect were not reported .....	27
The Effects of Childhood in ‘Care’ .....	29
Lack of Support and After-Care Services .....	30
Personal records and Files .....	31
Historical Abuse Police Units .....	32
Unpaid Labour .....	34
Lack of Redress and Compensation .....	34
The inadequacy of this Inquiry .....	36
Recommendations .....	39
Conclusion.....	41
References.....	42
Appendices.....	44

## **Introduction**

Care Leavers Australia Network (CLAN) would like to take this opportunity to comment on the Inquiry into the Handling of Child Abuse by Religious and Other Organisations. Whilst CLAN is glad the Victorian Government have taken the first steps into investigating the abuse, use, and neglect of Victorian children which occurred within the Victorian 'care' system, CLAN is extremely disappointed that the scope of this Inquiry does not include Government run Homes, Orphanages, Institutions and other facilities. Even though the churches and charities that ran the majority of Homes, Orphanages, and other Institutions in Victoria, the Government has also played a pivotal role in the 'caring' of children throughout the twentieth Century. Not only did the Victorian Government establish 17 Homes, Orphanages, and Institutions, they were also the ones who licensed 'care' facilities, who placed children in Homes through the courts as state wards, who were responsible for conducting thorough inspections, and who also provided funding to certain religious and non-government organisations.

CLAN hope that by reading our submission it will be clear that the Victorian Government is just as responsible for the abuse, use, and neglect of children as are the churches and charities who provided 'care'.

It is discrimination that the many Victorian Care Leavers who had both government and non-government experiences in the 'care' system are excluded. Moreover it will be clear that the Victorian Government were enabling the criminal treatment of children by the churches and charities through both direct involvement and a failure in their duty of care. Once you are aware of the inadequacy of this Inquiry it is CLAN's recommendation that the Victorian Government's wrongdoing and involvement in the abuse, use, and neglect of children is also inquired into.

## **Why were children placed in 'care'?**

The state separated children from their parents for many reasons and placed them into the Victorian Child Welfare system. Firstly, we acknowledge that some Care Leavers were removed from abusive situations and it was necessary to place these children in care. However, not all children who ended up in 'care' were from abusive families. On many occasions parents who were poor had their children removed because it was deemed that the child was neglected (and the child was taken to court and charged as such). Unfortunately those children who had been neglected were further neglected, abused, and exploited by those who ran the Homes, Orphanages, and Institutions. Many Victorian Care Leavers state that they went from the frying pan into the fire

Furthermore, it must be remembered that throughout the twentieth century there were numerous wars that Australia took part in which left many children with only one parent to care for them. Australia also suffered through the Great Depression which was a difficult time for most. Yet the government did not try and focus any extra assistance and support towards these vulnerable members of society, instead their children were removed or taken away and monetary assistance was given to the Homes/Orphanages instead. It is interesting to note that in a CLAN survey of 577 Care Leavers, poverty was the reason most often cited for children ending up in 'care' (2011, Struggling to Keep it Together).

Additionally, some parents who were struggling to care for their children, placed them in an institution as a 'voluntary admission' and paid certain fees for the upkeep of their children. Please see Appendix 1 for a receipt of such payment. Many of these parents felt this was their only option as this enabled them to maintain their parental rights. When parents failed to pay the maintenance to the Orphanages and Homes, the child was then made a state ward with parents losing the right to get their children back. Unfortunately many children from single parent families were placed in care because the parents needed to work in order to support their children. Any single parents' who did try to do both, often found the welfare taking their children away and charged as being 'neglected'. Furthermore, fathers were also deemed unsuitable to care for children by themselves leading to many families being torn apart due to a Government's gender discrimination.

Another common avenue that led to children being placed into 'care' was children who were truanting school or running away from abusive situations. Children were never asked why they were truanting to elicit the reasons behind their behaviour. Authorities relied heavily on parents, police, and schools for evidence rather than believing the child's version of events. Furthermore, if the authorities deemed children to be associating with those they thought were inappropriate, children were brought before a children's court and charged. According to the Community Affairs references Committee (2004) Victorian children could be charged in the following circumstances:

- If they had no visible means of support or no settled place of abode
- If they were not provided with sufficient or proper food, nursing, clothing, medical aid, or lodging or who is ill-treated or exposed
- If they were in the care or custody of any unfit person by reason of his conduct or habits to have the care and custody of the child or young person
- If they were living under such conditions as to indicate that they were lapsing or likely to lapse into a career of vice or crime
- If they were exposed to moral danger

In many of these cases children were acting like normal teenagers and it did not reflect on their care at home. Some children as young as two years were also detained by police, referred to as a prisoner, and were locked up in police custody. Please see Appendix 2. It is very apparent in these circumstances that the child welfare system was used as a punishment for children. There are also accounts of children as young as 13 being locked up in adult prisons for misbehaving whilst in the Child Welfare Homes (Barrier Miner, *Unruly Girl Again Sent to Pentridge*, 1953). Please find a copy of this story in Appendix 3.

In a survey conducted by CLAN in 2011 'Struggling to Keep it Together' the most common reasons cited for children being placed in 'care' were:

- **Poverty**
- **Death of a parent/s**
- **Effects of war**

- **Lack of support for families**
- **Parental mental health**
- **Parental illness eg TB**
- **Alcoholism**
- **Domestic Violence**
- **Children were charged with neglect and various other offences such as being exposed to moral danger and having no fixed abode**
- **Single parent families**

Therefore it can be seen that there were a variety of reasons and circumstances which resulted in a child being placed in 'care'. One thing that all of these circumstances had in common, is that the child was already vulnerable. The vulnerability of children in 'care' made them targets for churches, charities and the government alike, to abuse, use, and neglect them, all the while being paid and funded to do so.

### **How many children were in 'care' in Victoria?**

Since there has been no independent parliamentary inquiry into children in institutional care in Victoria, there is no way of knowing how many children were placed in Victorian 'care'. Unfortunately there are no definitive numbers and we can only rely on estimations. Furthermore because children were placed in 'care' by a variety of people and for different reasons there is no one statistic that can be used.

The Senate Community Affairs References Committee in their 2004 report 'Forgotten Australians', gave a conservative estimate that there were approximately 100 000 children in Victorian 'care'. This number however, was based on a Senate Committee estimate of 59 000 state wards whereas the Norgard Report (Victorian Legislative Assembly, 1976) stated that there were 95 000 state wards in Victorian Care between the period of 1864 to the 1970's. This discrepancy could mean that there was anywhere between 100 000 – 150 000 children placed in Homes, Orphanages, or Institutions in Victoria.

It is even harder to obtain approximate numbers of children placed in church and charity Homes and Orphanages as record keeping was poor. Furthermore, religious orders such as the Catholic Church had many different orders within it who ran institutions, and since there was no centralised record keeping agency, no numbers exist of just how many children went through the care system in Victoria. As an idea of how many children were in some sort of 'care' by the Catholic religious orders, MacKillop Family Services' database covers 115 000 individual client records relating to more than 12500 mothers and over 63 159 children who were in six different Catholic Orphanages and Homes operated in Victoria by the Christian Brothers, Sisters of Mercy, and Sisters of St Joseph from 1857 until the 1990's. When you take into account the many other Catholic orders who ran Orphanages and Homes this number would grow exponentially.

In the CLAN survey 'Struggling to Keep it Together' (2011), 52% of respondents who were in 'care' in Victoria were placed in an Orphanage, Home or Institution run by the Salvation Army, 37% were in Catholic Orphanages and Homes, and 20% had been in Church of England run Orphanages or Homes. The Senate Community Affairs and References Committee were unable to provide an estimate for

the number of children in Church of England 'care', and gave an approximation of 30 000 children being placed in Salvation Army 'care' all over Australia.

From available information CLAN have been able to account for 35 Catholic orphanages and Homes in Victoria, 26 Anglican (Church of England) Orphanages and Homes, and 14 Salvation Army Homes or Institutions. These made up the majority of Orphanages, Homes and institutions in Victoria aside from 17 Government run Institutions and Homes. Making up the rest of the Orphanages and Homes in Victoria were seven Presbyterian Homes, three Legacy Homes, two Methodist Homes, one Lutheran Home, one Jewish Home and a variety of other non-denominational or charitable run Institutions. Please see Appendix 4 for a list of Government and non-Government Orphanages, Children's Homes and other Institutions which were established in Victoria.

It is obvious that the numbers of children in 'care' in Victoria are vague, however it is likely that based on conservative estimates there were at least 100000 children placed in 'care' in Victoria either as state wards or as private placements. It is also important to remember that state wards were not just placed in Government institutions they were also placed in church and charity Homes, which adds to the difficulties in estimating the number of children in 'care' in Victoria.

### **The Criminal Abuse of Children in 'Care'**

Children in care were abused and used in a variety of criminal and inhumane ways. This abuse included physical abuse and torture, sexual abuse, psychological abuse and torture, as well as criminal neglect. Under Section 493 of the *Children, Youth and Families Act 2005* it is an offence to fail to protect a child from harm.

This includes "A person who has a duty of care in respect of a child - (a) who intentionally takes action that has resulted, or appears likely to result, in - (i) the child suffering significant harm as a result of - (A) physical injury; or (B) sexual abuse; or (ii) the child suffering emotional or psychological harm of such a kind that the child's emotional or intellectual development is, or is likely to be, significantly damaged; or (iii) the child's physical development or health being significantly harmed; or (b) who intentionally fails to take action that has resulted, or appears likely to result, in the child's physical development or health being significantly harmed..."

Using the above definition of criminal abuse and neglect CLAN feel it is within the Terms of Reference to discuss the psychological and emotional abuse of children in 'care' and how this abuse has largely impacted upon their childhood and adult lives.

### **The psychological and emotional abuse that children in 'care' endured greatly impaired and hampered both their emotional and intellectual development.**

CLAN also feel that within this definition it is appropriate to discuss the neglect of children in the form of malnourishment, the deprivation of medical attention, and the medical experimentation on children in 'care'.

### **Physical Abuse**

Children were brutally assaulted whilst in 'care'. Children would be beaten, flogged, kicked, whipped, caned and punched repeatedly for trivial infractions. Although corporal punishment was accepted in this era, the treatment of children in "care" went beyond punishment to the extent of



criminal assault. This assault took place often for the slightest things such as wetting the bed or speaking when they were not supposed to. Moreover, children often waited in fear the whole day after wetting their bed, knowing that they would be punished in a painful and degrading manner.

Former CLAN member Kenneth Carter, recounts being assaulted with wood as a punishment for running away from the Salvation Army Box Hill Boys Home, Victoria. Kenneth described his attack by Major Stevenson:

**“He grabbed a huge hunk of wood, and used that hunk of wood to strike me across my back several times until he dropped the wood. He then grabbed me by the back of my pants and the scruff of my shirt, held me above his head and threw me against the brick wall of the shower block”** (Submission 296 to the Senate Inquiry).

Lindsay Mason in his submission to the Senate Inquiry (2004) also recalls the brutality with which the Salvation Army treated them. Mr Mason was in Bayswater Boys Home run by the Salvation Army and describes their treatment upon arrival:

***“We were bashed savagely, not by the officers, but by a large group of trustee prisoners. From then on it was nightmare after nightmare. We were then belted on a regular basis by the warders, namely Colonel Leggit, his son Captain Leggit, and a Colonel Wright. They were savage beatings. Boots and all. Time and times again. They would get you when you were laying in your bed. Come in, grab you, get you on the floor and kick and beat you till you were badly hurt. It was a nightmare. I often wished I were dead.”*** (Submission 148 to the Senate Inquiry)

This type of excessive beating was not uncommon in Victorian Orphanages and Homes and occurred in all Homes, Orphanages and Institutions, regardless of who ran them. Wayne Miller who spent time in St Augustine’s described the corporal punishment they would often receive:

***“He told me to strip and hold my hands out front. I wasn’t scared at this point. Six of the best hurt like hell, but the pain would eventually go away. Six, seven, eight, nine, ten the count just kept going and by this time I was in full flight with my crying, it was then that Cookie snapped. He started to flay me with his strap, hitting my legs and arms and a few times on my buttocks and back. The pain was excruciating and the last thing I remembered was his fist heading towards my face. I awoke in the infirmary with a very sore jaw and a splitting headache.”*** (Submission 15 to the Senate Inquiry)

As evidenced from the previous testimony a number of different weapons were used on Care Leavers like belts, straps, horse whips, canes, switches, wet towels, keys, fists, rosary beads, wood, and many others. An article from 1927 describes how an inquiry had been opened into the strapping of a boy at Royal Park Home. In this article the doctor states that ***“the strap used was only fit for a horse”*** (1927, Barrier Miner, ***Strapping of a child evidence at Inquiry***) Please see Appendix 5.

## **Physical Torture**

Another way of punishing children was to physically torture them. This differed to blatant corporal punishment and assault. Instead it was often designed to slowly cause intense pain or injury. For example, there have been some accounts of children being made to walk from post to post in the

blazing hot sun with bare feet, not only to tire them out but to cause severe sunburn and blisters which would leave them in pain for days. As a result, many Care Leavers now suffer from skin cancer. In some Orphanages and Homes children were made to cut large sections of grass using basic stationery scissors, causing them to break down psychologically and physically.

There are also accounts that children have been made to stand in a corner and hold their arms above their heads, if their arms fell they were hit and had to put their arms back up. This would have caused intense pain for anyone, let alone young children. This sort of punishment is evidenced in the following account by Bryan who spent time in Nazareth Boys Orphanage:

***“He would stand me about 12 inches away from the back wall of our jerk court put heavy shoes in each hand and tell me to raise my arms out full length, when my arms became tired and withered and were tired and the strength had gone from them, and lowered, he would come up to me and jive the hardest whopping full force back handed an adult could give a child, this was under my face and wasn’t open handed either. I would then go flying back into the brick court head hitting it full force, causing me concussion then he’d boot me, and tell me to get up and repeat the same process all over yet again. This would happen all day. Every weekend.” (Submission 290 to the Senate Inquiry)***

Horrifically, there are accounts of electrocution being used as a form of punishment also. Ronald Courtis from Box Hill Boys Home , Victoria recalls the following:

***“Captain Blewitt used to make a group of us boys stand around and hold hands and he would attach an electric current to us. He would keep turning the current up. Not only was this extremely painful, but we were also scared stiff that he would go too far and we would die of electrocution. There was no point in saying no. Any protest would just be met with a bashing”. (Clanicle newsletter 49)***

CLAN have also read accounts of children being pinned to their beds at night and kept in cots enclosed with mesh during the day. An article published in the Age Newspaper in 1997 describes how children in the state registered Dorrie Black Home, which ran in Victoria throughout the 1950’s and 60’s were pinned to their beds at night to prevent them from walking around. They would be pinned from 5.30pm until 7am, and if they soiled themselves they were left to lie in their own faeces and urine soaked sheets until the morning. This article also describes the toilet training process which was used; there were three upright poles set in concrete in the laundry to which children would be tied and forced to sit on their potties until they went to the toilet (Ryle and Hughes, 1997). CLAN would like to add that since discovering this information and upon further research of the Dorrie Black Home, CLAN have learnt that Dorothy Black was awarded an MBE in 1969 for her work in Child Welfare. It is astounding that these torturous and cruel practices were not only accepted at the time but were rewarded. Please find a copy of this article in Appendix 6.

This cruelty to children is unfortunately not an isolated incident. An article from the Sunday Times (1908) documents how babies were neglected and cruelly treated leading to the deaths of five infants whilst in foster care. Furthermore the babies when being transported from one residence to another had their arms and legs tied up and were placed ***“on hat racks like parcels”***. This unconscionable treatment of children was all too common throughout the twentieth century.

Furthermore it has also been documented that as a way of controlling bed-wetting **“Some children were subjected to genital shocks with electrical diodes”** Alliance for Forgotten Australians (2010). This treatment of children amounts to torture, these punishments were designed to slowly break children down both physically and mentally, and as one Care Leaver said **“If this happened in a war prisoner’s camp it would be called torture by the international community”**. (Submission 87 to the Senate Committee)

### **Malnourishment**

Children were often undernourished whilst in ‘care’ and were often fed spoilt or rotten food. Many children recall finding insects in their food such as maggots or weevils, or remember seeing the food covered in mould. Other children recall being fed the same food day in, day out, like stale bread and off milk. Children were often forced to eat food which many would find unappealing such as tongue, liver, tripe etc. Ethel Robertson who spent time in St Vincent De Paul’s Orphanage stated:

***“The food at St Vincents was shocking, there was little food and fat was put on the bread, the food was every morning porridge, two pieces of bread with fat, a bowl of watery soup and tea was a couple of pieces of bread with fat and a cup of tea.”*** (Submission 522 to the Senate Inquiry)

If children did not eat their food they would be punished. Children were not allowed to leave until all their food had been eaten, or they were forced to stand in corners facing walls until they would eat their food. Furthermore, many children became sick from eating their food which resulted in them vomiting. Unfortunately this was also punished in the most degrading and disgusting of ways. Children were then forced to eat their own vomit. This can be seen in Margaret Bissetts account of the time she spent in Nazareth House:

***“At least 3- 4 times I was forced to eat my food after I had vomited it, I was unable to swallow any meat with skin on it and if I did eat it, it would resurface very quickly and Meltis would force me to eat the vomit”*** (Submission 108 to the Senate Inquiry)

These types of practices of course instilled fear into the children and as a result some went to great lengths to avoid this happening to them. Leesa Stevens also spoke of these practices in Nazareth House:

***“being so scared of eating my own vomit that I hid my food up my nose until it rotted, then after one of my mother’s few visits which were around once every three months she complained that I stank and told the nuns to take me to the doctors and have me checked out, then the doctor found that I had hidden food up my nose and that it was the cause of the smell as it was rotting and then he removed it.”*** (Submission 5 to the Senate Inquiry)

Furthermore whilst many children recall eating horrendous food, they also recall seeing those who worked in the Homes enjoy food they would have deemed a luxury as can be seen in the following example quoted by Penglase (2005).

***“Staff took their meals at the same time and sat at tables covered with crisp white starched tablecloths and napkins, silver cutlery and serviette rings. We would sit and drool***

***at their food. They had chicken, meat, bacon and eggs, toast with real butter, scones with fresh cream and jam.”***

Sadly, many children were also deprived of an adequate amount of food. Children were also denied food as a punishment. Therefore, children often resorted to stealing food from the Home's cupboards, market gardens, pig slops, or ate raw vegetables, monkey nuts and sourgrass to keep from being hungry. Similarly many children were also deprived of water, especially close to their bed time, causing dehydration. These acts of desperation show just how deprived and malnourished these children were.

There are cases in which the malnourishment of children has led to their deaths. In 1929, a Victorian foster carer was found guilty of manslaughter for the death of seven month old state ward Leonard Maxwell Kirkwood. Cause of death was attributed to malnutrition (The Register News- Pictorial, 1929, *Woman Guilty of Manslaughter*). For a copy of this article please refer to Appendix 7.

The malnourishment of children and the abuse that they suffered because of food issues is particularly saddening, as many children were removed from families who were poor and were then charged with being neglected. Nevertheless, whilst in their own families these children were often fed better than they were at the Homes or Orphanages and they were never abused because of food, in the way the workers in the Homes abused children. For most people, vomiting is viewed as a sign of illness however in these cases vomiting was used as just another way to torture defenceless children.

### **Deprivation of Medical Attention**

Children in 'care' were deprived of medical attention, not only after being physically assaulted by Home workers, but also after innocent accidents, mishaps or illness. In most instances children in 'care' never received the medical treatment that they needed in order to address their injuries or illnesses. As discussed above, even when children were vomiting, instead of being treated appropriately they were punished and tortured for this.

Furthermore, even when children may have been given appropriate medical attention, the Homes refused to follow doctor's orders and treatment plans. This would often result in injuries being left untreated and illnesses gradually getting worse. In a story written by Alfred Stirling who spent time in Salvation Army Bayswater Boys Home, he recounts an injury he sustained while working with a large saw:

***“My left hand went up under the belt, got jammed and dragged me up and over the saw blade belt crushing my fingers. This happened at 10am just after smoko, my hand was covered in blood. The officers took my up to the kitchen. The boss salvo lady she was about in her late 50's, bathed my hand and wrapped a towel around it. They sat me in the compound and that's where I stayed until they had time for someone to take me to the doctors at 5pm. The Doctors stitched my fingers back in to place and shipped me back to Bayswater Home. Back to work in the kitchen on light duties the next day.”***

This behaviour is quite typical of the employees of the Orphanages and Homes as it was not a priority to treat the medical problems of the children. Even when a boys hand was crushed, cut and bleeding, it was something that could wait seven hours to get fixed. Furthermore, not only was it not important that his hand was attended to in a timely fashion, but once it was attended to the priority was that he get back to some sort of work straight away.

Another issue CLAN feel is worth discussion was the lack of oral hygiene and dental care given to children in the Victorian Child Welfare System. As one Care Leaver remarked, they had never seen an adult clean their teeth while in 'care'. This disregard for dental health is unacceptable, and the lack of role models to show children why dental care was important is inexcusable.

The negligent attitude that Homes, Orphanages and Institutions had toward treating the medical problems of children has had dire consequences. Undoubtedly their negligence not only led to long term pain and suffering but it is also the cause of an unknown number of deaths of children in 'care' (to be discussed in a later next section).

### **Medical Experimentation on Care Leavers**

Many Care Leavers recall being used as test subjects for medical experiments. In Victoria children in Orphanages and Babies' Homes were also used for experiments. In 1997 the Age newspaper printed a series of articles referring to this experimentation and noted that the trial vaccines failed to pass safety tests in their use with animals. This article refers to an experiment which was still running in 1970 and involved 350 infants between the ages of three months and 36 months of age who were injected with full adult doses of a trial influenza vaccine to test for toxic reactions (Hughes and Ryle, 1997). Please see Appendix 8.

In another article published by The Age (1997), children from Broadmeadows Babies Home were experimented on with adult doses of a vaccine for the herpes simplex virus between 1946 and 1947. Of 16 babies who were given the initial dose, only nine were given a second dose of which seven suffered an adverse reaction. All in all 51 of the 240 babies in the Home were used in these experiments, and these details have not been recorded in their records or files. Please see Appendix 9 for a copy of this article.

In a submission to the Senate Inquiry by Lindsay Farrar (Submission 479), he recalls being taken to Royal Park and the Children's Hospital Carlton for experiments involving the Commonwealth Serum Laboratories. At this time Lindsay was in 'care' at St John's Boys Home Canterbury.

Medical experimentation was widespread across Orphanages and Children's Homes in both Victoria and Australia, even though Australia was party to the Nuremberg code, a ten point code of practice detailing the ethical, philosophical, and medical responsibilities involving medical experimentation on human subjects. CLAN are appalled at the irresponsible nature in which children were so easily surrendered for medical experimentation. CLAN would like to know who gave consent for these trials to be conducted on vulnerable children in 'care'? How is it ethical for children without parental consent to be surrendered for medical experimentation? Who was looking out for these children's best interests? There have never been any medical follow ups conducted on these children to find out if there have been any long term detrimental effects to their health. Many Care Leavers do not even know if they were one of these children who were used for experimentation as many of these vaccine trials and immunisations were not recorded in Care Leavers files/records.

CLAN has a list of 78 children from some Orphanages and Homes in the state of Victoria who were used as Guinea Pigs in vaccine trials, passed on by a journalist from the Age newspaper in Victoria. This list shows the following Victorian Homes partaking in various vaccine trials:

1. **Berry Street Foundling Home**
2. **St Josephs Hospital**
3. **Bethany Babies' Home Geelong**
4. **Child Welfare Department Home Turana**
5. **Methodist Babies Home.**

This list demonstrates that Vaccine trials and medical experimentation were not isolated incidences taking place in one or two Homes, it was widespread and due to the lack of record keeping the precise numbers will never be known.

Using vulnerable children in 'care' to experiment on when the vaccine trials failed to pass safety tests with animals, can only be thought of as criminally negligent and as likely to cause significant damage to a child's health and both physical and intellectual development.

#### **Deaths in 'Care'**

Sadly, a number of Victorian children died whilst in the 'care' of Homes, Orphanages, Institutions and Foster Care throughout Australia. Since an Inquiry into Children in all forms of Institutional care in Victoria has not been conducted it is impossible to ascertain how many children actually died whilst in Victorian 'care'. Nevertheless, CLAN have been able to locate a Victorian Child Welfare Department Annual Report which lists the number of deaths of State Wards between the years of 1939 and 1943. CLAN were shocked to learn that in these four years 62 children died whilst in the Victorian Child Welfare system. Moreover CLAN are concerned to see that where cause of death is listed, nine deaths have been attributed to an 'accident'. Please see Appendix 10 for a copy of this document.

CLAN have also heard from a number of members, that they remember seeing another child killed either by a worker at the Home/Orphanage or by other children. One CLAN member has spoken about seeing two deaths at St Catherine's Geelong. In a confidential Submission to the Senate Inquiry, a man describes an incident he witnessed;

**"I witnessed a boy who was attacked by a brother and after being punched and beaten he was thrown down the stairs. This boy was taken to the infirmary and I found out that he died a short time later. Later on the day of this incident I was near the infirmary and I overheard some brothers talking. One of the brothers claimed that the boy had fallen down the stairs"** (Confidential Submission 98, St Joseph's, Ballarat).

In Submission 501 to the Senate Inquiry, Gordon Hill describes the death of a boy also at St Joseph's Orphanage Ballarat:

***“One night in the dorm a kid was coughing really badly and wouldn’t stop. He was told to shut up by the other kids, but he didn’t. The boy in charge then got into trouble by the nuns (they had a room off the dorm) for having a noisy dorm, so this boy told the kid coughing that if he didn’t shut up, he’d be shut up. When he coughed again, the boy in charge picked up a castor from under the bed leg and threw it at him and hit him in the head. No more coughing. The next morning, when the boy in charge was getting everyone out of bed, he ripped the sheets off the coughing boy, but he didn’t get up. Then a nun came in and clipped this boy behind the ears, grabbed him by the legs and yanked him out of bed. There was a big thud as he landed on the floor – he was dead. We were ushered up into the change rooms and kept there for over an hour until the nuns had assessed the situation and removed the body.”***

Furthermore due to the neglect and the failure to seek medical attention, many children have passed away from illness that may have been prevented had they received treatment. There are newspaper articles from the 1920’s attesting to the poor conditions in Orphanages, Homes, and foster care and the malnourishment and illness of children being unattended to causing an increasing death rate. Please find these articles in Appendix 7 and Appendix 11. Similarly, in 1914 there were calls from the Victorian coroner that deaths of children in ‘care’ should be reported to him but they were not (1914, *The Argus, Wards of State Deaths not Reported Coroners Comments*). The coroner in this article described some of the causes of death he had determined of state wards being things like exhaustion and food poisoning. Please see Appendix 12.

There have been gravesites found at a number of Homes undoubtedly filled with children who may have survived had they not been neglected for example Ballarat Orphanage in Victoria. Please see Appendix 13.

CLAN believes that it is imperative that a Royal Commission be established in order to investigate not only the heinous crimes and failures of the Child Welfare System, but also the many innocent lives lost because of the ‘care’ system. Without Inquiries into this matter the deaths of many innocent children will go unnoticed and unrecorded, with their families and society never knowing the truth. Both the Government and non-government sectors must be held accountable for the crimes they have committed in the past and CLAN feel that a Royal Commission is the only method of achieving the transparency required to do this so that justice will prevail.

### **Sexual Use of Children in ‘Care’ Settings**

According to CLAN’s first survey *A Terrible Way to Grow Up (2008)* **44.5% of respondents had been sexually abused during their time in ‘care’**. Sexual use and abuse was prevalent in the Child Welfare System and was perpetrated by a number of different people. These people included:

- Priests
- Brothers
- Nuns
- Ministers
- Reverends
- Superintendents
- Matrons

- Employees
- Foster carers
- Holiday hosts
- Sometimes even other children

Sexual use and abuse took place in ALL types of Children's Homes, Orphanages, Institutions, and also in foster care placements. It occurred regardless of who ran the Home, whether it was a church, charity, Government, or private individuals. Moreover, sexual abuse is a crime, whether it occurred fifty years ago or five minutes ago.

Sexual use of children was often committed by those in charge and was another way of establishing power and dominance over the children as well as a way of degrading them whilst at the same time fulfilling the abuser's own needs. William Davis describes his time at St Augustine's as an eleven year old boy and sums up his abuse as the following:

***"I was molested more than 500 times. I don't just mean petting; I mean the whole lot of the shit. Yes, I was fucked up the ass, always in his room, always after we had gone to bed, I also had to suck this 'fuckhead' off and wank him off." (Submission 227 to the Senate Inquiry).***

The sexual use of children, in this way was quite common. Children in Victoria's Orphanages, Children's Homes, other Institutions and foster care, were sexually used and abused in every which way. Those who ran and worked in the Homes used sex to blackmail children, knowing their lives were terrible in every other way they would often say if the child succumbed to their sexual advances that they would 'look after' them. Instances such as these can be demonstrated by the following:

***"Brother X closed the door and came over to me and put his hand on my bum. He said, 'you know you're a special boy and if you do the right thing by me I'll make sure you are well looked after in the future'. I didn't understand, until he kissed me on the cheek and squeezed my bum harder. I grew very frightened and moved away, pretending to look for another bucket. He reached for me and forced me onto a bale of hay and pulled my pants down. He had me laying over the bale, on my stomach and continued to caress my bare bum. X inserted a finger into it and it was wet with something. He continued probing me for sometime and then pulled his finger out and pulled me up. He then forced me onto my knees and pushed his cock into my mouth. I remember nearly choking as he kept pushing in and out of my mouth until I tasted a salty sticky substance. He sort of trembled and moaned, let me go, tucked himself in and left." (Submission 15 to the Senate Inquiry, Wayne Miller, St Vincent De Paul Boys Home, South Melbourne).***

Wayne Miller goes on to speak about how widespread the abuse was which occurred at St Vincent De Paul's Boys Orphanage and it becomes obvious that the employees of the Homes were aware of the sexual abuse which was occurring by other employees. Wayne Miller describes being asked by another Brother in the Home to sit down next to him whilst he was on his bed and to find something under the blankets, when Wayne lifted the blankets up this Brother was lying there with no pants on and ***"he winked and said that I had to suck him, 'just like you did with Brother X'...after it was over he put a 10 note in my hand and told me to come back again."***

Behaviours such as this made it obvious to children that there was no one in the Home they could turn to, everyone knew what was happening and condoned it. The only result that a child could expect from reporting their abuse to someone in the Home was that of a punishment. This attitude



was not only held by the other employees of the Homes but it was also demonstrated by the Victorian Police too. CLAN have heard thousands of unreported crimes of rape, sodomy, and molestation committed on children in 'care'. These children never reported these crimes because of their fear of floggings, beltings, and even death. Take for example Mark Cade, another Care Leaver who spent time in St Vincent De Paul's Boys Orphanage and who spoke of his abuse in Submission 38 to the Senate Inquiry:

***"McGee began to fondle my genitals and I got the far side of the bed. He came towards me, unbuttoning his cassock at the same time. He dug his thumb into my throat and forced me to sit on the bed and then forced me to take his penis into my mouth. Then he forced me to bend over the bedside locker where he digitally penetrated my anus before forcing his penis into my anus."***

Mark Cade goes on to tell how he sneaked out of the Orphanage after this incident and made his way to South Melbourne Police Station to report the abuse. He describes how his report was received by the Victorian Police:

***"A Detective, Brian Murphy, came into the cell and slapped me a number of times before punching me in the stomach and he told me not to bother coming to the Police Station with such cock and bull stories."***

It is clear that there was no one for children to report abuse to, and the way in which most sexual abuse claims were handled was to punish the child with corporal punishment, place them in isolation, and remove the necessities for living. In the case of the Victorian Police they dealt with allegations of child sexual abuse by returning these children to their abusers. Abusers also used blackmail and psychological abuse to prevent children from speaking about their abuse. This can be seen in the following example from Susan Connolly, who spent time in Ballarat Children's Home.

***"One man sexually and physically abused me. He was married to our cottage mother at the time. I was 15 very outspoken if I thought things were unfair. This got me into trouble but this man had a particular way of dealing with me. He would get me into a flimsy nightie with half the front ripped he would then make me scrub the bathroom floor as I did so he would crouch behind me and touch my breasts and my vagina through my underpants. I did not know at the time but I know now he was masturbating while he did this. Once he had finished he would then make me take off my underpants and he would slipped very hard 10 times, always 10 times with his large open hand. He told me that if I told anyone he would abuse my younger sisters." (Submission 473 to the Senate Inquiry)***

Furthermore sexual abuse also served as another way of psychologically torturing children as they knew what was occurring and suffered intense fear and helplessness wondering if and when they would be next. As can be seen by the following quote sexual abuse of children was not committed discretely, it was committed very publicly and even led to children reassuring each other that it was okay because it happened to all of them:

***"I did not realise until it was too late he had his hand in my pants and he was fondling me. I started to complain and Peter C said it's alright we all do it Sgt Wilson won't hurt you. So I let him play with me while at the drive, but when we got back to the Home he asked me to his room, I said 'No'. He came to my bed later that night, I am not going to get into what happened I was abused, that's it." (Submission 399 to the Senate Inquiry, James Hale, Salvation Army Box Hill Boys Home)***

The depravity of the sexual acts committed against children in the 'care' system is unrivalled. Alfred Stirling, a CLAN member who spent time at a Salvation Army Home in Bayswater, Victoria, recently described to CLAN witnessing the sexual abuse of other boys whereby they were forced to put their penises inside the cow's mouth. CLAN have been privy to accounts by other Care Leavers as well describing sexual abuse involving the use of farm animals. As one can imagine incidents such as these leave horrific scars for Care Leavers to bear.

There are also accounts of sexual abuse occurring where boys would have their penises hit with a cane if they had an erection. Additionally sometimes workers would elicit an erection just to hit the boy's penis as a punishment.

The result of these crimes going unreported and unpunished has meant that an environment was created whereby paedophiles could move from one job involving children to the next. CLAN have been informed of a worker known as Sedgeman who sexually assaulted children in Blamey House (a Legacy Home in Kew) and then went on to work at both Royal Park and Ballarat Orphanage ruining the lives of more and more children as he moved on.

Norma Gilbert, a Victorian Care Leaver recalls being molested by an intruder in the Salvation Army Girls Home Camberwell. She spoke of how the police were called after this incident but nothing was ever done and Norma received no help to overcome this incident. Norma stated ***"I was so traumatised I knew I would never feel again this predator has violated me, I was 11 years old and I was sexually assaulted, never have I been so scared...I went into a shell, it was pushed under the carpet and I had to deal with it, in other words, get over it."*** (Correspondence sent to CLAN)

Furthermore due to the barbaric and degrading treatment of children by those in power, there are some cases of children sexually and physically abusing other children. The following account is taken from Submission 264 to the Senate Inquiry and was written on behalf of Mrs Joan Donnelly and her time at St Aidan's Bendigo, it states:

***"Mrs Donnelly recalls being sexually assaulted by two girls. When she found herself bleeding she thought it was because the girls had cut her. She went to the nuns but they wouldn't listen and immediately after this she became angry with one of the nuns, saying that she hated her. In response she was locked in a toilet. She recalls washing the blood away with warm water from the toilet. She remembers she was given her meals in the toilet."***

Not only did Mrs Donnelly endure an unthinkable trauma, but when she tried to report it she was met with further abuse and was placed in isolation, of all places the toilet. Punishments such as these discouraged the reporting of sexual abuse, not just when the perpetrators were employees at the Institutions but also when it was committed by other children in 'care'. There seemed to be a general attitude favouring ignorance, and an idleness that the issue was just too hard to deal with. It was easier for those who ran these Homes to ignore what was going on and to discourage the reporting of abuse through punishment, that way they just didn't have to deal with it.

### **State Sanctioned Rape**

Many girls who were in 'care' report having invasive vaginal examinations to ascertain whether they were sexually active, had venereal disease or other sexually transmitted infections. Girls who suffered this indignity and invasion of their bodies had a name for these doctors "Dr Finger". Girls as young as 18 months were subjected to vaginal examinations. Please see appendix 14 for an example of the original documentation used for these procedures. There are accounts of these practices

taking place in both Government and non-government Institutions. In Submission 448 to the Senate Inquiry a Victorian Care Leaver describes her encounters with these examinations at Winlaton:

***“When the police brought me back I was stripped searched had to jump on the spot with a mirror between my legs , then locked in the cells for a week. After that I was taken to Fitzroy Clinic for a medical check for VD. It was very embarrassing because I was a virgin.”***

Similarly in a personal story written to the CLAN newsletter ‘The Clanicle’ Jeanette Barnacle speaks of running away from a Home in Brighton and each time ***“they put you in stirrups and poked around you down below to see if anyone had been there since they last poked, then back to court...”***

Furthermore it appears that there are instances in which girls were tested for various Sexually Transmitted Infections, but were not treated for them if the results were positive. In a radio interview on the ABC Law Report, Victorian lawyer Angela Sdrinis spoke of twin sisters who were diagnosed with gonorrhoea at the age of four months. It is in their records that they were never treated for the gonorrhoea and as a result became infertile (Damien Carrick, ABC Radio National, 10<sup>th</sup> March 2009). Please see Appendix 15.

It was not only girls that had were tested for Sexually transmitted Infections, boys were also given invasive exams and tested for Syphilis. Deceased CLAN member Anthony Sheedy’s state ward files described how he was tested for Syphilis as a young child.

Not only has the sexual abuse of both men and women created long lasting trauma, but it has also had terrible consequences for their physical health. As mentioned above some women were never treated for Sexually Transmitted Infections which resulted in them becoming infertile. However, the trauma that sexual abuse has created for many Care Leavers has also resulted in them either refusing to seek medical help or refusing medical examinations or procedures. For example many women refuse to have a Pap Smear as a result of being internally examined as young girls. Similarly many men refuse prostate exams as they feel the experience will re-traumatise them. Furthermore there are also many men with rectal problems due to the sexual use and abuse they endured and as a result some men have to wear nappies. Refusing to get basic check- up’s is life threatening, nonetheless many Care Leavers put themselves in these positions so as to avoid these invasive procedures and the trauma they know only too well.

### **Forced Labour**

Care Leavers were used as forced labour in most Orphanages, Children’s Homes and Institutions and were also placed in ‘foster care’ in some instances for the pure purpose of working. As Ken Carter so aptly stated about his time in Salvation Army Box Hill Boys Home ***“Work, Floggings, floggings, work was my whole life at the Homes, which now seem to me nothing but concentration camps”*** (Penglase, 2005).

Care Leavers were discriminated against as a vulnerable group of society because of their young age and lack of power or influence to keep them from being used in this way. It must be remembered that these children were either neglected, unable to be cared for by their own family, they may have had no family, or they were being punished. In this way they were targeted as a group that no one

would know what was going on, believe them even if they did report what was going on or in some instances even care if they did know.

### **Working for the profit of the State, Church or Charity**

Children were forced to work extremely long days for the profit of the State, Church, or Charity who was in charge of their care, at the expense of their schooling. Other boys and girls were sent to 'Training Farms', institutions which focused on punishing children through tireless labour on farms which made the Home self sufficient and even created some produce to sell for a profit. Many girls were sent to Orphanages and Homes which operated commercial laundries for profit.

Similarly, Ms Barnacle describes her time at the Good Shepherd Convent in Oakleigh, Victoria where she was forced to stand on a stool to reach the table, day in and day out to do the ironing (Schwartz, 2003). Ms Barnacle went on to say that she worked from 10am to 3pm six days a week. They were not allowed to talk and they were hit on the back of their legs with wet towels for going too slow. This sentiment was echoed by a Victorian Care Leaver who spent time in the St Aidan's Good Shepherd Convent in Bendigo who said ***"I was put to work, slave labour, in the commercial laundry the nuns ran. Illness didn't interrupt the onerous and endless work day, which involved heavy physical labour."*** (Submission 166). Some children were fostered out to families purposefully as domestic help or farm hands. This may have been under the guise of a job, but these children never received payment as evidenced by the following example:

***"Whilst working on these farm jobs I received no pocket money, even though I regularly signed the pocket money card, I was under the impression that I was signing for wages that were being paid in to the bank for me. On 4 occasions I had returned from work I never received any pocket money or wages".*** (Submission 217 to the Senate Committee).

Unfortunately another reason foster carers took in children was to use them as a sexual object, as a domestic and farm slave, as a playmate for their children among other reasons.

### **Maintenance and Upkeep of the Home/Orphanage/Institution**

Children were forced to work within the Home/Institution scrubbing on hands and knees to clean and polish floors, stairs, windows etc. The use of toothbrushes to scrub floors and toilets is also commonly referred to in Victorian Homes, and is a tedious task obviously designed as punishment for children all the while contributing to the upkeep of the Home (Senate Community Affairs References Committee, 2004). Older children were also required in a number of situations to look after the younger children. Children were required to carry out many different tasks like sew religious garments and vestments, make rosary beads, and make meat tags for abattoirs. For example, the following quote highlights how regimented a child's day would be and the variety of jobs they were required to do.

***We worked seven days a week arising at 5.45am except on Sunday 6.30am and were expected to start our jobs by 6.15am lights out at 7.30pm. The entire week was rostered, and every moment of the day accounted for... Rostered jobs over the years ranged from working in the kitchen, laundry, washing wet bed sheets, scrubbing and polishing floors (at***

***8 years I was using industrial polisher), washing windows, lighting the furnace for hot water, dusting, serving breakfast or dinner, making school lunches (humiliatingly wrapped in newspaper), bathing children, polishing shoes, collecting pig slops, scraping and washing dishes, polishing silver, cleaning bathrooms, filling coke buckets, getting children ready for school, working in the babies home, setting tables, working in the staff pantry, taking children to school, working in the isolation ward, the list go on and is seemingly endless. I felt like I was serving time in prison.” (Submission 136 to the Senate Inquiry)***

In Submission 239 to the Senate Inquiry, Elizabeth Behrendorff spoke of the labour she was forced to do for the upkeep of the Home whilst in Bunyarra Family Group Home in Thornbury Victoria:

***“I remember Miss Morrison she was a section head of some sort, she liked the way the Home was cared for under the Barnetts, I would just like to add that it was me who cleaned the home. Who prepared the meals, who cleaned up after the boys, who washed the windows, trimmed the gardens, polished the floors, did the washing and the ironing, oh, and by the way I was meant to be studying and being a child”***

The labour was never proportionate to the age and physical capabilities of the child and always came at the expense of physical problems and long term effects as well as the child’s education. Whilst children were preoccupied with labour they were not attending school, something that was illegal even at this time. Take for example the statement made by Ann Thompson who spent time at Nazareth House:

***“Because I was illegitimate I was deemed only for domestic service and labouring jobs. As it was I did ‘man’s work for a little girl’s body’ expected to work from 5.30am late at night, seven days a week. From when I was five I had to work on their farm, it was heavy work, especially for such little ones and what was worse, was the fear of not knowing when you’d get a crack across your head, ears, face, legs, and back from a nun walking behind you.” (Submission 410 to the Senate Inquiry)***

Many Care Leavers now suffer major health problems including arthritis brought on from years of doing work that was too physically demanding for their bodies. Furthermore according to the CLAN survey *Struggling to Keep It Together* (2011) 52% of Care Leavers had achieved less than a Year 10 education.

**With figures like these it is comprehensible why many Care Leavers are disadvantaged, live below the poverty line, and endure social exclusion.**

### **Severe Psychological Punishment and Mental Pain and Suffering – Lack of Emotional Attachment**

The development of emotional attachment to key figures is vital for children and this is something that was deprived to each and every child who entered the Victorian ‘care’ system. Many children in ‘care’ were never given love, comfort, encouragement, or support from the workers, and after being separated from their family they were prevented from developing any of these bonds with the people closest to them.

Visitation was restricted to once a month and this was seen as a privilege that could be taken away for smallest infractions. Even when parents did visit they were often put down in front of their

children and comments such as ‘Your mother dresses like a slut’ would be made. More than using visitation as a punishment, some Homes and Institutions went to great lengths to discourage contact between children and their parents. Many families who tried to make contact despite discouragement found their efforts to no avail, as workers would intercept mail or prevent visits. Frank Golding in his submission to the 2004 Senate Inquiry describes the way in which the Superintendent at Ballarat Orphanage discouraged if not prevented his father from visiting him:

***After a few months Dad started to visit us every other month and one day he brought our Mum too. There was no discussion about why we were in the Orphanage but they told us they were trying to get us out. That was all we wanted to hear.***

***After one such visit, the superintendent sidled up to me and said in an off- hand way, ‘Your father upsets you; Im going to cut out these visits.’ My heart thumped and my cheeks caught fire. How could this man know how I felt? I loved it when Dad and Mum visited, even if I was a little sad when it was time for them to leave. I knew life went on when they left and I was careful to shed no tears. I wanted to challenge this man of authority – to tell him he was the one who upset me, not my dad – but I didn’t know the words. Or have the daring.”***

Some children may not have had any family at all or had been deprived of a family from such a young age that they forgot who they were. In an account by Father John Brosnan who worked at St Augustine’s and St Catherine’s Orphanages in Geelong, Victoria he recalls ***‘It would break your heart. The poor kids were always looking for their parents. They’d come up to me on visiting days and point to people and ask “Are they my parents?” They’d point to young visitors, aged only fourteen or fifteen, and ask “Are they my mother and father?” It used to tear me in half’*** (Prior, 1985). This quote makes obvious the lack of attachment these children had and their eagerness if not desperation to have somebody, anybody at all to attach to.

Children were not only prevented from forming attachment to their family but they were also denied the opportunity to become close to one another and were never shown any love or care by the employees. As Ms Hewitt remarks of her time in St Catherine’s Geelong it ***“meant never having cuddles, hugs, kisses; there was an extreme lack of physical contact.”***

Children were also expected to be a silent for a large proportion of the time, like meal and bed times, which stopped them from forming relationships with other children. Friendships were severely frowned upon, holding hands was discouraged and closeness to other children was interpreted as being depraved in nature. This is particularly true for boys and girls socialising. Gender socialisation was never attended to, and even brothers and sisters in the same Orphanage/Home were kept apart. In submission 501 by Gordon Hill to the Senate Inquiry he states that he was placed in St Josephs Orphanage Ballarat at 18 months old. He goes on to say that ***“it wasn’t until I was 14 that I even knew I had a brother in St Joseph’s, this was Bruce.”***

This lack of socialisation can also be evidenced by Father John Brosnan’s account of life in St Augustine’s and St Catherine’s where he states ***‘The younger children, those poor little kids, were so institutionalised that they did not know the sexes and could not differentiate between male and female in their conversation’, he said. ‘A boy would say to me: “I went over to St Cath’s and the***

**nun, HE said to me. . ." A girl would say "I saw a boy from St Augustine's playing cricket and SHE hit a four..." (Prior, 1985).**

Children were also treated in a way that created competition between them, rather than fostering friendships. Involving children in the punishment of their peers only serves to create an atmosphere of distrust which completely hinders the creation of friendships or attachment to one another.

Submission 166 to the Senate Inquiry into Children in Institutional care demonstrates the experience of psychological abuse typical for Victorian Care Leavers. The following statement is from a Victorian Care Leaver who is describing her time at St Aidan's Goof Shepherd Convent in Bendigo:

***"My name was changed, even though I didn't approve of it. Friendships with other girls were not allowed to develop. You had no privacy, even when undressing a nun would keep watch to make sure you didn't go near another girl's bed. Talking between inmates was forbidden in the dormitory and dining room, although in the latter it was allowed on special occasions."***

Mental Health professionals have long recognised the importance of emotional attachment and the psychological trauma which can result should attachment not develop properly if at all. Take for example a Care Leaver who speaks of the depression, anxiety and loneliness he suffered as a result of the separation trauma and feelings of not belonging.

This Care Leaver was told as a child that his parents and siblings died in a car accident and it wasn't until 30 years later when they tried to contact him that he found out they were alive. Furthermore upon receiving his state ward files he found that they had tried to write to him numerous times but he never received their letters (submission 142, Senate Committee). By denying children the opportunity to see and get to know their family the 'care' system not only deprived them of attachment but they deprived them of an identity, of a chance to know who they are and where they came from. The purposeful actions of Home workers to try and deny children the opportunity to develop attachment and an identity can only be seen as a form of psychological torture.

### **De-individualisation**

Upon entering the 'care' system children were de-individualised and any uniqueness was stamped out. In some Institutions children were actually known as numbers as described by Jeanette May of her time in the Good Shepherd Convent ***"You had no name you were numbers mine was 52. You answered to the number 52 only"*** (Personal Story, [www.clan.org.au](http://www.clan.org.au)).

In others, children were renamed if someone else there already had the same *name*. In a submission to the 2004 Senate Inquiry, Alan Coleman recalls this occurring during his time at St Josephs Home, Ballarat:

***"When I was in grade three the nuns told us we were getting some boys from Nazareth House in Melbourne, one of the kids was named Alan Coleman, so the other guys changed his name to Joseph Coleman..."***

Sometimes children were addressed by a different name for no reason at all besides the whims of the employees. For example, Frank Golding speaks of his brother being spoken to by a different name in his submission to the Senate Inquiry (2004):

***“ ‘You come with me, Stanley,’ said Miss Sharp. ‘I’ll take you to your dormitory. You others go with Miss Osborne.’ Stanley? What did she mean? Billy stepped forward and they started to walk up the stairs. We were flustered with this woman calling our brother, Stanley...” (Submission 18)***

Any uniqueness of a child was discouraged and conformity was placed above all ***“Any assertion of will or free spirit was punished” (Care Leaver in submission 202 to the Senate Committee)***. Days were regimented and a strict routine was followed each day. No child was given the time or the opportunity to express themselves or act in the least bit different, their day was too full with every minute scheduled to allow for that. There are also accounts of children in Catholic Homes being made to kiss dead nuns, not only psychologically scarring children but forcing them to show affection to people who never showed any love, care or affection towards them. Furthermore, children were given little recreation or opportunity to just be a child.

### **Locked in cupboards/isolation**

Another method of punishing children in ‘care’ in Victoria was to place them in isolation. Many children would be locked in cupboards in the dark and left there for periods on end, whereas some Institutions had their own isolation rooms.

An account by Care Leaver Rod Braybon describes how he was put into isolation for trying to report that he had been raped by an officer in the Bayswater Salvation Army Home. After starting to tell another officer at the Salvation Army Bayswater Boys Home Rod was hit and then ordered into isolation. He was driven to a different part of the Bayswater complex set aside for juvenile offenders sentenced there by the courts. Rod recalled the cell being in a basement with a row of other cells and described it ***“The only light came through a tiny window at the top of the wall. The rest of the cell, it seemed, was underground. Apart from the jam-tin toilet, the room was completely empty. Rod eased himself down onto the cold wooden floor.”*** (Petraitis, 2009). Along with many other accounts Rod recalls only receiving one meal a day whilst in isolation and this consisted of two slices of bread and water (Petraitis, 2009).

This type of isolation was all too common and CLAN even came across a newspaper article from 1907 which spoke about allegations of children being stripped naked and locked in a cellar (The Advertiser, *Children of the State*). There have also been reports of isolation at Elizabeth Fry Retreat, with girls being locked in a dark, damp cellar and only fed one meal a day. This punishment could be given for things such as absconding, refusing to work in the laundry, or ‘prolonged cheekiness’ (Malone, 1991).

One can only classify this treatment as psychological torture. For children who were already suffering trauma and confusion to be locked up like prisoners and left in isolation or cupboards for long periods of time, one can only imagine how terrified and mentally exhausted it left them.



## **Humiliation and Degradation**

Children were constantly humiliated in the 'care' system. It was another form of psychological abuse. Children were continuously put down and made to feel worthless. They were made to feel unwanted and were told that their own parents don't want or love them so no one else will. Children were told things like they would be no-hopers, they would end up in jail, that they were gutter snipes, and that they were spawn of the devil.

Anne Thompson states ***"What sticks in my mind about the nuns is how they always told us we were no good, all I heard every day was "You'll never be any good, your mother never wanted you, you'll end up in the gutter like her, no one will ever want you." (Submission 410 to the Senate Inquiry)***

This type of sentiment was reinforced to the children when they didn't receive mail or didn't have any visitors (both of which the Home workers in many cases took away or prevented visitation). Additionally, because there was no one to discount the negative sentiment which was reinforced to the children, they then internalised this which only added to their already low self-esteem and self-confidence. Children were also told that they would end up in the gutter like their parents and would never amount to anything.

There was a complete lack of privacy designed to elicit embarrassment and humiliation. Children were made to change in front of each other, use the bathroom in front of each other and even shower with, and in front of one another. Even if children had the opportunity to shower or go to the toilet by themselves it was still not a private moment as the doors on showers and toilets were removed. Even as children approached adolescence they were still made to strip down in front of everyone including the workers, and they were often taunted sometimes by workers of the opposite sex (Senate Community Affairs References Committee, 2004). Penglase (2005) speaks of children having to ask for toilet breaks which were often denied and then resulted in children urinating or defecating themselves. Furthermore children would have to check each other's underpants for 'skid marks' and report back to the workers, not only humiliating them but again turning the children against each other.

Even the punishments given to children in 'care' were designed to humiliate and degrade them. As previously mentioned, children who wet their bed were often punished and apart from corporal punishment they were also punished in humiliating ways, such as having their nose rubbed in their sheets or having to stand with their wet sheets over their head for hours on end.

In Victoria, St Pauls Training School for Boys were found to be shaving boys heads as punishment for trying to run away (Monk and O'Donoghue, 1994). They were nicknamed 'baldies' and this degrading treatment resulted in boys being given a physical sign of their wrongdoing. This punishment was designed for no other purpose but to humiliate the boys and make an example out of them. Sadly, the only value placed on children in 'care' was that on their ability to be a workforce and perform laborious tasks, those not even suited for adults on a daily basis. Along with the other forms of psychological abuse and torture, humiliating and degrading children was another way of trying to break their spirit, making it easier for Homes and Institutions to do with children what they pleased.

## **Bedwetting**

The standard response to bedwetting in Victorian Orphanages, Children's Homes, and Institutions was to punish children. As previously demonstrated children underwent all sorts of trauma's in their

daily lives in 'care'. Apart from bedwetting being a completely normal process as children grow up, many children also wet the bed in response to trauma. Bedwetting or Enuresis as referred to clinically is often an indicator of other psychological issues as many of the children in 'care' would have been suffering. Nevertheless to those who worked in Children's Homes bed wetting was an added job, another task for them to have to deal with and so in standard response, children were punished. This punishment took the form of corporal punishment, humiliation and psychological abuse. These sorts of punishments are demonstrated by the following extracts from various submissions to the Senate Inquiry:

1. ***"My memories of the early days are cringing on a concrete floor whilst being flogged with a straw broom by a huge nun for the heinous crime of wetting my bed and another time a woman holding my penis in one hand , in the other a huge pair of scissors, telling me If i wet the bed again she would cut it off. I was terrified"*** (Submission 129, Robert Glanville, St Anthony's Home Kew and St Josephs Home Surrey Hills)
2. ***"I was pushed back in hitting the wall or even falling down once in the freezing cold shower full force of pressure blasted me back so hard to fight, gasping, gasping, gasping, in, in ,in, for breath. Held under until either violent headaches or flashes of light took over or collapse, only then pulled out and shouted abuse of "that will teach you to wet the bed".*** (Submission 266, Joan McIntyre, Salvation Army Girls Home Camberwell)
3. ***"When I was 7 or 8 the staff would wake us up at night to put us on the toilet. If we had already wet the bed we were placed outside by ourselves in the dark and cold of a Ballarat night. How frightened I was all alone in the dark and freezing cold. On occasions I was placed in a cupboard with a man hole in it and told that the boogie man would get me. On other occasions we were dressed up in boys clothing, taken to the pig pen and told I would be fed to the pigs for wetting the bed...When I was older I was further humiliated by being made to carry my wet bed linen to the laundry in full view of the other kids who teased me because I had wet the bed."*** (Submission 442, Elizabeth Buller, Ballarat Orphanage)

Of course these practices only served to instil fear in children and most likely contribute to them wetting the bed more often. Children in these cases were not given the care they needed, and not only do their punishments amount to criminal abuse, but the lack of treatment and assistance for those who wet the bed amounts to criminal neglect.

### **Absconders**

CLAN have recently conducted research into absconders from Victorian Orphanages, Children's Homes, Institutions, and foster care from Victorian Police Gazettes. Through our research CLAN are able to demonstrate the number of children who absconded in various years. These are as follows:

- 1929 – 69 absconders
- 1939 – 137 absconders
- 1949 – 146 absconders
- 1951 – 106 absconders
- 1959 – 127 absconders
- 1964 – 248 absconders
- 1966 – 258 absconders
- 1967 – 221 absconders
- 1969 – 216 absconders

For these nine years 1528 children absconded from various Orphanages, Homes, Institutions and foster care throughout Victoria. Another fact of interest is that the majority of these children absconded from Government run Institutions such as Turana, Winlaton, and Royal Park along with the church Home Morningstar Boys Home, Mornington. CLAN believes that the desperation and bravery of children to get out of the horrible situations they found themselves in, in these 'care' facilities is reflected in the large numbers of children absconding every year. However, no one ever asked these children why they absconded and what they were trying to get away from. These records are also very important considering that many Care Leavers files have been destroyed at least they have a record of actually being in a certain Orphanage, Home, Institution or foster family. For your examination CLAN have sent you separate to this submission, our research documenting absconders for various years throughout the twentieth century. Whilst there is only nine years documented thus far, this is an ongoing project and CLAN believe the numbers speak for themselves.

### **Reasons Why Abuse and Neglect Were Not Reported**

As it can be evidenced, abuse and neglect occurred frequently and were commonplace occurrences in Children's Homes, Orphanages and Institutions. Unfortunately, this abuse and neglect was allowed to continue and authorities and other employees from the Homes/Orphanages turned a blind eye. From the moment children set foot in an Orphanage or Children's Home they were groomed and manipulated to be abused. This occurred firstly through de-individualisation as we discussed previously. Children were stripped of their identity and were given a number in some instances and even referred to by other names. They were separated from their siblings if they had any to break their familial bonds.

Most children did not have their birthday celebrated and a lot didn't even know their date of birth. At some Homes if children did have their birthday celebrated it was done on a month by month basis where a cake was presented and each child whose birthday occurred in that month celebrated their birthdays together. Children were then emotionally abused, put down and told they were worthless, told that their parents did not want them and that nobody would want them. This left children with little self-esteem and self-confidence. If their parents did not visit them, it just reinforced that they were unwanted. It must also be remembered that children in most Orphanages, Children's Homes or Institutions were only allowed to have visitors once a fortnight at the most, and that a lot of parents were discouraged from seeing and visiting their children. Ken Carter who was at the Salvation Army Boy's Home Box Hill described the vulnerability of the children in the Home like this:

***These sadists, paedophiles – whatever you call them- aim for the ones they know never get visits because they know the other kids will talk to their parents and that sort of thing. They were as cunning as foxes. (Penglase, 2005)***

In some instances also, mail sent by their family would be kept and the child would never know that their family had been trying to contact them. In other instances, presents or food that was sent to children by their families was removed and never given back. This further isolated children so that they had nobody to form an attachment to and to place their trust in. Children who had negative experiences with authority figures in their lives and who were prevented from forming attachment bonds to any family, believed that they could not report abuse to anyone. Also, because it occurred so frequently and in the full knowledge of other workers in the Homes, there was no one in the Homes children could really complain to. Additionally, Children's Homes were removed from the community so even if they wanted to report abuse they had no way of speaking to those outside the Homes. Children were hidden behind high fences and walls, separated from normal society.

Those who did tell someone were often met with further abuse to shut them up. Janice Kitson explained in her submission to the Senate Community Affairs References Committee that she was molested by a man at the holiday hosts she had been placed with. When she got back to Kildonan she recalls ***“I reported what happened, I was promptly given a beating and told I was a dirty, filthy, dishonest child. This confused me greatly.” (Submission 492)***

This experience was quite common amongst Care Leavers and they soon learnt not to complain about anything as they would be punished and abused further. Take for example Leesa Stevens who spent time Nazareth House in Camberwell and Ballarat, in her submission to the Senate Inquiry (2004) she recalled telling the nuns that she did not want to spend the weekend with an elderly couple who she was sent to frequently. When they asked why she said:

***“he touches my private parts please don’t make me go, her answer was to beat me and kick me constantly saying I was the spawn of the devil I was evil and a temptress of man, then the nuns made me go anyway where he only did it to me again” (Submission 5 to the Senate Inquiry)***

In her submission to the 2004 Senate Inquiry, Lorraine Rodgers explained why she was not able to report the abuse she experienced in Ballarat Orphanage. Lorraine’s sentiments echo the majority of Care Leavers who felt that there was just no point in telling others who worked in the Orphanages and Homes because they would just protect the other employees and nothing would be done:

***“The abuse was still going on, if you had something to say to a staff about one of their own, they would go and tell that staff, then you would be called a LIAR, and they would make your life hell, so I had no one to turn to, and that did make me rebel against them so I was always in trouble.”***

It is obvious that children could not complain to others who worked in the Homes’ or Orphanages but what about those outside the Institutions? Children could not speak to the inspectors who visited the Homes as they were not allowed to speak to them one on one. Furthermore, there was no policy by the Victorian Government which dictated that children must be given one on one time to speak to Inspectors or Welfare Workers who visited the Homes.

Children who ran away, whether it be from a Government or Church or Charity Orphanage, Home or Institution were brought back by the Victorian Police. There are many Care Leaver accounts of them telling the Police of their abuse, but nevertheless it was the job of the Police to take these children back to the Home/Orphanage, not to listen to allegations of abuse. As it can be seen in Appendix 16, the Victorian Police were often required to search for children who had absconded from Homes at the Home’s request, despite if it was Government run or not. Appendix 16 shows a request form from the Elizabeth Fry Retreat a non-government institution to investigate and search for a girl who had absconded from this Institution. In a Submission by Wayne Miller to the Senate Inquiry (2004) he describes trying to run away from St Augustine’s Orphanage only to be picked up by a motorcycle cop. He describes the incident:

***About 10:00am a motorcycle cop went by us and he spun around and pulled up beside us. ‘You don’t happen to be from St Augustine’s do you?’ he queried. ‘Nnnooo Sir!’we answered, looking like we spoke, lying through our teeth. ‘I think you better wait here while I radio base.’ He said. Ian looked dejected, with his hands in his pocket and head hung. I was full of defiance and yelled ‘no way!’ as I sprinted up the road. The words rang loud in my ears ‘Stop or I’ll shoot!’ ‘Jesus’ I thought to myself as I stopped dead. Of course I***

***had no reason to believe he was bluffing, in fact that thought hadn't crossed my mind at all. A Ford Anglia finally came along and there were two burly policemen in it. They unceremoniously put us in the back and headed into Geelong. I looked around and my shoulders sunk in surrender, there were no door handles or window winders. When we arrived at the police station we were placed in a cell. Talk about scary. Cookie turned up and we were released into his care.***

At this time, the police did not ask any questions of the children, they did not enquire as to their wellbeing, did not ask why they were running away, and they did not call in the Welfare Department. They simply returned these children back to their abusers, no questions asked.

Similarly a Victorian CLAN Member who was in the Salvation Army Girls Home, Kew described how she was brought back to the Home by the police after she ran away and how she told the Victorian police she was worried she would get a beating when she went back. Nevertheless the Victorian Police took her back and told the matron not to hit her. The following is her recollection of what happened:

***"I knew what I was in for, she had promised the Police she wouldn't hit us but boy did she get stuck into me with that big stick of hers. I didn't think she would ever stop . She stopped half way then said this is for telling the Police and she started again . I had welts from the middle of my back down to my knees."***

During this era, children in Homes were not listened to or believed. They were not considered a priority and no value was placed on their wellbeing. No one would believe the word of a child in an Orphanage against the word of an adult, that is had a child actually dared to speak about their abuse. It must be remembered that at this time children in 'care' were thought of as outcasts of society and no value was placed on their complaints, especially when they complained about nuns, brothers, priests, matrons and superintendents. It truly was a society that believed children should be seen and not heard.

### **The Effects of a Childhood in 'Care'**

The 2004 Senate Inquiry Report *Forgotten Australians* listed a number of effects and long term outcomes of a childhood spent in 'care'. Some of these effects include:

- lack of trust and security – a fundamental, ongoing issue
- lack of interpersonal and life skills that are acquired through a normal family upbringing, especially social and parenting skills
- a lifelong inability, for many, to initiate and maintain stable, loving relationships.
- low self-esteem and lack of confidence
- depression, fear and distrust
- anger, shame and guilt
- physical and mental health problems often directly associated with beatings or lack of health care as a child
- obsessiveness, social anxieties, social phobias and recurring nightmares
- substance addiction developed in an attempt to block out the pain of the past.
- an abnormally high risk of suicide
- lack of social capital to cushion adversity
- Difficulties parenting
- Issues with authority and following orders

- Hatred of religion and government departments

These long term effects and outcomes really speak for themselves. As a result of the abuse and neglect Care Leavers experienced, many suffer with both physical and mental health issues. Their ability to parent and maintain normal familial relationships is impaired. As a result of the neglect of their education many Care Leavers find themselves in lower socio economic brackets. As a result of the abuse and neglect suffered whilst in 'care' many Care Leavers find it difficult to work and maintain employment for both physical and psychological reasons. Many Care Leavers have tried to self medicate, either through drugs and alcohol, or prescription medication. This has often led to problems with the law. All of these consequences combine to create a higher risk of suicide for Care Leavers. Unfortunately, the lack of justice, redress, support services and funding given to help Care Leavers has meant that these effects and consequences cannot be addressed adequately.

### **Lack of Support and After-Care Services**

Once children left Victorian Orphanages, Children's Homes, institutions and foster care as young adults they were provided with **no after care services**. Children were sent out into the world with nothing more than the clothes on their back and were expected to survive. They were left to fend for themselves and the state, churches and charities abdicated all responsibility towards these children. Within twenty four hours of leaving the home, children were expected to meet their own needs and live as a normal member of society. There was no gradual introduction into the community and no one to fall back on to for support, as evidenced by a Victorian CLAN member who did not buy meat from the butcher because he thought you had to buy the whole tray. This demonstrates the lack of living skills having never witnessed someone purchasing meat (or other groceries) for a family dinner. Another Victorian CLAN member was driven to a boarding house at sixteen years of age and was told by the welfare officer as she departed **"If you get into trouble ring the welfare"**.

Victorian Care Leavers were not provided with any support services such as ongoing counselling or case workers. They had no one to inform them of their rights including statutes of limitations which now prevent many Care Leavers from taking legal action against their abusers. Furthermore, by being left virtually on their own, Care Leavers had no one to encourage them to report their abuse and no one to challenge the negative self perception of themselves that their abusers had groomed them to have. **No one cared what became of these children.**

Successive Victorian Governments have shown little concern or interest for this large cohort of Australian citizens. Victorian Care Leavers were effectively left uncared for as children, and are continuing to be neglected as adults as well.

**Whilst successive Victorian Governments were very quick to charge children for being 'neglected', interestingly the Victorian Government are yet to be charged with being a neglectful parent to thousands and thousands of Victorian children to whom they had a duty of care.** Forgotten Australians is an apt name for the experiences Care Leavers continue to endure and instead would like the opportunity to be Remembered Australians as well as Remembered Victorians.

## **Personal Records and Files**

The issue of personal records and files of Care Leavers is also a source of continued degrading treatment which promotes the pain and suffering of Victorian Care Leavers. The Victorian and Federal Governments seem to have forgotten their obligations under the United Nations Convention on the Rights of the Child. Article 8 of the convention states the following:

1. States Parties undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognized by law without unlawful interference.
2. Where a child is illegally deprived of some or all of the elements of his or her identity, States Parties shall provide appropriate assistance and protection, with a view to re-establishing speedily his or her identity.

A large majority of Care Leavers were deprived of their identity as a child, they had their names changed, dates of birth unknown, and family relations broken down. Yet the Victorian Government do not seem to take their obligations under the UN Convention seriously. Care Leavers desperately need assistance to apply for things like Birth Certificates and other familial documents, they need help and funding to reunite with their families, and they need to be able to locate and receive their records from their time in 'care'. It is in these ways that Care Leavers identity can be somewhat re-established however the few ways in which the Victorian Government could assist Care Leavers to re-establish their identity has been ignored.

Many records have been destroyed and there is no centralised record agency. This means that the government holds State records, churches hold church run institutions records, and charities hold charity run institutions records. To make the issue worse, some past providers have closed, and their records have been passed on to the State Library or the Melbourne University Library. This results in a great deal of difficulty when trying to obtain records of their time in 'care'. There is no uniformity in the application process for records. Some Victorian past providers require Care Leavers to have their documents certified by a police officer which can be quite confronting and an invasion of privacy. Taking into account the history of the police and their involvement with many Care Leavers and the Victorian Child Welfare system, this can be quite traumatic and also serve as a trigger to painful memories. Others require a JP to certify documents.

As an example of how little work has gone into the organisation of files a recent report from the Victorian Ombudsman (2012) described finding 80 kilometres of uncategorised records. Furthermore all records and files have information censored from them under third party privacy regulations. The majority of Care Leavers have little if any information about their families or childhoods, they don't have any photos of themselves as children, and they are unaware of things like medical histories. These difficulties with locating and receiving records has meant that a large group of Care Leavers are left feeling that their past has been erased and that they didn't exist. This is far from Care Leavers being assisted to re-establish their identity.

Moreover, due to the poor record keeping, many Victorian Care Leavers have found it difficult to either prove that they were in an Orphanage or Children's Home, or to prove that particular incidents of abuse occurred. This once again impacts on their ability to access services, or to find evidence of their lives when making reporting their crimes committed against them to the police or taking legal action.

Whilst the Federal Government has committed 26.1 million dollars to a Federal Find and Connect Service which assists Care Leavers to locate records, there is little funding to assist Care Leavers to reunite with their families.

It must be remembered that many Care Leavers grew up not knowing their family or extended family, and sometimes not knowing their real name or even their date of birth. Many elderly Care Leavers have still not met their families or seen photographs of them. However, in the United Kingdom, former Prime Minister Gordon Brown established a nine million dollar travel fund for Child Migrants to return to the UK and reconnect with their families, demonstrating an understanding of the importance of familial ties. Unfortunately the Victorian State Government only provide a limited amount of funding for family restoration. While politicians of all persuasions speak of the importance of families and family ties, these values must not be extended to Care Leavers as they have not yet demonstrated an understanding of the importance of family reunification or aftercare as very limited funds have been set aside for this.

Another issue of great concern for Care Leavers is that in some instances records are being used against Care Leavers. In cases where records can be found of a Care Leaver's time in 'care', courts and other government departments have used these against Care Leavers as an argument to inflict a harsher punishment or sentence. In the CLAN survey *Struggling to keep it Together* (2011) 16% of respondents claimed that their records had been used against them in some way. It must be remembered that children were charged with 'being neglected' or being 'in moral danger' or having 'no fixed abode' and many other charges.

As such these children were labelled as having a criminal record. As one Care Leaver responded in the survey (2011) ***"I have difficulty in keeping employment as I have a criminal record. Even though my parents should have been charged, not me"***. Although Juvenile records are meant to be closed it is remarkable how many Care Leavers records have been used to disadvantage them in some way.

### **Historical Abuse Units**

Currently there is no specialised Victorian police unit set up to deal with the historical abuse that many Victorian Care Leavers suffered as children. CLAN are sure that you can appreciate the many added issues when abuse is of a 'historical' nature, which requires a specialised response. Currently, those who were abused in Orphanages and Homes who still reside in Victoria must first go to their local police station where the crimes and abuse occurred and then report their abuse to the duty officer who has no training in dealing with victims of institutional abuse. Many of the police officers are young and unaware of the Victorian Government's child welfare history and its legacy.

### **Where do Victorians who have fled Victoria due to the damage inflicted on them, go to report abuse?**

After the initial report at the local police station, the case then gets referred to the Sexual Offences and Child Abuse Unit (SOCA) where victims will then have to tell their story all over again, re-



traumatising them. Another alarming fact is that once a complaint has been made to the SOCA, these complaints are not even cross-referenced to other complaints from other SOCA units in order to match perpetrators mentioned in more than one complaint. Currently any claim is investigated and dealt with on a case by case basis with victims having to prove that these offences really did occur. Corroborating evidence is essential for a case to proceed, and without a database to even cross-reference perpetrators, corroboration becomes near impossible. For victims of childhood abuse a historical abuse unit is not only desirable but a necessity.

Both the Tasmanian and Western Australian governments have set up specialised processes in order to deal with victims of historical abuse. In Tasmania reports are taken by the Abuse of Children in State Care Assessment Team who then discuss with the victim if they want to make a notification to the Tasmanian Police. Three liaison officers have been appointed by the Police Commissioner to handle these claimants. Furthermore if abuse is alleged against a former staff member in one of the Children's Homes, and the perpetrator is still working for the Department, the Department of Child Protection is notified immediately. These measures not only work to achieve some form of justice and control for the victim but they ensure that those offenders do not repeat their actions with children in 'care' today.

The Western Australian system set up to deal with victims of historical abuse was done so through utilising the Redress WA scheme. The Specialist Crime Portfolio Sex Crime Division are in charge of investigating any matters of historical abuse that have been raised in a Redress WA claim, if the claimant so wishes. Whilst these investigations are not conducted by a historical abuse unit as such, the specific division assigned to deal with these cases recognise their complexity and the need to minimise any further trauma to the victim which is demonstrated through the system which has been developed to respond particularly to Care Leavers needs.

It is clear that both the Tasmanian and Western Australian Governments recognise the need for specialist systems or units to be set up to deal with the historical abuse that many Care Leavers suffered. The Victorian government has a responsibility to ensure that all victims have access to the Justice system. The process currently in place in Victoria to deal with historical abuse is inadequate and inefficient. It relies on the dedication of individual police officers to see that justice must prevail for a vulnerable group of Victorians.

Moreover, a priority for the Victorian police and government should be in identifying perpetrators of abuse that may still be working in the child welfare system or in aged care centres and who have the opportunity to repeat their crimes. CLAN is pleased to note that Peter Ryan the Victorian Minister for Police understands the importance of this issue and made a commitment prior to the Victorian election to establish a specialist unit within the Victorian Police. As he said on Ten News **"We need a specialist unit within Victorian Police dedicated to hunting down these people that is something that we as an opposition would establish"** run on the 16<sup>th</sup> April 2010 and again a second time on 21<sup>st</sup> September 2010. Why hasn't the Deputy premier acted on his own words and implemented a specialist unit?

CLAN believes that it is necessary that one of this committee's recommendations should be that a Historical Abuse Unit is established to investigate historical child abuse, regardless of who perpetrated the crime and if they worked in a Government or non-government Orphanage, Children's Home, Institution or foster care. Care Leavers deserve justice.

## Unpaid Labour

As stated previously in this submission, Victorian Care Leavers have still not been paid for the work they did as children. Most children worked tirelessly to maintain the Homes they were in, others worked in laundries and on farms. This work often came at the expense of an education which then limited their opportunities once they left the child welfare system. No contributions were ever made on Care Leavers behalf for the work they did into pensions or accounts and due to the brutal nature of the labour at such a young age many Care Leavers now suffer the physical effects of child labour. Many Care Leavers suffer from arthritis, bad backs, and bad knees from the exhaustive labour they were forced to do, resulting in bodies which have aged before their time. This has forced many Care Leavers onto a disability pension which is an ordeal to apply and be approved for, and is also less than an aged pension.

## Lack of Redress and Compensation

**The Victorian Government has failed to ensure justice and redress for all Victorian Care Leavers for the appalling and criminal treatment of children in State, Church, and Charity run Orphanages, Children's Homes, Institutions and Foster Care.** Due to both the Victorian and Federal Government's lack of initiative and leadership, as it currently stands only three states of Australia have opened a redress scheme; Queensland, Tasmania, and Western Australia. Whilst the fact that Care Leavers are being discriminated against based on where they were brought up (and some were brought up in more than one state) amounts to a gross injustice, the schemes themselves also promote inequality and injustice amongst Care Leavers.

The previous Labor Government and the current Victorian Government has decided not to follow suit and thus far have not established a redress scheme. The previous Victorian Government however, saw fit to award \$700 000 to 47 protestors who were injured in a one day protest called the S11 blockade in September 2000. While these protestors made a conscious decision to engage in behaviour which caused harm, innocent children who were abused in Orphanages, Children's Homes, Institutions and foster care get nothing.

Interestingly, in 2007 when the Bracks Government apologised to Victorian Care Leavers, opposition leader of the Nationals Peter Ryan, was quoted as saying "it was time Victoria followed the lead of Ireland and Canada and offered meaningful compensation to victims." CLAN would like to know if Deputy Premier and Minister for Police Peter Ryan still stands by his statement? Please see Appendix 17 for a copy of this newspaper article.

Not only does this demonstrate a lack of initiative but it also signifies a moral ineptness and a disregard for justice for the Care Leavers of Victoria. Whilst the monetary amounts that other states Redress schemes have given may seem insignificant, Redress cannot just be thought of as a token, it provides a very real means of financial support and assistance. It must be remembered that due to the general low levels of education, lack of family support and networks, as well as the physical and psychological effects of the gruelling and demanding routines and treatment whilst in care, many Care Leavers cannot afford the proper medical or psychological treatment that they now require. Whilst children were not provided with proper care in their younger years, the government can make meaningful amends and provide a level of healing through redress and priority access to

Government services. Care Leavers need to be cared for in their old age as they were not cared for in their childhood.

If the Victorian Government does not establish a Redress Scheme, Victorian Care Leavers will continue to suffer injustices as they have limited means of seeking any other type of compensation. As previously mentioned Victorian Care Leavers were not informed of any Statute of Limitations upon leaving 'care'. This has left many of them unable to civilly sue for compensation. In 1995 a former Victorian state ward had to take her case to the Supreme Court to be allowed to sue the Victorian Government. Please see Appendix 18 for a copy of this newspaper article. There are also barriers when trying to sue some church organisations. For example, the Catholic Church currently has their assets tied up in property trusts and it has been deemed that an individual cannot claim compensation from these property trusts. Therefore individuals are left to sue the individual perpetrator, in many instances a Priest or Nun who have no assets to their name, making this process a redundant one.

The major churches do have professional standards units which can award compensation, however CLAN have heard from a number of our members of the difficulties in going back to the abusers who caused great pain and suffering. Furthermore, the amounts that do end up being awarded, hardly make the difficulty of the process worth it for some people. For example one CLAN member was given a meagre \$5000 for the abuse she endured in a Catholic Laundry for 3 years. Additionally, when the churches do award compensation, Care Leavers are usually made to sign a document that prevents them from disclosing the abuse or taking any further legal action. Many Care Leavers feel that the insignificant amounts that some churches award them are a tactic just to get them to sign these documents. In this way, not only are the churches providing inadequate support and compensation, but they are also intimidating Care Leavers trying to prevent the disclosure of criminal acts to the proper authorities. Furthermore, the church organisations do not encourage or recommend that Care Leavers report their abuse and neglect to the Victorian Police.

Another barrier that many Care Leavers find in privately run or charity run institutions is that they may not know exactly who ran it, or the place that did run it no longer exists effectively leaving them with no one to take legal action against. It must also be remembered that a large amount of Care Leavers do not have the means to take up legal action in the first place, and the ordeal they go through is hardly worth the amounts which are awarded which are then decimated by the fees that their solicitors and barristers charge. There is enough evidence in the public arena to substantiate claims of abuse. In the majority of cases there is nothing reported or documented on personal files about the crimes that were committed against Victorian Care Leavers.

The other option that many Victorian Care Leavers do have is to apply for Victorian Victims Compensation. Whilst CLAN were not able to get the numbers of how many Victorian Care Leavers applied for Victims Compensation and were successful, we were able to find out that in 2010, 221 females and 33 Males applied for Victims Compensation citing sexual abuse as the crime committed against them.

The combination of many factors makes the Victims Compensation process a tricky one to navigate. Firstly, the Victims Compensation Tribunals find it difficult to deal with historical cases as there is a general time limitation upon which an individual can apply for compensation. Secondly, the historical nature of the crime, and the lack of records or corroborating evidence make it hard for

Care Leavers to prove that they were indeed abused and due to their age in many instances they cannot remember the name of their abusers. Due to the psychological abuse they endured, most Care Leavers have never reported their physical or sexual abuse, or even spoke about their abuse until more recently. Moreover, the Victorian Victims Compensation Tribunal only pay a maximum of \$7500 for historical sexual abuse which occurred before July 2007. The lack of time which is allowed to pass before abuse is considered historical is deplorable. This shows a complete misunderstanding of the elements which surround child abuse no matter what form it takes.

It is obvious that there are many limitations on Victorian Care Leavers receiving compensation, and the nature of our legal system only serves to exacerbate their suffering. Time constraints, costs, legal precedents, lack of evidence and the manipulation of the churches prevents Victorian Care Leavers from reporting and seeking damages for the horrible abuses that they suffered. Educational and literacy issues means that many Care Leavers do not understand legal issues or cannot complete the necessary paperwork on their own. Furthermore many Care Leavers due to their psychological abuse do not identify the assaults committed against them as crimes. The only way in which Care Leavers will be treated fairly is if a Redress scheme is set up solely for Care Leavers, taking into account the limitations that all other legal or private processes possess. Any Redress scheme needs to be all inclusive, it needs to be more than a token and be able to provide for Care Leavers needs, needs that have arisen out of the abuse perpetrated on them by the state, churches and charities. Any redress payment should be an ex-gratia payment and any medicare expenses incurred should NOT be deducted from the final payment, as is currently the case.

### **The inadequacy of this Inquiry**

As previously stated CLAN are pleased to have the opportunity to respond to this Inquiry. Nevertheless it is inadequate. CLAN have two major issues with this Inquiry. Firstly, CLAN would like to state our concern regarding the composition and competence of the membership of the inquiry committee, in particular Andrea Coote MLC - Member for Southern Metropolitan. Ms Coote has previously demonstrated a bias against inquiries involving Care Leavers as evidenced by her comments on Hansard 9<sup>th</sup> November 2011;

***“I suggest to this chamber that if we were to set up an inquiry and look into each and every one of those points under that section — and I must say that the report contains another four or five points — the Law Reform Committee inquiry could potentially go on for another decade. How are the people now who were affected by the very tortures that I explained and outlined before? Where will they be in another 10 years? Will they be happy with another inquiry? Would it make their lives better now? I do not think so.”***

Ms Coote does not and should not speak for Victorian Care Leavers. She fails to understand that in order to redress Care Leavers and provide adequate support services for them, it is first necessary to understand exactly what they have been through in their entirety. That is, any Inquiry needs to delve into the whole experience of Care Leavers, not just the criminal abuse and neglect. It is crucial to understand the psychological damage of growing up without a family, growing up without love and affection, and being thrown into the world on their own with no socialisation and no life skills. Of course the physical, sexual and psychological abuse perpetrated against Care Leavers is important, but it is not the whole story. If Ms Coote understood this perhaps she wouldn't have remarked:

***“Ms Hartland gave an example of someone from Care Leavers Australia Network who was receiving payments and was able to have a new bed and television. I am not so certain***

***that that is the sort of thing that we should be looking at. We are dealing with people who are scarred and have some very deep-seated issues. To me, a new bed, as nice as it might be, is almost like a bandaid. It is almost patronising. We have to work far more quickly. The bed will wear out; the mattress will become old; but the problems will not go away. We have to make certain that there are proper programs in place so that as people age they can access all these assistance measures and their emotional and psychological needs can be properly addressed."***

Since Ms Coote is so concerned with emotional and psychological needs of Care Leavers, CLAN is sure she would be happy to know of the joy Tracy (the Care Leaver who bought the new bed) experienced upon being able to purchase brand new products for **the first time in her life**. Ms Coote's reluctance to hear the stories of Care Leavers only illustrates her lack of understanding of Care Leaver issues and the lack of empathy she possesses towards them. Needless to say many Victorian Care Leavers are distressed that Ms Coote is on this committee handling the inquiry and are very unhappy that she will be listening to their stories and making judgements on their childhood abuse. How can this Victorian Inquiry Committee guarantee that she will not show her bias in her dealings with this Inquiry?

The second major concern CLAN has is that the terms of Reference of this Inquiry limit it to how churches and charities have handled claims of abuse. Unfortunately for the Victorian State Government, its employees in the 'care' system are just as guilty of the same abuse. Not only was criminal abuse and neglect perpetrated in State Orphanages, Children's Homes, Institutions, and foster care but the State Government gave churches and charities licence to also perpetrate this abuse on innocent children.

Ms Donella Jaggs a retired welfare worker and inspector of institutions at the Children's Welfare Department conceded that even though many Homes were state registered, the Victorian Government did not set minimum standards of care (Ryle and Hughes, 1997). In other words despite parents having to conform to a minimum standard of care for their children, the places in which the Government licensed to look after children did not. This created the system whereby children were removed from their families and charged with things like 'neglect', but the Orphanage, Children's Home, Institution, or foster family they were placed with had no minimum standard to which they had to care for these children leading to further neglect and even abuse.

The Victorian Government played a direct role in not only perpetrating abuse, but through their lack of transparency and their failure in their duty of care. This failure was obvious from the employees in the State run institutions, to the role the police and the courts played, to the failure to oversee the wellbeing of children through adequate and thorough inspections. Even if we just speak about church and charity run Homes as this Inquiry requires, it is clear that whilst the organisation itself failed to handle the occurrence of abuse, so did the police and the Victorian Department of Child Welfare workers who brought children back to these Homes. Not only were children brought back but they were not believed even if they did tell an inspector or welfare worker.

The State Government allowed the abuse and neglect to occur by not handling complaints, and not speaking to children properly, by not performing thorough inspections. Successive State Governments enabled and co-conspired for this abuse to occur. They did not listen to children and they put absolute faith and trust in the churches and charities. They informed Homes of when inspections were to occur, even though they were supposed to be a surprise. Even courts sent State

Wards to certain Homes knowing they would be forced into unpaid labour whenever they sent a child to a 'training farm' or a 'laundry'.

When it comes to the handling of abuse claims now, **NO** organisation treats Care Leavers fairly or with compassion, justice and integrity. However, whilst the churches may have ulterior motives in setting up their Professional Standards Units and in giving limited compensation, at least they have a process of complaint. What does the State Government have? Apparently they examine claims on a 'case by case' basis, however no one has informed Victorian Care Leavers seeking compensation how to go about this. Many Victorian Care Leavers would like to know how to go about this process without engaging a lawyer. The Victorian Statute of Limitations ran out decades ago allowing Care Leavers to take legal action against the state, there is no redress scheme, and the Victims Compensation Scheme is bound by the same difficulties with time limitations and corroborating evidence.

This Victorian Inquiry is totally inadequate. To only investigate how churches and charities have dealt with claims of abuse shows an unwillingness to acknowledge and investigate the Governments own wrongdoings. CLAN have been told that this Inquiry focused on Church and Charity abuse because Care Leavers who were in State run Orphanages and Children's Homes already had the opportunity to tell their stories of abuse and neglect during the Senate Inquiry in 2004. Of the 96 Victorian Care Leavers who submitted their story to the Senate Inquiry only seven were solely in State run Institutions. This number compares with 69 Victorian Care Leavers who submitted their stories and were solely in church or charity run Orphanages, Homes, and institutions. Then you have eighteen Victorian Care Leavers who submitted their story to the Senate who cannot understand why the abuse which occurred in the church and charity run Homes they were in is more important than the abuse which they endured whilst also in State run Homes.

Rachel Smith in her Submission to the Senate Inquiry spoke about being in numerous Homes and that most of these were 'Christian' Homes, however she speaks about the 'two main horrors' of her life occurring in State run Institutions, namely Winlaton in Victoria.

Ms Smith tells of how as an eleven year old she was isolated for absconding and ***"about daylight the cell door cranked open and three men rushed in on me and I was thrown on my back on the floor and pinned down with a knee across me and my legs were reefed apart and I was given a Paraldehyde injection and then carted off to Larundel psychiatric centre – it took three days for the drugs to wear off and I had been sexually abused. I WAS 11 YEARS OLD!"***

Similarly, in Submission 279 to the Senate Inquiry a Victorian Care Leaver describes her experience in Winlaton. After attempting to abscond this Care Leaver and others were placed in isolation, they were not allowed out of their cells and had to use their cell floor to go the toilet with a bucket of water to clean it up once they were done. They were made to sleep on the floor boards and they did not even have a blanket. This Care Leaver speaks of feeling that she was not able to endure tis torture anymore and so she took approximately 45 tablets that she had saved up from the tablets they were given to take every day by staff. She was then taken to Box Hill hospital to have her stomach pumped.

She went on to say ***"When I woke up the next morning there were police outside my door and a lady sitting at my bed. She said her name was Miss X the new Superintendant and that X had been***

***sacked for what she had done to us. Miss X told me to tell the police that I'd done that for a dare, otherwise they would certify me insane and take me away, that's what I did, that's the last I've heard about this sadistic, cruel event."***

CLAN would like to know why the current inquiry deems these Victorian Care Leavers experiences unimportant. CLAN would like to know why their experiences are not as important as the experiences of those in Church or Charity run Orphanages, Homes and Institutions. CLAN would like to know why it does not matter to the Victorian Government how their cases of unimaginable child abuse and torture have been handled. Lastly CLAN would like to know if the criminal neglect and abuse described by those in Government Orphanages, Homes and Institutions is covered under Section 493 of the *Children, Youth and Families Act 2005*. As CLAN indeed suspects that it is covered under this Act, why is the Victorian Government not doing their job by investigating ALL cases of child abuse and neglect and how these cases have been handled?

The belief that it is enough that Victorian Care Leavers were able to tell their story through the Senate Inquiry is laughable. Only 96 Victorians made a submission. In 2004 there was no publicity for Inquiries, there was a lack of knowledge and understanding of who Care Leavers were, and many Care Leavers were still frightened and worried to come forward. To believe that an Inquiry conducted eight years ago was more than adequate to investigate Victorian State run Homes, shows not only ignorance by the Victorian Government but also a laziness to do a proper job. There needs to be a judicial or parliamentary inquiry which is comprehensive and focused only on the treatment of children in ALL Victorian Orphanages, Children's Homes, Institutions and Foster care.

Sadly, the Victorian Government have lost a golden opportunity to take the issues of child abuse and neglect seriously. This inquiry is not adequate it is a Clayton's Inquiry and that is why CLAN are still campaigning for a Royal Commission into Child Abuse.

### **CLAN's Recommendations**

- 1. The Victorian Government implement a Royal Commission to investigate all allegations of abuse, torture, and other cruel, inhuman or degrading treatment or punishment that were allegedly committed in ALL Victorian orphanages, children's Homes, foster care and other institutions; and, in appropriate cases, prosecute and punish the perpetrators with penalties commensurate with the gravity of the offences committed, and ensure that all victims obtain justice and redress and have an enforceable right to compensation including the means for as full rehabilitation as possible.**
- 2. The Victorian Government show leadership and follow the examples of Western Australia, Tasmania and Queensland and introduce and establish a reparations fund contributed to by the state, churches and charities that ran orphanages, children's Homes, foster care and other institutions. This redress scheme should be open ended, and include Care Leavers raised in ALL forms of Victorian 'care'.**
- 3. The Victorian Government initiate a meeting with all churches and charities who were entrusted with the care of vulnerable Victorian children. Through our research CLAN have established that the Roman Catholic Church alone are thought to have more than \$100 billion in property and other assets Australia wide. They are the wealthiest non-profit organisation in**

**Australia. The Uniting Church in Australia has more than \$1.1 billion in funds under management. The Salvation Army Southern Territory as of June 2000 had total assets worth \$352 660 000. Anglicare Victoria's assets amount to \$43 392 000. In 2004 the big five churches in Australia had revenue amounting to 21.7billion dollars.**

**They do not have to file income tax returns nor do they pay tax on commercial businesses or capital gains tax on sale of assets. With this level of wealth amongst the churches, surely it is not unreasonable to request that they sell assets as necessary contribute to redress and repair peoples shattered lives. CLAN believes that tax payer's dollars should not be given to any past provider until they have made reparations for the past.**

- 4. The Victorian Government to provide funding to help reunite families.**
- 5. Support for the husbands, wives, partners and children of Victorian Care Leavers.**
- 6. Priority access to Victorian Government welfare services such as housing and medical services.**
- 7. Care Leavers to be provided access to their entire records or files without censorship and with support. A uniform application that will cover all requests for records regardless of the past provider.**
- 8. The Victorian Police service establish Historical Abuse Unit which will specialise in investigating crimes committed against children in Victorian orphanages, children's Homes and other institutions.**
- 9. An official combined apology ceremony in public from all the Victorian religious congregations and the charities that ran Victorian orphanages and children's Homes. It is not good enough to issue an apology and place it up on a website.**
- 10. Care Leavers to receive reparations for the unpaid work that they were forced to do as children on farms, in orphanages and in laundries.**
- 11. For Care Leaver History to be taught in Victorian schools as well as in University and other courses in Medicine, Social Work, Social Policy, Counselling, Aged Care workers and any other professions that may come in to contact with Care Leavers.**
- 12. Ongoing funding for CLAN. Currently CLAN receives \$15 000 a year from the Victorian Government to support Victorian Care Leavers. This amount is completely inadequate considering the enormous demand for support for Victorian Care Leavers who both reside in and out of Victoria.**



## **Conclusion**

Finally, CLAN would like to make the committee aware of the enormous responsibility that you have been given by the Parliament and the people of Victoria. We are looking to you to provide justice and to listen and believe our stories. For each of you on this committee, ask yourself the following question: if any of the examples we have mentioned in this submission had been done to you in your childhood or if they had been committed against your children, how would you feel? How would you seek justice?

We are happy to provide further information if necessary and to expand upon this submission. If you require any further information please do not hesitate to contact CLAN by:

**Phone: 0425 204 747**

**Email: [support@clan.org.au](mailto:support@clan.org.au)**

**Post: PO Box 164 Georges Hall, NSW 2198**

CLAN look forward to reading your final report and your recommendations.

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**Appendix 1: Victorian Child Welfare Maintenance Receipt**



N<sup>o</sup> 1433

Children's Welfare Department,  
FLINDERS STREET,  
Melbourne, ..... 17.1.19 +2

CHILDREN'S WELFARE ACT 1923, PART II.—INFANT LIFE PROTECTION.

Received from H. Cook  
the sum specified below, being payment for maintenance of Bert Cook  
for period ending 13.2.17  
£5 : : :  
K. Bailie  
Accountant.

**Appendix 2: 2 year old in police custody**

VICTORIA POLICE [17]

INVENTORY of the PROPERTY taken from PRISONER

* Gaol Number of Prisoner.	Date of Arrest.	Lock-up where Searched.	Offence.	Where Committed.	Convicted.		Sentence.
					Place.†	Date.	
	11-1-51.	Marbun	Neglected child				

Cash and Property Found with Prisoner.			Condition and Probable Value.	Date of Disposal.	How Disposed of.
£	s.	d.	†		
	11		None		Received Property and Money Correct 22023

In this column should be shown the Signatures of the Force through whose hands it passes, the receipt of the Prisoner, etc.

51

\* To be filled up in the Gaol.  
† To be filled up after Trial.  
‡ Each article to occupy one line.

P.212/8.46.-3498.

Signature of Prisoner Unable to write  
Signature of Arresting Constable R Hayes i/c 1605  
Signature of Officer in charge of Watchhouse R Hayes i/c 1605

# UNRULY GIRL AGAIN SENT TO PENTRIDGE

**Melbourne—The 13-year-old girl State ward, who caused a political storm last year when she was put in Pentridge Gaol was taken there again on Saturday night after she had smashed her room at Royal Park receiving Depot.**

"She just ran amok. To protect lives and property we had to send for the police," the Children's Welfare Department secretary (Mr. Pittard) said. "In my opinion Pentridge is the only place for her."

A police spokesman said that the depot had first called for the women police to take the girl away, but the women police refused and an all-male patrol was sent.

Mr. Pittard said that the girl would be held on remand in Pentridge pending police charges for Saturday night's outburst and damage assessed at more than £30.

"We have to protect the lives of our staff and other inmates," Mr. Pittard said yesterday. "She has wrecked her room several times and attacked the staff. We will tell the court that she is quite beyond our resources. We just cannot handle her," he concluded.

## **Appendix 4: List of Government and Non-Government Homes**

### ***Catholic:***

- Antonian Children's Home – Richmond
- Churinga Special Residential School – Greensborough
- Convent of the Good Shepherd - Abbotsford
- Convent of the Good Shepherd - Albert Park
- Convent of the Good Shepherd also known as St. Aidans Orphanage- Bendigo
- Convent of the Good Shepherd - Oakleigh
- Marian Lodge Training Centre- Cheltenham
- Marillac House - Brighton
- Morning Star Boys' Home – Mt Eliza
- Myra House - Kew
- Nazareth House - Ballarat
- Nazareth House - Camberwell
- Our Lady of Sion Orphanage – Sale
- Our Lady's Orphanage – Newtown, Geelong
- Padua Hall – Kew
- Providence Children's Home – Bacchus Marsh
- Resurrection House – Essendon
- Salesian College – Rupertswood, Sunbury
- St Anthony's Children's Home - Kew
- St Augustine's Boys' Home – Highton, Geelong
- St Augustine's Orphanage – Highton, Geelong
- St Augustine's Boys' Orphanage- Newtown, Geelong
- St Catherine's Children's Home – Highton, Geelong
- St Catherine's Girls Orphanage – Newtown, Geelong
- St John of God Training Centre- Cheltenham
- St Joseph's Babies' Home – Broadmeadows
- St Joseph's Home – Sebastapol
- St Joseph's Home for Boys – Surrey Hills
- St Joseph's Home for Children- Surrey Hills
- St Joseph's Receiving Home – Carlton
- St Vincent de Paul Children's Home – South Melbourne
- St Vincent de Paul Orphanage – Black Rock
- St Vincent de Paul's Boys' Home – South Melbourne
- St Vincent de Paul's Girls' Orphanage – South Melbourne
- Yarra View Training Farm – Lilydale

### ***Anglican:***

- St John's Home for Boys and Girls - Canterbury
- St John's Homes for Boys – Canterbury
- Brighton Children's Homes
- Brighton Babies Homes

- Darling Babies' Home also known as Church of England Home for Little Children – East Malvern
- Arms of Jesus Babies' Home also known as Church of England Babies Home – East Melbourne
- St Agnes Girls Home – Glenroy
- St Nicholas' Boys' Home - Glenroy
- Ramoth Toddlers' Home – Ferntree Gully
- Kedesh Maternity Home – Kew
- St Luke's Toddlers' Home - Bendigo
- St Gabriel's Babies' Home – Balwyn
- Andrew Kerr Memorial Home – Mornington
- St Paul's Boys' Home – Philip Island
- Blackburn South Cottages – Highfield Avenue
- St Cuthbert's Home for Boys – Colac
- St Cuthbert's Home for Children – Colac
- Burton Hall Training Farm – Tatura
- Church of England Boys' Society Training Farm also known as Lysterfield Boys Farm or St Hubert's Training Farm – Lysterfield
- Brady House – Strathmore
- Buckland House – Newport
- Ellen Connell Holiday Home – Healesville
- Napier House – Fitzroy
- St Agnes' Girls' Home - Glenroy
- St Barnabas' Boys' Home – Phillip Island
- St Martin's Home for Boys - Auburn

***Salvation Army:***

- Salvation Army Bayswater Boys' Homes – The Basin
- Salvation Army Box Hill Boys' Home – Box Hill
- Salvation Army Brunswick Girls' Home – Brunswick
- Salvation Army Catherine Booth Girls' Home – East Kew
- Salvation Army Glenroy Girls' Home- St Agnes
- Salvation Army The Harbour – West Brunswick
- Salvation Army The Haven – North Fitzroy
- Salvation Army Jacana Children's Home – Jacana
- Salvation Army Kardinia Children's Home – Belmont, Geelong
- Salvation Army Lyndon Lodge – Auburn
- Salvation Army Pakenham Boys' Home – Pakenham
- Salvation Army Children's Creche – North Carlton
- Salvation Army William Booth Girls' Home also known as Salvation Army Girls Home – Kew

***Methodist:***

- Methodist Babies' Home – South Yarra
- Methodist Homes for Children also known as Orana, the Peace Memorial Homes for Children – Cheltenham



***Presbyterian:***

- Arthur Harrison Boys' Home – Hawthorn
- Presbyterian Girls' Home – Elsternwick
- Presbyterian Babies' Home – Camberwell
- Dhurringile Rural Training Farm – Tatura
- Kildonan Home for Children – Burwood
- Kilmany Park Farm Home for Boys – Sale
- McOwan Boys' Training Farm – Yarra

***Wesley Mission:***

- Tally Ho Boys' Training Farm – Burwood

***Lutheran:***

- Lutheran Children's Home – Kew

***Legacy:***

- Blamey House – Beaumaris
- Holmbush – Kew
- Hurlingham - Brighton

***Jewish:***

- Frances Barkman House also known as Larino – Balwyn

***Non-Denominational – Committee of Management:***

- Bethany Babies' Home – Geelong West
- Elizabeth Fry Retreat – South Yarra
- Alexandra Babies' Home – Ballarat East
- Ballarat Orphanage – Ballarat
- Beaconsfield Babies' Home also known as Berry Street Babies Home or Berry Street Foundling Home – East Melbourne
- Burwood Boys' Home – Burwood
- Currawong House – Hamilton
- Geelong and Western District Protestant Orphanage – Belmont, Geelong
- Glastonbury - Geelong Protestant Orphanage – Geelong
- The Gordon Homes for Boys and Girls - Highett
- Harelands- Kew
- Hayeslee House also known as Lisa Lodge – Ballarat
- Holmbush – Kew
- Hurlingham - Brighton
- Melbourne City Mission Toddlers' Home – East Brunswick
- Melbourne Orphanage – Melbourne
- Melrose Training Farm for Boys – Berwick

- Menzies Home for Boys and Girls- Frankston
- Menzies Home for Children – Frankston
- Minton Boys' Home- Frankston
- Northcote Farm School – Bacchus Marsh
- Robin House – Fitzroy
- Stanhope – Kew
- Swan House - Traralgon
- Tracy Dutton House - Mitcham
- The Try Society also known as William Forster Try Boys Society – South Yarra

***Victorian Government:***

- Allambie Reception Centre- Burwood
- Ashdene Boys' Home – Croydon
- Baltara Reception Centre – Parkville
- The Gables – Kew
- Hillside Boys' Home- Glen Waverley
- Illoura Children's Home – Balwyn
- Lady Dugan Children's Home – Malvern
- Langi Kal Kal Youth Training Centre – Trawalla
- Malmsbury Youth Training Centre – Malmsbury
- Miralee Reception Centre also known as Mildura Reception Centre – Mildura
- Pirra Girls' Home – Lara
- Pleasant Creek Special School also known as Stawell Special School – Stawell
- Royal Park Depot also known as Royal Park Receiving Home – Parkville
- Sandhurst Boys' Home also known as Bendigo Boys Home – Bendigo
- Sutton Grange - Mornington
- Turana Reception Centre also known as Turana Youth Centre. Different sections of Turana included: Billabong, Poplar House, Phillip Island
- Winlaton also known as Winlaton Reception Centre. Different sections of Winlaton included: Goonyah, Warrina and Koorinal.

# STRAPPING OF A CHILD

## EVIDENCE AT INQUIRY

Melbourne, Wednesday.

An inquiry was opened yesterday into the strapping of a boy, Percy Clarence Bartholomew (14), at the receiving home for children at Royal Park last month.

A doctor stated that nine days after the punishment there was extensive bruising over the body and left thigh.

Mr. Jewell, M.L.A., said that the strap used was only fit for a horse.

The boy's mother declared that all the lower part of her son's body was jet black. She added, "When I took him to a magistrate of the Children's Court he said in his 12 years' experience he had not seen anything so inhuman."

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# Children pinned to beds to stop them getting up

By GERARD RYLE  
and GARY HUGHES

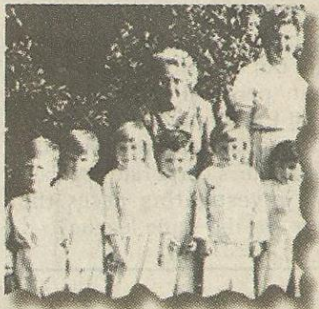
Children in Victorian babies' homes in the 1950s and '60s, including state wards, were sometimes pinned to their beds at night and kept in cots enclosed in wire mesh during the day.

*The Age* has obtained a photograph of six children and their minders in a state-registered babies' home about 1964. It shows the toddlers wearing their pyjama tops backwards so the children could be pinned to their mattresses to stop them getting up during the night.

They would stay fastened by three large safety pins from about 5.30pm until about 7am. If they wet or soiled the bed, they would have to lie in their own faeces or urine-soaked sheets until morning.

Last week, *The Age* revealed that thousands of children had been unnecessarily made wards of the state in the 1950s and '60s and exposed to physical and psychological abuse.

Former state wards who say



they were victims are calling for Government help, including counselling for continuing emotional problems.

The photograph obtained by *The Age*, and published on Page 2 today, was taken at a state-registered babies' home run by Ms Dorrie Black in Synnot Street, Werribee.

Toilet training at the home consisted of three upright poles set in concrete in a laundry.

The children — all between 12 months and five years and including some state wards — would be tied to the poles and

sat on potties. They stayed there until they went to the toilet.

The former inspector of institutions at the Children's Welfare Department during the 1960s, Ms Donella Jaggs, said pinning children to their beds was the "standard thing" in small babies' homes that could not afford to pay night staff.

Ms Jaggs, who is now retired, said toddlers were often also kept during the day in "meat safe cots" — cots enclosed in fly wire mesh, including the top.

The make-shift cages protected the children from flying insects while stopping them from climbing out of their cots.

A former worker at the Dorrie Black home said the children were well fed and never hit. "But the pinning to the bed and the toilet training — that was cruel," she said.

"It was to have control of them, so that they wouldn't be running around all night. We had lots that wet the bed — or did the other. They would lie there until morning."

Continued: PAGE A2

## Children pinned into beds

FROM PAGE 1

The former worker, who declined to be named but worked at the home for six years in the 1960s, said it was her job to help pin the children to their beds every night.

"Three kilt pins were used. One in front and one on each shoulder," she said.

The children, some of whom are now in their 30s, were placed there by mothers having difficulty looking after them.

But if their mothers failed to make support payments for four weeks in a row, the children were automatically made state wards.

The home was closed about 1970, the former worker said. Ms Black, who is believed to have since died, cared for up to 11 children at a time.

Ms Jaggs said the Dorrie Black home was typical of "backyard baby farms" in Victoria during the 1950s and '60s. They were the "black holes" of Victoria's child-care system.

She said the baby farms were state-registered, but the Government did not set minimum standards of care and the methods used to control children could be crude.

It was not until the mid 1960s that the Children's Welfare Department began pressuring babies' homes into hiring enough staff.

## **WOMAN GUILTY OF MANSLAUGHTER**

### **Malnutrition Caused Death Of Child**

**MELBOURNE, Wednesday.**—Mrs. Mary Rane, of Hallam, was found guilty today of the manslaughter of Leonard Maxwell Kirkwood, aged seven months, a ward of the State placed in her care.

She was remanded for sentence.

Following a visit to her home by an inspector from the Society for the Prevention of Cruelty to Children, Kirkwood and three other wards of the State were removed to the Royal Park depot. Kirkwood died of bronchitis and malnutrition two days later.

Mr. Justice Wasley said that the medical evidence showed that the real cause of Kirkwood's death was malnutrition, not bronchitis.

## **Appendix 8: Article on medical experiments**

Author: Gerard Ryle and Gary Hughes

Source: The Age

Date: June 1997

INSIGHT - Medical research in Melbourne orphanages revealed

\* Trial vaccine failed to pass animal safety test

\* Fears for infants over severe toxic reactions

Children in orphanages and babies' homes in Victoria were used in post-World War II medical experiments and research that continued until 1970.

The experiments included trials of new vaccines that did not work or failed to pass safety tests in animals.

Babies less than 12 months old were injected with large doses of an experimental vaccine against herpes. Other experiments included giving children a test vaccine against whooping cough which was never put into production.

An Insight investigation by *The Age* has discovered hundreds of children in orphanages and babies' homes, including wards of state, were used in the experiments and studies over 25 years.

They were used to test vaccines and antigens for toxic effects before the new products were used on children in the wider community. In a number of the tests babies developed adverse reactions, including vomiting and abscesses.

Those carrying out the experiments included researchers from the Commonwealth Serum Laboratories and the Walter and Eliza Hall Institute of Medical Research.

*The Age* has identified four of the church-run or independent institutions where experiments and tests took place. Others remain unidentified.

In the largest experiment, which was still running in 1970, 350 infants between the ages of three months and 36 months in unnamed institutions were injected with full adult doses of trial influenza vaccines to test for toxic reactions.

Researchers from the Commonwealth Serum Laboratories admitted at the time that they approached the test with "some trepidation" because influenza vaccines had "long been known to produce more severe toxic reactions in children than in adults".

*The Age* has learnt that two previous tests of influenza vaccines on children produced

severe toxic reactions. It is believed that the results of the tests were never published.

Production of a whooping cough vaccine used by the CSL on groups in babies' homes was halted after it failed to pass a safety test in animals.

It is unclear in the experiments and studies uncovered by *The Age* who gave consent for the use of the infants.

CSL's company secretary, Mr Peter Tuohy, said in a statement to *The Age*: "CSL Limited, an independent public company . . . could not comment on clinical trial protocols of the era when the then laboratories were an arm of the Commonwealth Department of Health."

The Walter and Eliza Hall Institute of Medical Research confirmed it had conducted tests with a killed herpes simplex vaccine on 16 children at the St Joseph's Foundling Hospital, which was also known as the Broadmeadows Babies' Home. The experimental vaccine failed to protect the children against the virus.

"These studies were carried out with the cooperation of the sisters in charge of the orphanage," the institute's spokesman, Dr David Vaux, said. "If similar studies were to be carried out today, the experimental protocols would have to be approved by a human ethics committee and informed consent would have to be obtained by the individuals involved or their guardians."

Dr Vaux said he could only assume that consent to use the babies came from the Roman Catholic order that ran the orphanage, the Sisters of St Joseph. Sister Colleen O'Dwyer, the order's province leader, said she was "unaware of any form of medical experimentation" having taken place.

# Orphans used in vaccine research

Broadmeadows Babies' Home, a rambling collection of brick and weatherboard buildings about 20 kilometres north of Melbourne, was an unlikely setting for medical experiments.

But it was there in September 1947 that researchers from the Walter and Eliza Hall Institute of Medical Research started work to develop a vaccination against herpes simplex.

Every healthy child in permanent residence between seven and 10 months of age was selected as a human guinea pig.

At first 16 babies were injected with an adult dose (one millilitre) of undiluted herpes vaccine. This was repeated in nine of the children two months later.

Before each dose, the babies were given a preliminary injection of the vaccine.

Seven of the children showed an adverse reaction after the second preliminary injection and did not receive a full follow-up dose.

The origins of the experiment — funded with a National Health and Medical Research Council grant — can be found

in *The Medical Journal of Australia* of 5 March 1949, where the researchers published the results of an earlier "herpes in children" study at the home.

Fifty-one of the 240 babies at the home were used between March 1946 and February 1947. The orphans and state wards in the home were chosen because the highly infectious herpes virus thrived in the cramped living conditions in crowded nurseries.

It was believed herpes was "predominantly a disease of the poorer classes". The researchers decided it was "probable that the great majority of mothers of the children in our group were herpetic subjects".

Broadmeadows Babies' Home, opened in 1890 and run by the Roman Catholic Sisters of St Joseph, housed orphans and wards of state until they were about five years old, when they were sent to other Catholic institutions throughout Victoria. It closed in 1975.

For scientists of the day it offered an opportunity to observe the spread of the virus and how it might be controlled.

Blood was repeatedly obtained by puncturing the babies' ear lobes and cotton swabs were used to collect samples from mouth ulcers.

The researchers believed it might be possible to vaccinate children against herpes in their first year of life. But their hopes were short-lived.

According to their results, published in the *Australian Journal of Experimental Biology and Medical Science* in 1950, blood taken from the babies over two years showed the dead herpes virus failed to provide protection.

All of the 10 vaccinated children (six babies left the home before the end of the experiment) caught herpes. Of the 10 remaining healthy children in the control group who were not vaccinated, eight caught herpes.

"This result speaks clearly against the efficacy of vaccination as it was done in this study," the researchers' report said.

"The vaccination was of no benefit in preventing primary herpetic infection under the conditions of this study."



Appendix 10: Deaths in care

Nº 6

INFORMATION RELATING TO DEATHS OF WARDS DURING YEARS 1939 - 1943

PERIOD UNDER DEPARTMENT	1939 Age at death			1940 Age at death			1941 Age at death			1942 Age at death			1943 Age at death		
	Under 5	5 to 14	Over 14	Under 5	5 to 14	Over 14	Under 5	5 to 14	Over 14	Under 5	5 to 14	Over 14	Under 5	5 to 14	Over 14
Under 1 year	7	-	1	5	3	-	-	-	-	6	-	-	7	-	-
" 2 years	-	-	-	-	1	-	-	-	1	5	-	1	-	1	1
" 3 "	-	-	-	-	1	-	-	1	-	-	-	-	-	-	-
" 4 "	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-
" 5 "	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-
" 6 "	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-
" 7 "	-	1	-	-	1	1	-	-	-	-	1	-	-	1	-
" 8 "	-	-	-	-	-	-	-	-	-	-	1	-	-	-	1
" 9 "	-	-	1	-	-	-	-	-	-	-	1	-	-	-	-
" 10 "	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-
" 11 "	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-
" 12 "	-	-	1	-	-	-	-	-	-	-	1	-	-	1	-
" 13 "	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
" 14 "	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
" 15 "	-	-	-	-	-	1	-	-	1	-	-	-	-	-	-
" 16 "	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
" 17 "	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
17 years and over	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-
	7	1	3	5	6	2	-	1	3	12	5	3	7	3	4
<b>CAUSES OF DEATHS</b>															
Bronchial pneumonia	1	Bronchial pneumonia	3	Accident	2	Accident	3	Accident	2						
Colitis	3	Colitis	1	Enlarged spleen	1	Diphtheria	1	Cancer	1						
Diphtheria	1	Diphtheria	2	Uraemia and en-		Epileptical		Heart failure	3						
Malnutrition	1	Pneumonia	1	docarditis	1	(status)	1	Epileptical	1						
Gastro enteritis	1	Cardiac failure	2			Gastric enteritis	3	Meningitis (C.Spin)	1						
Inanition	1	Endocarditis	1			Gastric influenza	1	Pneumonia	2						
Blood poisoning	1	Influenza	1			Heart failure	2	Scarlet fever	2						
Accident	2	Tuberculosis	1			Measles	2	Tetanus	1						
						Meningitis	1	Tuberculosis (Pul.)	1						
						" (cer.spinal)	1								
						Nephritis	1								
						Peritonitis	1								
						Pneumonia	1								
						Bronchial pneumonit	1								
						Whooping Cough	1								
<b>PLACES OF DEATHS</b>															
Children's Hospital	6	Children's Hospital	4	Geelong Hospital	2	Children's Hosp.	6	Children's Hosp.	4						
Queen Victoria "	1	Queen Victoria "	1	St. Vincent's "	1	Melbourne "	1	Melbourne "	1						
Geelong Hospital	2	Fairfield Hospital	2	Maryborough "	1	Fairfield "	2	Fairfield "	2						
Melbourne Hospital	1	In Institutions	2			Mental Hygiene		Ararat "	1						
Fairfield hospital	1	In foster homes	3			Dept.	2	Ballarat "	1						
		Accidentally drowned	1			In Institutions	5	Colac "	1						
						Receiving Depot	1	Institutions	4						
						Accident	3								

## INFANT'S DEATH.

### Foster Mother Charged.

#### Malnutrition Alleged.

MELBOURNE, Tuesday.—The taking of evidence was finished in the Criminal Court to-day in the second trial of Mrs. Mary Kane, of Tallam, who pleaded not guilty to a charge of the manslaughter of Leonard Maxwell Kirkwood, an infant ward of the State, who died from malnutrition and bronchitis after being in her care for five months.

Dr. Vincent Phillip Johnson, who was medical officer at the Children's Welfare Depot at Royal Park for 15 months, said he had seen many wards come back suffering from malnutrition. When Kirkwood was sent to Kane he was a normal child, but when he came back to the depot on June 13 he was suffering from sores, malnutrition and acute bronchitis. His clothing had to be burnt.

Ethel Ann Fernald, sister at the Royal Park Depot, confirmed charts showing the weights of two infants which were placed with Kane at two months.

In evidence on oath Kane denied

neglect. She said she was the mother of nine children, of whom five were still living with her. She had three cows, and it was on milk from these that the wards of the State were fed. She had told Dr. Holden, of Dandenong, of Kirkwood's condition, and had done as instructed by him. In her opinion the other children were quite normal when taken from her.

In answer to the Crown Prosecutor (Mr. C. H. Book), Kane said that she took the children to augment her income, but there was not much in it. She had a daughter at home, and thought that with her assistance the infants would be well looked after. They were fed on cow's milk, barley-water and biscuits, and were kept clean.

Justice Wasley will sum up to-morrow.

## Appendix 12: Deaths not reported comments

### WARDS OF STATE.

### DEATHS NOT REPORTED.

### CORONER'S COMMENTS.

"When children who are under the Department for Neglected Children die their deaths are not reported to me; but I think that they should be, as they are still boarded-out children," said the coroner (Dr. Cole) when inquiring into the deaths of two infants on Saturday. In one case he found that death was due to inflammation caused by a change in food. In the second case the child died from prematurity and exhaustion. The nurses were in no way to blame.

Continuing his comments, the coroner said that the problem of saving infant life was interesting other countries besides Australia. Attempts were being made all over the world to determine the cause of the inflammation which killed so many boarded-out children. It was usually attributed to the food, yet children who had their food given to them in a very haphazard fashion often managed to survive. In other cases, the nurses were clean and careful, the children were under a doctor's supervision, and yet they died. With the birth rate falling in so many countries, it had become a question of first importance to find a means of saving these little lives. While the present system of boarding out children was an improvement on the old, it was still very difficult for him to estimate the number of deaths, because they were not all reported to him. When the mother ceased to pay for the child, and the State contributed the money, the child became a ward of the State, but whether they were boarded out or wards of the State their deaths should, in his opinion, still be reported to him. So far as could be judged, the baby farmer had been eliminated, and that was a step forward, but it would be a step further to find out the cause of this inflammation of the bowels. There was no doubt that it could be discovered.

Dr. C. H. Molison, in his evidence, said that the child who died from prematurity should have been kept in an incubator. Dr. Cole did not think that would be possible with children who were boarded out, and a lady inspector said that the Department for Neglected Children had no incubators.

### Appendix 13: Ballarat Orphanage Deaths

- William Morley, Died 22/12/1875, Aged 9
- **John Thomas Mills Wormald**, Died 14/2/1876, Aged 6 years
- **Mary Brady**, Died 14/11/1876. Aged 8
- **Charles Christian Mason**, Died 27/11/1876, Aged 11
- **Percy Golding**, Died 24/12/1876, Aged 5
- **Mary Davies**, Died 13/5/1877, Aged 8
- **Richard Joseph Bennington**, Died 19/4/1880, Aged 10
- **Margaret Thomas**, Died 4/11/1881, Aged 10
- **John Henry Watson**, Died 18/2/1886, Aged 10
- **Ada Stalk**, Died 30/3/1886, Aged 13
- **Michael Wade**, Died 29/9/1887, Aged 5
- **Catherine Cahill**, Died 13/10/1889, Aged 7
- **Ada Salter**, Died 25/01/1895, Aged 7
- **Catherine Sunderland**, Died 14/3/1895, Aged 14
- **William White**, Died 22/7/1898, Aged 9
- **Ethel May Strahan**, Died 7/12/1900, Aged 10
- **Leslie William Adams**, Died 4/9/1902, Aged 11
- **Florence Marcia Box**, Died 9/9/1910, Aged 2
- **Alex George Patterson**, Died 4/10/1923, Aged 4
- **Florence Cowell**, Died 9/5/1924, Aged 9
- **Charles Frederick Falk**, Died 21/7/1925, Aged 14
- **Bertie Perry**, Died 19/2/1928, Aged 13
- **John Welsh**, Died 1/12/1928, Aged 21
- **Thomas Alfred Collard**, Died 30/6/1931, Aged 5
- **Joyce Sinnett**, Died 4/8/1933, Aged 12
- **Leslie Colin Ramsay**, Died 13/8/1939. Aged 15

Appendix 14: State sanctioned Rape

reads one finger.

000093

CHILD WELFARE DEPARTMENT

19/6 59  
.....19.....

I certify that I have this day examined.....

Age.....yrs. *N.S.I.* *L.M.P.* *2/5/290*

She states.....

.....

.....

\* Does physical examination support her statement? *Yes*

..... *No* .....

Any signs of venereal disease?.....

..... *No* .....

Any signs of Pregnancy? *not*

GENERAL HEALTH:.....

..... *fair* .....

MORAL SENSE:..... INTELLIGENCE:.....

RECOMMENDATION:

*Dunne*

21/10

OFFICE MESSAGE UNIT.  
B 19339 / - / -  
20 AUG 1959

000115

MEDICAL CERTIFICATE

I hereby certify that I have this day  
medically examined \_\_\_\_\_, set. 15,  
and find that she is of strong physique, is  
neither obese, is fairly bright mentally and has  
a moral sense.

She is virgo intacta and there is no  
evidence of pregnancy or venereal disease.

*H. S. ...*  
*M. S. ...*

August 18, 1959.

*Noted*

*17*  
*1*  
*9*

CHILD WELFARE DEPARTMENT

..... 15.6.49.....

I certify that I have this day examined.....

age.....<sup>15</sup>.....years.

She states..... S.I. once only 2 days ago - no  
penetration.

Does physical examination support her statement?..... I consider  
S.I. has occurred + prior to 2 days ago.

Any signs of venereal disease?..... no

Any signs of Pregnancy?..... no

GENERAL HEALTH..... normal

MORAL SENSE:..... only fair..... INTELLIGENCE..... poor

RECOMMENDATION

Frank R. [Signature]

## **Appendix 15: ABC Law Report**

**Damien Carrick:** And what kinds of injury are we talking about, and how do you establish that, to get that \$40,000 or \$80,000?

**Angela Sdrinis:** Well it's largely psychological injury. You need to provide medical evidence that you've suffered a psychiatric injury, and beyond that, for example, badly-deformed feet, because they were given shoes that were just way too small over a decade. Back injuries from the slave labour that they were required to perform, and of course we see, all too often, very bad in the men, colo-rectal injuries from being sodomised repeatedly over a number of years, and in some of the women, infertility. We've got two clients, twin sisters, who were diagnosed as having gonorrhoea at the age of four months. It's in their records. They were never treated for it. Now the first question is, how did they get the gonorrhoea? And the next question is, well, you knew it was there, you've recorded it; what did you do for them?

So other situations, children who were given massive doses of lithium, really heavy, heavy psychotropic drugs for years, for conditions they never had. It was a way of 'managing' them. Now those people will never recover from that.



**Appendix 16: Elizabeth Fry request form for Police to inquire a child who has absconded**

*BWP 10/6*

From

**Children's Welfare Department,**

RAILWAY BUILDINGS, FLINDERS STREET  
(OPPOSITE ELIZABETH STREET);  
MELBOURNE.

18th May, 1935

To

The Officer in Charge of Police,

GEELONG WEST

MEMORANDUM.

A ward of this department named COLLEEN FAY LORRETTA SANDERS,  
(born 27/7/36) absconded from the Elizabeth Fry Retreat, 83 Argo Street,  
South Yarra, on 15/5/51.

I should be glad if the Officer in Charge would have inquiries made at  
32 Orr Street, Manifold Heights, Geelong West,  
where she ~~is~~ a Mrs. Dawson, resides with a view to her apprehension and  
return to the depot at Royal Park.

C.266/8.38.-11008.

Secretary. 



# Ward to sue over abuse

A 27-YEAR-old former State ward was told yesterday she can still sue the State of Victoria for sending her home to her sexually abusive stepfather as a child.

A Supreme Court judge ruled she was not barred by the time factor from making the claim, that her emotional problems "were probably caused by abuse she suffered as a child".

Justice Norman O'Bryan ruled that before the woman went to doctors in 1993 and 1994 she "was ignorant of the relationship between her symptoms and the abuse she suffered as a child".

The woman is claiming that she was regularly sent home to her stepfather, even though the institution where she lived knew he was sexually abusing her.

Some Australians might protest at the prospect of

28 - JULY 1995