

TRANSCRIPT

FAMILY AND COMMUNITY DEVELOPMENT COMMITTEE

Inquiry into the handling of child abuse by religious and other organisations

Melbourne — 17 December 2012

Members

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Witnesses

Ms L. Sheedy, executive officer,
Ms P. Cremona, and
Mr F. Golding, Care Leavers Australia Network.

The CHAIR — Good morning, everybody. On behalf of the committee I welcome Ms Leonie Sheedy, the executive officer from Care Leavers Australia Network; Ms Phyllis Cremona, Care Leavers Australia Network; and Mr Frank Golding from Care Leavers Australia Network. On behalf of the committee I welcome you all and thank you for being before us this morning.

All evidence taken by this committee is taken under the provisions of the Parliamentary Committees Act, attracts parliamentary privilege and is protected from judicial review. Any comments made outside the precincts of the hearings are not protected by parliamentary privilege. Witnesses may be asked to return at a later date to give further evidence. All evidence given today is being recorded. Witnesses will be provided with proof versions of the transcript. Please note that these proceedings are not being broadcast.

Following your presentation, the committee members will ask questions relating to your submission and the inquiry. I will now call on you to make your presentation, but before I do that, we thank you for your submission and for the further documentation you have given to us this morning. I note that in the submission you have given us this morning you refer to a number of individuals who have indicated they have had occasions of abuse — been subject to abuse — and we are reticent to use those names unless those individuals have given their consent. Do you have their consent to use their names? If you do not, then those names will need to be redacted.

Ms SHEEDY — They do. We do have their permission.

The CHAIR — Thank you very much for that.

Ms CREMONA — Can I just clarify that a bit further? I had a discussion with a solicitor on Friday because I did intend to use some information where I had been given permission by the individuals. I was told that I could not use their names because I had not had written permission, and that was because they have been involved in litigation. So my understanding is that I cannot use their names.

The CHAIR — Okay, you have given us those names, so we will need to be very careful about those names. If you cannot use them, then please do not refer to them if you are unsure at all.

Ms CREMONA — There is a bit of a cloud.

Mr GOLDING — There are some names which we have used in the submission which are on the public record through the Senate inquiry.

The CHAIR — That would be fine. Thank you for that clarification, but if you are in doubt, please do not refer to those names. That would make it easier.

In accordance with the guidelines of the hearings, I remind members of the public gallery that they cannot participate in any way in the committee's proceedings. Only officers of the Family and Community Development Committee secretariat are to approach committee members. Members of the media are also requested to observe the media guidelines. I ask you all now to please ensure your mobile phones are turned off while in the gallery. Again, I thank you for being before us. We look forward to hearing from you.

Ms SHEEDY — Thank you very much. Firstly, I would like to say thank you to the committee for inviting CLAN to make this presentation on behalf of Victorian care leavers. Very briefly we would like to tell you a little bit about the work that CLAN does.

CLAN was established in July 2000, and in the first six months to December that year we received 65 letters and phone calls from Victorians who either still resided in Victoria or who lived in other states who suffered in care. One was from a prisoner in a Victorian jail. We had a membership base nationally of 163 members on 9 December 2000. Many of the 65 people that we heard from also joined CLAN at that time. Two of the people who contacted CLAN in 2000 are Frank Golding and Phyllis Cremona, who are with me today, and we are all Victorian state wards and care leavers.

Care Leavers Australia is delivering this presentation based on our 12 years of experience and expertise in the field of assisting people who grew up separated from their families and raised in Victoria's orphanages, children's homes, foster care and other institutions. We have been listening to and documenting the sad and

horrific personal stories of thousands of Victorian care leavers who were placed in church, charity and government-run orphanages and children's homes and foster care.

We publish a bimonthly newsletter called the *Clanicle*, which is the only avenue for people in Australia to have their personal stories published. We have completed 75 editions, and we have a copy of the latest edition for you. Our members who cannot read and write — and there are quite a few of them — get sent their newsletter on a CD.

The oldest member of CLAN is 96 and the youngest is 32. CLAN has completed two national surveys of our members: *A Terrible Way to Grow Up*, completed in 2007, with 382 respondents; and *Struggling to Keep it Together*, completed in 2011, with 520 respondents. We have a national library of over 800 books, many of them the histories of orphanages and children's homes and the personal stories of people who grew up in care.

CLAN employs two counsellors and provides free telephone counselling and support to anybody — you do not have to be a member of CLAN to access that service. We also provide assistance and advocacy with government departments and past providers of orphanage life.

CLAN lobbied for the Senate inquiry into children in institutional care, along with former Senator Andrew Murray and Wayne Chamley. We have conducted monthly silent protests since 2007, and we sent 10 000 postcards to the Prime Minister as part of a long campaign for a royal commission. We have been invited to provide advice and advocacy on the federal government's apology to the forgotten Australians and former child migrants. We sit on advisory committees on aged care, the National Library of Australia's oral history project and the National Museum of Australia's special exhibition called *Inside — Life in Children's Homes and Institutions*.

We have recently completed two submissions to the United Nations, one on the rights of the child in Geneva and the other to the Australian ambassador, Gary Quinlan, in New York for the Committee against Torture.

CLAN is run by care leavers for care leavers. We advocate for justice and redress for all Australian care leavers.

You have asked us to address five key issues, and we are happy to do so. However, we make this brief preamble. The rape and sexual assault of a child is an unspeakable, ugly crime, wherever it occurs. When it occurs in places where children are placed for their own safety, it is even more despicable. CLAN has heard thousands of unreported crimes of rape, sodomy and molestation committed on children in care. In our survey, *A Terrible Way to Grow Up*, in 2008, 44.5 per cent of the 382 respondents reported that they had been sexually abused during their time in care, and they confirmed the findings of the Senate report in 2004 that these criminal acts were 'widespread across institutions, across states and across government, religious and other care providers'.

Sexual use and abuse was perpetrated by a range of different people, including priests, brothers, nuns, ministers, superintendents, Salvation Army officers, matrons, employees, foster carers, holiday hosts, and sometimes even other children. Those who experienced rape and sexual assault as children need to be heard, to know that society supports them in speaking out, to have their experiences acknowledged and to be assured that their life-lasting impacts will be addressed.

CLAN is heartened by the speech of Mr Baillieu, the then Leader of the Opposition, on the occasion of the Victorian apology to forgotten Australians in 2006. Mr Baillieu stated:

The Senate report of August 2004, *Forgotten Australians*, concluded unanimously that many children who spent their childhood in state care in Victoria were the subject of significant abuse. The opposition is appalled by the abuse of children — anywhere, any time. The abuse of a child — whether it is physical, mental or sexual — is abhorrent to us all. When such abuse takes place under the care of the state or organisations acting on behalf of the state, it is even more shocking.

...

We openly recognise the trauma and ongoing emotional torment of these events, and we deplore the actions of those who misused their positions of trust. Their actions were unacceptable and unforgivable. All criminal activities involving the abuse of children must be fully investigated and perpetrators brought to justice — regardless of when that abuse took place.

I will let Frank go on now.

Mr GOLDING — You have asked us to address the five questions. The first one is about the experiences of survivors of abuse that demonstrate the shortcomings of the current processes of religious and other non-government organisations for dealing with child abuse. We believe in general that the processes of dealing with child abuse have not improved at all in the last 100 years. In fact this morning we were going through some old articles, and we found one from 1912 — exactly 100 years ago. Leonie could read perhaps the opening sentence of that article.

Ms SHEEDY — It says:

Neglected children

The statements published of late concerning the Royal Park Depot for Neglected Children have startled and shocked the public. A few weeks ago, the story of the children's wrongs, as told by Mrs Alfred Deakin, appeared in these columns.

Mr GOLDING — Of course she was the wife of a Prime Minister. That was in 1912, and here we are 100 years later and we are still dealing with the issues.

From the thousands of accounts we have heard from our members and from elsewhere over the years, some of the common responses of religious and non-government organisations can be summarised in these ways. Firstly, disbelief. They say you cannot take the word of a child over the word of a man of God or an adult. So many children were put back in to the same situations where they were abused, and the abuse continued. We have got countless examples of children being punished for trying to tell what was happening, accused of being liars because they were children.

Denial was another response. We hear them say, 'We can trust the church to be caring and kind; they would never harm a child. Anyway, it's only a few bad apples,' and we have had that sort of response recently in public statements: 'It's not the church as a whole, it's just a few bad apples'.

Blaming the victim. We hear them say, 'The girl was wicked and used her seductive powers against the priest or the adult'. They blame the victims or their families. We have got examples of people saying that the children come from immoral families, and what else could you expect from such a family?

And of course cover-ups and collusion are rife. Reputations of institutions and churches had to be protected first, and staff stood by each other against the child. In many instances children were viciously beaten for making complaints, often in front of other children to make an example of them as a deterrent against future complaints. The lack of follow-up in these instances led to further abuse because the abusers understood they could get off scot-free.

We have systemic blindness, where the crimes are rarely recorded, hardly ever recorded, so the systemic patterns of crimes against children were unnoticed. Now in adult life complainants are being told there are no records — they have been accidentally lost, destroyed by flood or fire, which is an ironic act of God. Therefore not only are the prospects of taking legal action minimised but also the prospects of finding and reuniting with lost family — siblings and parents — are absolutely shattered.

Then we have institutional non-cooperation. They say, 'These nuns or brothers are all dead now so we can't tell you the name of the abusers', 'The perpetrator is old and frail; leave him in peace'. By contrast there is no regard for the peace of mind of the old and frail survivor.

Ms SHEEDY — The second question that you asked us to address was the experience of our organisation in dealing with processes in non-government organisations on behalf of survivors and how CLAN has been treated by the organisations in this role. CLAN has met and knows many fine people associated with churches and charities in Victoria over the last 12 years of our organisation's existence who are sympathetic and would like to help survivors. But at the institutional level it has to be said that in all that time no Victorian church organisation has approached CLAN with information or guidelines for their policy and process.

In general CLAN has had little cooperation from the churches in seeking information for its members who may wish to make allegations or lodge complaints. Recently we conducted an exercise to try to find out what the processes are to report allegations or abuse, or to lodge a complaint. We tested the contact points that people might find for the Catholic Archdiocese of Melbourne, the Anglican Archdiocese of Melbourne, the Synod of

the Uniting Church for Victoria and Tasmania, the Melbourne central division of the Salvation Army and Legacy Victoria.

Responses to CLAN's approaches varied from no response at all — after four unanswered phone calls in one case — to being told there was no process: 'Just write a letter'. There does not seem to be a nominated person responsible for dealing with these complaints as far we could establish. In one case there is continuing hostility to CLAN, and we presume other advocacy and support groups. We have on file correspondence from a senior Salvation Army officer in 2004, stating:

... we have a major difference of opinion regarding sexual abuse within the centres that we ran in the 50s, 60s, 70s and 80s. [CLAN] claim that sexual abuse was endemic and we refuse to accept that claim.

A search of church websites using key terms like 'sexual abuse' revealed little more than broad policy statements and media releases in response to the setting up of this inquiry and/or proposed royal commission. There is virtually no information on church websites aimed at helping survivors directly. The search term 'sexual abuse' on the website of the Catholic Archdiocese of Melbourne produces only one item — a pastoral letter from Archbishop Hart in which he claims:

We have sought to do everything in our power to bring these victims aid, consolation and, if possible, reconciliation with the church.

This strikes us as ironic, since it was only after more refined searching that we were able to find a brochure on the Melbourne Response. This is not what we would call 'all in our power' to help victims.

As recently as August 2012 every federal politician received a booklet from the Catholic church titled *Sexual Abuse — the Response*. Yet survivor support groups did not receive a copy. You have to ask why the church would send the booklet to politicians but not to those in daily contact with survivors.

In regard to the Victorian government, CLAN has been consistently told matters are dealt with on a case-by-case basis, but CLAN has been given no communication on how complainants are required to go about that process.

In summary, CLAN and its members have met with three recurring patterns of response: lack of communication on the process available to get justice; no willingness to engage with CLAN, and in the case of the Victorian Salvation Army, overt hostility — I must say, we have a very good working relationship with the Salvation Army in Sydney, and we have no complaints there — and an exceedingly slow response to enquiries and complaints.

In regard to existing redress for victims of rape and sexual assault, a major problem in policy and practice is an irrational inconsistency. Three states — Tasmania, Queensland and Western Australia — have redress schemes, while South Australia has a limited scheme attached to its victims' compensation arrangements. Victoria has no scheme, despite Mr Ryan's advocacy in the Victorian Parliament back in 2006 and successive reports of the Senate specifically urging Victoria to do so.

Among the churches and community services organisations, redress schemes, where they exist, are a hotchpotch of secretive arrangements. The *Forgotten Australians* report of 2004 found major problems in the Catholic, Anglican and Uniting churches, and the Salvation Army, including that: decisions lacked apparent objectivity; a lack of informal or reconciliation-style processes; appointments lacked independence; inconsistent processes and failure to adhere to stated rules; coercion and intimidation of claimants; and overly legalistic approaches.

The report made strong recommendations for reform to the churches and charities in this regard, but in 2009, when the Senate committee reviewed progress, despite invitations to the major churches, not one single church was willing to offer a submission and none gave evidence at the hearings of the Senate inquiry in 2009. The committee was forced to rely on the evidence of survivors and other commentators. Not surprisingly, it found that the problems identified in the church-based redress schemes continued. In particular, the 2009 report commented on a lack of consistency, transparency and accountability, and in addition, found that redress outcomes were inadequate. CLAN is not privy to redress outcomes on a system-wide basis, but we have limited access to a number of cases where it is clearly apparent that people with similar claims are offered vastly different amounts in settlements.

CLAN's experience in advocacy on behalf of its members confirms all of the problems identified by the Senate inquiries, many of which apply also to non-church arrangements. We would add another problem: churches and charities do not encourage applicants to be accompanied by an advocate or to seek independent assistance in handling negotiations. We think the reason for this is that churches and non-government agencies prefer to isolate claimants and do not want at the table people who might have a sense of the outcomes of similar cases.

I would like to put into evidence my brother's case, Anthony Sheedy; he is deceased. Anthony died on the day that a letter came from his solicitor; he died at my house in Sydney. The letter arrived stating that there would be a meeting with the Victorian government and the Christian Brothers. Anthony did not get to know about that letter. Usually the claim dies with the claimant. I kept pursuing a meeting with the Victorian government and the Christian Brothers. That meeting went ahead in January this year and a very small payment was paid to Anthony's estate — enough to pay for his funeral and a headstone. The rest of the money was used to go to New York to present that submission to the United Nations.

Prior to Anthony's death he had to go to a meeting with a psychiatrist that was paid for by the Christian Brothers, and it was a bit of a bunfight to be allowed to get into the room to support my brother, who had an intellectual disability. The psychiatrist was not going to allow me into the room. I just stood my ground and said, 'I'm coming in'. I was not allowed to speak for the hour and a half of that interview. It was disgraceful to treat my brother like that. The psychiatrist actually blamed our parents for a lot of the problems. Anthony was in care from 2 until he was 19, and my parents did not sodomise him. Anthony went to nine orphanages, both government and religious ones, and he was sodomised by both Christian Brothers and government employees, and other boys.

Ms CREMONA — I think the point is that blaming the parents — the parents didn't sodomise Anthony; it was done when he was in care as a state ward.

This is no. 3 — the level of understanding survivors have of processes for handling allegations by non-government organisations. The answer to this is simply that the overwhelming majority of survivors who contact CLAN for support have no understanding of these processes. There are several reasons for this. Non-government organisations do not make available relevant information to potential claimants and, if they do, the language used is legalistic and complex. As we have already said, the organisations do not cooperate with CLAN to make information about processes accessible. Many survivors experienced multiple placements in their childhood and may have been victims in a number of settings — church-based, government and non-government, foster care and holiday homes. Where does such a person start?

Many survivors of rape and sexual assault in children's homes were given minimal educational opportunities, and they often feel inadequate and intimidated when seeking information when it is available. It is usually written in dense language saturated with legal jargon.

I will go on to no. 4 and the reasons survivors might delay in reporting. It must be said that sexual use and abuse took place in all types of children's homes: orphanages, institutions and in foster care placements. It occurred regardless of who ran the home, whether it was a church, charity, government, or private individuals. While there are some differences in practices, it must be said that there are common elements in the culture and practices of institutional life.

While we can describe sexual crimes against children as a distinct issue, it is impossible to separate out the physical and the emotional abuse from sexual crimes. They were all part of the culture of brutality, fear and intimidation, and in this culture children were at their most vulnerable. The Senate *Forgotten Australians* report in 2004 saw clear links between physical abuse and child sexual assault.

Cases of physical abuse usually involve a series of acts continuing over an extended period of time with consequent long-term psychological and emotional effects, as in cases of sexual assault. Studies have shown that adults who have experienced childhood physical abuse display symptoms that parallel those who experience child sexual assault.

CLAN's members corroborate the evidence from Professor Patrick Parkinson that it takes decades before victims and survivors are ready or able to report rape and sexual assault that happened to them as children. CLAN has heard thousands of unreported crimes of rape, sodomy and molestation committed on children in care. In numerous cases CLAN hears stories of overwhelming emotional turmoil at the time of, a combination of the fear of flogging, beatings, even to death, and a devastating sense of shame. We do not know how many

care leavers still do not talk about their childhoods and their time in orphanages and if they were subjected to abuse. Out of the countless accounts we have heard, there are several recurring themes.

There are many cases that illustrate these themes. A boy personally known to us was sexually abused at the age of 9 by a male staff member at the Ballarat Orphanage, but he did not reveal his abuse until he was in his fifties, nor did he report it to the police. We know that this is typical behaviour of care leavers. However, many others have now been able to disclose the abuse as they are now middle-aged and older, knowing that they are one of many, that they are not alone and there are some support services available.

Lorraine Rodgers explained why she was not able to report the abuse she experienced in the 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.

Janice Kitson explained 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.

This experience was quite common among 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 in Nazareth House in Camberwell and Ballarat. 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 asked, 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.

The late Ken Carter, who was at the Salvation Army boys' home at Box Hill described the ultra-vulnerability of children whose parents did not visit and who had even less opportunity to complain:

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.

Abusers also used blackmail and psychological abuse to prevent children from speaking about their abuse. Susan Connolly, who spent time in Ballarat Children's Homes, reports:

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.

Norma Gilbert recalls being molested by an intruder in the Salvation Army girls' home in 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.

At the Ballarat Orphanage, several girls went to the police to report that Superintendent Sedgman was sexually abusing them. The police took them back to the orphanage, where they were confronted by the matron and the superintendent. The girls were told not to be so disgusting and not to tell such dreadful lies. CLAN — that was me; I saw the file as a member of CLAN — has seen the file of a person aged 12 who was raped by this superintendent. The girl was seen as the seducer of this man, therefore he was not to be held responsible. She was removed from the orphanage and sent out to work by the time she was 14 years old. She had just turned 14 when she was sent to work in an isolated country town. This superintendent remained in place and raped other

girls. These girls were threatened with being sent to Winlaton if they said anything to the police, and the implication was clear: they would never see their brothers and sisters again.

It was not unusual sometimes to come home from school and find that people had gone during the day, and you never knew where they had gone — never heard from them again. I know that happened with this particular person and two other girls while I was at the Ballarat Orphanage. I think it was used as a good way of controlling people: if you said anything, you would disappear too.

It was known that Sedgman sexually assaulted children in Blamey House, a Legacy home in Kew, before he was appointed to the Ballarat Orphanage. We understand he also worked at Royal Park. So it was not just the priests who were moved on to different places or parishes; it also happened in a lot of the homes as well. The Ballarat Orphanage was non-denominational.

Wayne Miller told the Senate inquiry about how widespread the abuse was which occurred at St Vincent De Paul's boys' orphanage, and how it was 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.

The barbaric and degrading treatment of children by those in power was imitated by other children becoming abusers. The following account was written on behalf of Mrs Joan Donnelly and her time at St Aidan's, Bendigo:

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 ... 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 in the toilet.

A common method of punishing children in care was to place them in isolation. Many children were locked in cupboards in the dark and left there for periods on end. Some institutions had their own isolation rooms. Rod Braybon describes how he was put into isolation for trying to report that an officer in the Bayswater Salvation Army home had raped him. After starting to tell another officer at the home, Rod was hit and then ordered into isolation. He was driven to a different part of the Bayswater complex which was set aside for juvenile offenders sent there by the court. Rod recalled the cell being in a basement with a row of other cells:

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.

Rod recalls only receiving one meal a day whilst in isolation, and this consisted of two slices of bread and water. We 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. We can only imagine how terrified and mentally exhausted it left them. Punishments such as these discouraged the reporting of sexual abuse, not just when the perpetrators were employers at the institutions but also when it was committed by other children in care. There seemed to be a general attitude favouring ignorance and apathy — 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 discourage the recording of abuse through punishment; that way they just did not have to deal with it.

Behaviour 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. 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 inspector or welfare workers who visited the homes. They were not allowed to speak to them one to one, but what about the police? Many children had a great fear of the police, who were often involved in the removal of their families. Nevertheless, some children did go to the police, and what was the response? Mark Cade reports that at St Vincent de Paul's boys orphanage:

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 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 police:

A detective, Brian Murphy, came into the cell and slapped me a number of times before punching me in the stomach and told me not to bother coming to the police station with such cock-and-bull stories.

Leonie will talk about the absconders.

Ms SHEEDY — We have already given you nine years of research into children who absconded from Victorian orphanages, and we found 1528 children absconded from various orphanages around this state. We have now done another nine years of research, and we will give you copies of that paperwork too. Thousands of children absconded from homes as their only way of getting away from abusers. Managers of the homes often requested the Victorian police to search for children who had absconded. Appendix 16 in our submission shows a request form from the Elizabeth Fry Retreat in South Yarra, a non-government institution, to investigate and search for a girl who had absconded from this institution.

CLAN has been researching this area by a thorough analysis of the Victoria Police gazettes. Although the study is not yet complete, we can indicate what we have found so far on the basis of completing analysis of 18 years. In those 18 years, 1352 children absconded from religious or non-government homes and 1877 children escaped from government homes, giving a total of 3227 children. We strongly suggest that many of these child absconders were running away from child rape, sexual and other forms of criminal assault; for many, it was a cry from the heart.

What did the police do with absconders when they caught them? They simply returned them to their abusers, so the cry from the heart was never heard. There are many care leavers' accounts telling the police of their abuse, but the police saw their job as simply to take these children back to the home, not to listen to allegations of abuse. They did not ask questions of the children, they did not ask why they were running away, they did not inquire as to their wellbeing, and they did not call in the welfare department. They simply returned these children back into the hands of their abusers, no questions asked.

Wayne Miller told the Senate inquiry in 2004 how he tried to run away from St Augustine's Orphanage in Geelong:

At 10.00 a.m. 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 [the boss] turned up and we were released into his care.

Similarly a CLAN member who was in the Salvation Army girls' home, Kew, described how the police brought her back to the home after she ran away. She told the police she was worried she would get a beating when she went back. The 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 halfway 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.

Mr GOLDING — So having heard all that, we would like to turn to your fifth area and suggestions for improvement to the handling of child abuse by non-government organisations. We see this as really vitally important, because we can keep telling these stories, and we have been telling them for 100 years. We can keep telling these stories, and it is just shocking that we continue to read about contemporary abuse such as we have cited there from the Ombudsman's own-motion investigation into child protection in May 2010 where he found instances of children who had been physically and sexually assaulted by foster and kinship carers, limbs broken or being knocked unconscious by residential carers, being physically assaulted or raped by other children, being

placed with adult friends who have then engaged them in sexual acts, engaged in prostitution while in care, reported their carers selling drugs to other children — it is just amazing to us that these stories from today resonate with our stories from the past.

It is quite alarming to see the cycle continuing, and you have to ask the question: why are we not learning from the mistakes of the past? Is it because it is not our children who are involved — the policymakers' and law-makers' children are not involved? How would you feel if it were your children who were involved? Would it make a significant difference to how you bring about changes to the system? So we are very keen to make sure that we are not creating a future cohort of forgotten Australians, but our immediate interest of course is to ensure that the older forgotten Australians can have their pressing needs met.

You cannot lead a good life, let alone have any hope for the future, unless you have acknowledged and made good the damage from the past. The suffering which our members continue to carry has been well researched and documented, and the committee has been alerted already — by Chris Goddard from Monash University and Daryl Higgins from the Australian Institute of Family Studies — to the overwhelming evidence of long-term damage. It is all very well documented in the two CLAN surveys, with those hundreds of respondents giving us their stories of abuse and rape.

We are alarmed at the very high incidence of CLAN members who report they are depressed and have suicidal thoughts or have attempted suicide. I had a Christmas card from a CLAN member just in the last few days saying what she wants for Christmas: to go to bed and not wake up again. That is really alarming for me to receive, but that really says how she feels. She is quite elderly but still trying to come to terms with her childhood. So something needs to happen to help her come to terms with that and to have some hope for her future.

We have had members who have spent time in mental health facilities, sometimes as a direct outcome of rape and sexual assault as children. Restitution is a moral imperative, but one way or the other the state is bearing the cost anyway in providing for mental health, homelessness, drug and alcohol dependence, unemployment and so on. We have evidence of large percentages of former care leavers leaving the care system only to go into those areas, including into prisons. A very high rate of prisoners have care backgrounds. Very high numbers of unemployed and very high numbers of mentally ill people have care leaver backgrounds.

Ms CREMONA — I guess in the meantime the legal approach on a case-by-case basis is not working; it must be changed or substituted. The evidence for this claim is set out clearly in several submissions, including legal specialists in personal injury claims. We understand that you have Angela Sdrinis before you this afternoon.

From the CLAN perspective we see the main barriers as the cost of litigating; the statutes of limitations; identifying an appropriate respondent and proving liability, especially if the organisation operating the institution was not incorporated; and the absence of witnesses and documentation. In respect of the third and fourth dot points, it should have been said that, with due respect to the integrity of the legal firms known to do excellent work for abuse claimants, a large number of potential claimants are rejected by the law firms where the probability of success is not high. They would rather take on cases with better prospects of success. There is no criticism of the solicitors, but a statement of reality. There are lots of people who want to litigate but cannot find their way into the legal process.

Furthermore, we draw to your attention the practice whereby successful litigants are required to use sometimes high proportions of their payouts to reimburse Medicare for prior counselling and related outlays. Many CLAN members have received letters of demand from Medicare even before their claims have been settled. It is nothing short of a disgrace, and it ought to be the subject of urgent government negotiations.

Mr GOLDING — We actually have personal experience of this process.

Ms SHEEDY — That is what you get: a printout of all your doctor's visits, and then you have to tick which ones refer to your abuse. It gets deducted from your settlement — your compensation payments.

Mr GOLDING — The covering letter says that if there is a payout of more than \$5000, Medicare wants its share. It is extraordinary.

Ms CREMONA — It is incredible. When you think about that, they also have to pay their legal representative a commission from the amount they get and then reimburse Medicare, so there is not an awful lot of money left. It usually does not reflect the level of the abuse in the first place. By the time they have paid that back — those two issues — there is even less.

We should not underestimate the degree of trauma involved in prosecuting a claim, even if it results in a successful outcome. After having to prove their case of childhood abuse many times, documenting their abuse and finally being believed, survivors often find that opening up their old wounds and scars and recounting their abuse contributes to their life spiralling out of control, for some a considerably long time after the legal process has finished. One man well known to us did receive a payout through the process, the win being made easier because there were many males and females abused by the same perpetrator. However, despite the outcome, it took three years to get his life back into some order where he could function on a day-to-day basis. This litigant commented, ‘There has to be a better way than this. It just too traumatic’. There has to be a more humane way for care leavers to be compensated. This particular litigant, who I know quite well, made another comment in that, ‘They removed me from my parents’, claiming they were not fit to care for him, and put him into the Ballarat Orphanage, where he was sexually abused.

It is important to point out that care leavers are ageing and many are frail; they do not want to leave this world with issues from their childhood still unresolved. They want justice now. CLAN was heartened by the Honourable Peter Ryan, then Leader of the Nationals, on the occasion of the Victorian apology in 2006, but six years have passed since then and we are no closer to our goal. At that time, Mr Ryan said:

We think the issue of compensation to these people must ... be explored.

...

We believe, therefore, that if we are going to deliver dignity and integrity to the people who have been subjected to this appalling treatment, the state of Victoria is also obliged to investigate a scheme or schemes which would deliver that justice to those people.

Mr GOLDING — Following on from that, one of the particular issues we have been grappling with for quite some time is the question of access to records and documentation. We would like to draw your attention to the following points.

There was the recent report by the Ombudsman on his own-motion investigation into the management and storage of ward records by the Department of Human Services in February this year. It showed that poor record keeping impedes legal discovery because vital documents are ‘lost in the system’. It is commonly believed by survivors that the loss or destruction of records, or the withholding of records, is deliberate. The Ombudsman did not go that far, but that is the common belief among the people who are concerned.

The Victorian Auditor-General’s report on freedom of information of April this year illustrates the problem. The report says:

For many years records relating to a particular boys’ home, where some wards of the state were housed, could not be found at DHS’s records storage facility. DHS believed these records were no longer in existence. Consequently, while applicants received their ward files, no additional records regarding this boys’ home were able to be provided. Recently, a number of records relating specifically to this boys’ home were located at DHS’s records storage facility.

The Auditor-General reported that in the period January 2008 to December 2010, 21 per cent of DHS’s ward-of-the-state hard copy records could not be located in response to FOI requests. That means that nearly 400 clients were not able to access personal information in that period. Among these there would have been people who were raped and sexually assaulted as children, and an unknown number who may have been considering legal action but simply could not get the documents that would have been required.

The Ombudsman found that DHS had a large quantity of historical records that it had not yet inspected or indexed. Despite having had these records in its archives for over 15 years, the department has only indexed and catalogued 26 of the 150-plus years worth of records it holds relating to wards and institutions. Moreover, some of these precious records are stored in inadequate facilities, subject to flooding and rat infestation. I think the Ombudsman’s report included some photographs of those dreadful conditions of storage.

The Ombudsman found that a collection of 48 boxes, which were thought to have contained only administration files, were marked for destruction. An inspection of the first six of these boxes revealed 2744 references to

individual wards and seven documents specifically relating to the alleged abuse of wards. Another collection of 100 boxes of records found by DHS in 2008 have not been opened because DHS said it does not have the resources to examine them.

The Ombudsman's investigators viewed a sample of records at the Bourke Street repository in 2011. The Ombudsman reported that:

Amongst these records were documents relating to the investigation of sexual assault allegations made against a staff member of a former home. The documents contained details of the allegations, police statements of the wards involved, and the response of the relevant home and authorities.

He concluded:

My investigators also identified critical incident reports (sexual abuse) from other homes amongst another recently discovered collection of former ward records.

The significance of this is that there is documentation in some cases but people cannot get access to it. Why can't they get access to it? DHS says that it does not have the resources. Our members say, 'You don't want us to have access because they are damaging'. It is a judgement.

Potential litigants are often unable to have their cases heard, or are discouraged from doing so, through a lack of access to relevant documents. There is also great confusion about how people exercise their right to their personal records, especially when they were a client of both DHS and one or more community service organisations. That is very common, very common indeed, that people moved from one to the other, so they would be looking in a number of places for their records.

In response to a draft of the Ombudsman's report of 2012 DHS stated:

... the department does not have a legal responsibility to manage or retrieve these records —

by external agencies or contractors —

especially where the agencies continue to exist.

The Auditor-General reads the law differently:

DHS mistakenly —

he says —

considers that because it does not create, receive or store its CSOs' records, these records are not subject to DHS's obligations under the act. DHS instructs clients of CSOs who want to access their records to approach the CSO directly ...

DHS's current practice —

he says —

is inappropriate and contrary to the act, DOJ guidance and its own FOI procedures manual ...

And yet they continue this practice as we speak. Despite this clear authoritative advice, DHS continues to direct many former residents of non-government institutions to apply to CSOs and church organisations for their personal records. That means, in many cases, people who were raped or sexually assaulted are required to go back to the place where they were violated to seek their personal records — just intolerable.

In addition, the widespread redaction of information and censorship of information about third parties mentioned in personal files under section 33(1) of the FOI act constitutes a massive barrier to resolving important matters. Former wards often want their records precisely for the purpose of getting information about other people, such as the identity of their carers, who are also sometimes their abusers, and other people who came into their lives while they were children.

These are not matters that we have only just come to understand. We have been warned about the problem for decades, but whether through institutional inertia, lack of care or a failure of will, we seem unable to learn from the mistakes of the past. We were told in the 1976 Norgard report that:

The social welfare department's present provisions for record-keeping and for reviewing the progress of its wards require thorough overhaul. Inefficiency in these fields can result in real — sometimes permanent — harm to individuals.

It is a matter of great concern to CLAN that the Ombudsman and the Auditor-General need to say the same thing 36 years later. It is a disgrace that DHS has not produced a plan yet for dealing with the urgent matters raised by the Ombudsman and the Auditor-General with reference to the parliamentary question on that issue.

We are concerned also that non-government agencies are not keeping proper records in this area, and therefore they do not have the capacity to discern patterns in their management of complaints. In their study of the Anglican Church, Parkinson and others point out that record keeping in relation to complaints left a lot to be desired, saying:

It was often unclear, for example, what conclusion the church had reached on the validity of the allegations —

because they are not even recording the outcome of the allegations.

This not only makes it difficult for the church to monitor the adequacy of its response to complaints of abuse; it also makes it more vulnerable to allegations of negligence in the handling of these complaints.

Not only do we expect churches and other non-government agencies to keep better records and use them to assess trends and outcomes and to plan improvements, but they should also be required to make accessible to government and interest groups annual reports of the trends and outcomes of their management of complaints — if they continue to have that responsibility, which we suggest they do not. I will come to that.

Our reform agenda is set out in our recommendations. In it we advocate a whole new approach. However, insofar as churches and other non-government agencies continue to handle allegations of historical abuse, in the interests of equity and transparency these organisations should be required to make public the processes they use and make available written materials in plain language to anyone who seeks to make a complaint and offer additional help for those who have problems with literacy.

Ms SHEEDY — Frank, shall we talk about this one?

Mr GOLDING — Yes.

Ms SHEEDY — This is a member of CLAN, and he got a settlement for being abused at St Aiden's in Bendigo and St Joseph's at Ballarat. The nuns offered him \$3000 for a computer. Michael Little is unable to read, and his support person who went with him is unable to read as well, and if you look at Michael's signature, you can see very clearly.

Mr GOLDING — We also say that if the system as we know it continues, then the organisation should encourage and enable the victim to be supported throughout the process by an advocate of their choice. It should not be the choice, as Leonie said beforehand, that the support person is discouraged from even participating and told not to speak during the interview. That just seems to me to be crazy. Victims do need to be supported, given the power imbalance that exists in such a negotiation.

We also say they should minimise the use of legal practitioners in negotiations with vulnerable people. Our experience has been that the lawyers take over, and it is very difficult for a layperson to put their case properly and consistently when quizzed by a legal practitioner. They should make available to complainants the full paper trail of all communications and records, including where appropriate the details of the perpetrator's death — we are told that the perpetrator is no longer with them, probably dead, but we would like to see that documented — any other offences that that perpetrator may have been charged with and the outcome of any previous charges. In other words, our people are going in with one arm tied behind their back because they do not have the information that is available to the other side.

Insofar as investigations of allegations are considered necessary, we simply say these should be referred to the police, and we will elaborate on that. And formal annual reports of complaints should be open to the public so that the public has an idea of the extent, the nature and the range of the complaints that are being made and how the outcomes sit.

We go on to 10 recommendations that we think are really important.

Ms SHEEDY — Our first recommendation for action is that child rape and sexual assault are crimes to be dealt with by the criminal justice system. The assertion of the Cummins report of 2012 that ‘Crime is a public, not a private, matter’ should be fully supported, and without further delay. The churches and non-government organisations should have no role in handling allegations of crimes against children except to report all such allegations to the police and to provide full cooperation in their investigation. All allegations should be reported to the police within 24 hours. It should be a criminal offence for church officials and employees to cover up criminal offences.

Ms CREMONA — Our second recommendation is for a unified redress scheme run through an independent panel. A uniform Victorian redress scheme independent of churches and other non-government agencies is essential. Redress payments should be funded by equitable contributions by the state and the churches and charities that run orphanages, children’s homes, foster care and other institutions. In all cases an autonomous panel would have the task of making determinations of suitable levels of redress assessed on criteria similar to the Irish scheme. This redress scheme should be open to care leavers raised in all forms of Victorian care, and it should be open ended. In the design of such a scheme the views of all stakeholders, including care leavers, should be actively sought.

Ms SHEEDY — Our third recommendation relates to police units and historical abuse. We strongly endorse the establishment of the Victoria Police unit, which was announced in late November, as a positive response to the evidence heard already in this inquiry. However, the unit will require specialists investigating crimes committed against children in Victorian orphanages, children’s homes and other institutions. Officers will be required to have knowledge of orphanages, training in specific issues that affect care leavers and knowledge of the part that Victorian police played in the child welfare system of the past.

Ms CREMONA — Recommendation 4 is for priority access to government services to repair the damage. Reparations can take many forms, and financial payments are the most important, but people suffering from the life-long impact of rape and sexual assault as children often need, and should be supported with, priority access in areas such as health, housing and aged-care services. As appropriate, support should be extended to husbands, wives, partners and children of Victorian care leavers whose lives have also been impacted.

Ms SHEEDY — Recommendation 5 relates to family reunion funds. A separate fund should be established without delay for assistance in the reunion of families that were separated while a child of the family was in care, and in cases where family reunion is no longer possible because of deaths, support should be extended to care leavers to locate and visit the graves of their parents and siblings.

Mr GOLDING — We have some recommendations about law reform. Some survivors will still prefer to take legal action against people who raped or sexually assaulted them as children. The laws governing justice for victims and survivors of childhood rape and sexual assault must be changed. Particular areas for reform include the complete abolition of legal time limitations in the prosecution of crimes against children — you know the reasons for that. There is a long lag in time, and you have had ample evidence of that. It seems to us it is completely inappropriate to set up time limitations in these cases.

We recommend the neutralisation of what has been called the Ellis defence — ‘You can’t sue because us we’re not a legal entity’ — which could be related directly to taxation concession laws. You might not know that there is a commonwealth government review of taxation arrangements for non-government or voluntary organisations. It might be timely to look at that in that context.

We recommend a tightening of the definition of ‘employee’ of churches and charities so that vicarious liability for the actions of employees applies. You may be aware of some English litigation which finally resulted in the High Court in England saying that if you train someone, clothe them, give them a place to work and support their work — as in the case of priests — you are their employer, and it just does not make any sense to say, ‘They’re not our employee’.

We also recommend the implementation of purpose-made laws to guarantee the right of access to child and family records for people who grew up in care and to simplify access to those records. What we are referring to is that the access is primarily through FOI legislation, and it is simply not appropriate. We have a particular act for adoption that is a model. It was thought to be a good idea that you spell out the rights of adoptees, biological parents and non-birth parents in legislation. At the moment we are using legislation which I think was designed

for government contracts and commercial arrangements and providing information of that nature, not for the release of records to people who were formerly in care. We think there is room for a new approach to legislation to make sure that records are available to children.

On the matter of records, our seventh point is that we simply ask that the Victorian government instruct DHS to implement forthwith the records of those two reports that we spoke of before. There is no good reason why the government should not lean on that department and say, 'You have good, strong recommendations based on clear evidence. Do it, and we won't hear your excuses about not having resources'.

Secondly, in relation to records we recommend that protocols should be developed between DHS, Public Record Office Victoria and past providers of orphanages and children's homes to guarantee the safe storage, retention and accessing of all records and files. At the moment, as we said before, if you were in more than one place, you are sent to more than one place to get your records. You cannot be guaranteed that records will be available in the places. For example, one place is closing as we speak, and its records are being sent to two different places. Gordon Homes sent one set of records to MacKillop Family Services in South Melbourne, although they are not religiously affiliated, and the other part of the records are in the public library. It is just nonsense that people have to find out these things somehow or other and then chase up more than one place. We are suggesting there should be a much stronger set of arrangements which are user organised rather than organisation organised.

Ms CREMONA — Recommendation 8 relates to the Commission for Children and Young People. In the development of the new Commission for Children and Young People the government should give greater independence to the role of the commissioner, including enhanced ways of more closely monitoring children in residential, kinship and foster care. There should also be a strengthening of advocacy support services for children and young people so that their voices are able to be heard.

I am aware of a particular program — I am sure all of you are too — the community visitors program. It is used in disability, and it is also used in aged-care facilities. The community visitors are usually volunteers, and they will go in and talk to people, make sure that they are being treated right, respectfully, and ask if they have any concerns. They then take those matters back to whatever the government peak body may be. I would like to see something like that set up for children who are in foster care or residential units, so the visitors could become that child's advocate and talk to them on a one-to-one basis. These people are quite well trained; they go through all the obligatory police checks and so on, and they are trained to do this sort of work. I would like to see something like that set up for the children, so that they have somebody they can talk to and somebody they can connect with.

Mr GOLDING — This is a model which you will find under legislation in Scotland. It has been around for a long time, using former residents as advocates and support people for children in care now, because they understand the dangers and the difficulties and the need to have someone they trust to speak to. So there are models there.

Ms CREMONA — Recommendation no. 9 is education programs, which is something that I think the three of us feel very strongly about. The history of care leavers should be taught in Victorian schools and all over this country. If children are taught this history, then they might understand their grandparents or their parents a little bit better. Currently there is such a void in this area, and it really needs to change. There should be education programs for tertiary courses in medicine, social work, social policy, counselling, and aged-care workers. Many of us have a real fear of going back into an institution like a nursing home, and a lot of our members tell us that they will commit suicide rather than go back into an institution again.

Ms GOLDING — I personally visited my doctor on Saturday. She asked me about what was happening in my life, and I told her about this meeting today. She said, 'Tell me more. I'm reading about this, and none of my patients have talked to me about this before'. She was hungry for information about this because she is aware there could be patients who visit her who have experienced child sexual abuse and she would understand better the symptoms that they bring to her if she understood the background to it. I think that is very common. The time is opportune to approach the AMA and other similar organisations and tertiary institutions to get this sort of information into their courses.

The final recommendation that we want to put to you is funding for CLAN services. You might say this is self-interest. Of course it is, but we think there is a rational case for it. There is an enormous demand for support for Victorian care leavers who reside in and out of Victoria. About a third of former wards and residents in Victorian institutions live out of Victoria, and they have difficulty getting access to services because they are told in New South Wales or Queensland, 'No, we only deal with people who grew up in care here'. So there is a problem there, but also just the sheer numbers of people who will not go to a resource such as Open Place, however well it is organised and administered, because it is run by Berry Street, and Berry Street was a past provider. Some members say, 'We won't go back to a past provider'.

CLAN fills a need there. We are not in opposition to Open Place; we support Open Place and try to get our members to go and use the services, but for those who will not for whatever reason or cannot because they live somewhere too far away, then CLAN steps in and helps them. At the moment we receive \$15 000 per annum, which hardly pays for the office we have just rented in the city of Melbourne, and this amount is just completely inadequate to support the needs. So we make a plea, self-interested though it may be: we think there is a good case for increasing that amount of money, which has been around that figure for quite some time without any review.

Ms CREMONA — As you all know, Prime Minister Julia Gillard has announced a royal commission. Given that we are a nationally based service we are getting an increase in the number of phone calls and an increase in calls for help whenever something like that comes out. It places a bigger demand on the service altogether.

The CHAIR — Thank you. I think you have finished your presentation, and I thank the three of you for your comments and for sharing your own personal stories in the evidence you have provided for us today. We appreciate that very much.

You have spoken a lot about justice. Obviously you are a group that advocates for justice and redress, and you have laid out fairly well in your submission and your evidence today your desire for a compensation or redress scheme and how that should be administered. Do you think that acknowledgement from institutions is also part of that justice that victims are looking for? I do not know if one of you would like to comment on that or if all three of you have a view, but I would be interested to hear if that is also part of what justice looks like for victims.

Ms SHEEDY — Many people do want to see a public apology from the churches and charities. They do not want to read apologies and acknowledgements on websites. These are elderly Victorians, and they are not always au fait with the computer, and there does need to be a public acknowledgement, as far as I am concerned, from all the religious orders, not just the Catholic Church; we need it from all the nuns, all the Christian Brothers, the Franciscan friars from the Morning Star Boys Home — all those little groups that we do not hear a lot about. That is what I would be happy with, but I am only speaking for myself. What about you two?

Ms CREMONA — I think many see these apologies — public ones mainly, not the ones that are kept quiet — as acknowledgement, and they appreciate that acknowledgement. It goes a long way, but it does not heal. It does not remove the trauma of their childhood; that stays with them. You may be aware that the National Library of Australia has just put out a booklet which has stories of individuals in there online — this tells you where to go to find it. It is called *You Can't Forget Things Like That*. That is true for many, many care leavers — they just do not forget. So apologies are great for acknowledging what has happened, but they do not take away the pain.

Mr GOLDING — I would like to add to that just this much: the national apology was very well received. People still quote the speeches. Malcolm Turnbull, for example, said, 'We believe you'. There was spontaneous applause that a public figure of his significance would stand up and say that. It was the first time they had heard someone say, 'We believe you'. Symbolically it was very, very important, though some people will tell you, 'We've had enough apologies; we want to see some action', and even Malcolm Turnbull's and Kevin Rudd's speeches now fade into the background because they are looking for something tangible, as well as the apology.

Mr McGUIRE — Thank you very much, all of you, for your perseverance, for the hard work that has gone into your submission and the information you provided today, and for bearing witness. It takes a lot of courage;

I would just like to acknowledge that. Your testimony is very important to us. You have talked in detail about institutional blindness, as you put it, and you have analysed that for us very well. I just want to go to a few more points that I think would be of benefit to get on record for the committee. Could you talk about and explain the barriers to compensation and the links between compensation and the discouragement of reporting? Could you talk more about those sorts of issues that your organisation and individuals have come up against?

Mr GOLDING — I am not quite sure.

Mr McGuire — The barrier of saying, ‘If you accept this compensation now, that’s it, and it’s gone forever’.

Mr GOLDING — I see, yes. That is a problem. We as an organisation find it very difficult to get a purchase on the pattern and what can be expected because of confidentiality agreements. It is the same with settlements — cases and complaints that would have gone to court but are settled. We simply do not hear the outcome because it is often at the last minute that the case will be settled and a confidentiality agreement will be required to be signed, and so we will never know what that would have done.

We believe that it is important that the churches and charities, or the groups that are defending these claims, make a contribution — that they should not be let off the hook, so to speak. But we would like to see them be much more transparent about how they go about this and how they treat people and what sorts of outcomes are reasonable under the circumstances. We have no way of knowing that.

We have cases which come to CLAN — not as many as should come to CLAN — for us to peruse, examine and give advice on that have just wildly different settlements for what appear to be almost identical sets of circumstances. So one will get \$10 000 and the other will get \$70 000. It does not make any sense to us, and we cannot get hold of the issue until it is laid out on the table. That is why we are recommending annual reporting — at least — of settlements and giving a public view of what the churches and charities are doing.

Ms SHEEDY — Mr McGuire, I would like to raise the issue of lack of transparency in my brother’s case. He was given that small payout, but we do not know who paid what in the outcome. I am not able to say the amount because of confidentiality, but we got a cheque from the solicitor; we do not know what the Victorian government paid and what the Christian Brothers paid. There is no transparency. I would really like to know who paid what.

Mr GOLDING — There is that sense of justice — that the person who was responsible or the organisation that was responsible has actually made a contribution; they have not off-loaded it to government or some other body. There is a feeling that people need the satisfaction of knowing that the person or the organisation responsible was actually made to feel some pain, even if it is only financial pain. That is very important, I think.

Ms CREMONA — I guess that comes back to the lack of transparency but also the secrecy that surrounds a lot of these claims when they go to the different churches and charities and so on, where, as Leonie stated earlier, it is very difficult to go in as an advocate to talk or be an advocate for a particular person. That just reinforces the idea that they like to keep things very, very quiet and secret, and the information does not get out and about.

Mr McGuire — So you believe that opening up and making it transparent will be good for the individuals and good for the public to know and understand, and from an organisational perspective as well?

Mr GOLDING — Yes.

Mr McGuire — So when you cited in your submission that the Catholic Church had said it had done all in its power to help victims, you think that this would be one of a number of things that should be reformed? Could you just elaborate on anything else in that category?

Mr GOLDING — Yes. We do not see them as having done all that is possible at all. It is a picking off of individuals. You take them into a room and you deal with them and they come out with some money. It is terribly one-sided. You have a QC on the one side and maybe representation, but it is ambivalent in terms of support for the victim.

Ms CREMONA — They do not have a QC.

Mr GOLDING — It is simply inequitable. And because it is done on a one-by-one basis that person goes out saying, ‘I can’t say anything’. So we do not know whether it was a good settlement or a bad settlement and what similar sorts of claims might be justified in terms of the outcome. We are playing a game of football without knowing the rules. It is really hard to win.

Mrs COOTE — Ms Sheedy, Ms Cremona and Mr Golding, thank you very much indeed for coming here today to present a very comprehensive presentation to us. I would like to ask each one of you about the royal commission that has been announced by the Prime Minister and your expectation of how CLAN is going to be involved with that royal commission.

Ms CREMONA — We have already been involved, in that we have been consulted as part of the terms of reference and had input into that as well. We have also expressed our concern, once again, that we are looking at sexual abuse and not all crimes committed against children, including the whole gamut of abuse — physical, emotional, psychological. We are hoping that will be considered in the long run and become part of the terms of reference. We have had input quite a bit.

Mrs COOTE — You said before in your presentation that as a consequence of the royal commission you have had a lot of additional phone calls et cetera, and I think the federal government provided some funding for CLAN.

Ms SHEEDY — It did — for three months. We have an extra counsellor for three months until the end of February.

Mrs COOTE — As a result of the royal commission?

Ms SHEEDY — Yes.

Mrs COOTE — Do you envisage getting some more support to deal with the additional — —

Ms SHEEDY — We hope so.

Mr GOLDING — I think the support needs will be mountainous once the terms of reference and calls for submissions are made. At the moment this is for three months, as Leonie says, and it is really just to field the numerous phone calls and emails that come in saying ‘How do we get involved? Who do we contact? What can I say?’ et cetera. It is money for preliminary stages, but we think that once the royal commission gets going people will want a lot more detailed help in preparing for submissions and appearances and so on.

Mrs COOTE — Perhaps you could tell us how long it is going to take. There is another thing I would like to know. You said, Mr Golding, in your contribution — I think your words were that ‘lawyers take over’ — that victims are not always able to voice their concerns. Do you think this is going to be a problem going forward in the structure of the royal commission with the lawyers involved?

Mr GOLDING — It may well be, but it depends on the way in which they set it up. It may be that they will have a different process for hearing some sorts of evidence compared to other sorts of evidence. Certainly the people we represent would look to us to help them both in the preparation of the submissions and perhaps in the delivery of the submissions because they will be unused to these sorts of appearances, as we are unused to appearing before you today; but I think this is probably not as nerve-racking as the royal commission would be to someone who is just not used to being questioned by commissioners and the like. In our submission we have drawn attention to that problem, and we will just have to wait and see what arrangements will be made. There is the question of travelling. Do they travel to us and our members or do we hire a bus or whatever and go to Canberra? These are questions that are important but we have no hold on now.

Ms CREMONA — The feeling is they will be going interstate. I do not think it is practical for everyone to have to go to Canberra.

Ms SHEEDY — In regard to possible ongoing funding for CLAN, it is quite interesting that we probably have a handful of Victorian past providers that support the work of CLAN. We charge \$200 for past providers to be members of CLAN, and it is very sad that many of them do not support the work we do. I think we had a \$20 000 donation from the Sisters of St Joseph about six or seven years ago. That has been the only contribution from a past provider

Mrs COOTE — Can I just ask one final question which came out of Mr Golding's contribution. You said that it is like going into a situation with one hand tied behind their backs because they do not have the same information as the lawyers do. Going into this process of the royal commission, are you led to believe that you will be given additional access to records to be able to go in well prepared?

Mr GOLDING — Yes. I do not know the legal situation thoroughly — Angela Sdrinis might be a better person to ask the question of — but I understand there are Victorian laws about withholding evidence and not providing evidence to people who want that information if it is available. That is one side of the issue. But I think the royal commission would be interested in the sort of thing we have been talking to you about today, which is that evidence is hard to get. In cases of sexual abuse it is done in private. Nobody is going to write down, 'I just sexually abused someone today' and put it in a file, so it is very difficult to actually document and demonstrate that you have a case.

I think Angela Sdrinis will tell you that one of the ways that she is able to move forward to a successful outcome is to get independent corroboration — she hears the same name over and over again from the same institution. That begins to present a plausible sort of case for the individual that she is concerned with.

I think the royal commission should hear information how poor the record keeping has been in the past and how difficult it is for people like us to get information. Personally it has taken me 15 years to get my full file from three institutions, one government and two non-government — 15 years — and I am reasonably well educated and articulate and know what my rights are. So how is it for someone who is just simply told, 'Sorry, those files were destroyed. We haven't got any records relating to you'. My brother and I were both admitted to the Ballarat orphanage on exactly the same day, we share the same surname, the files I presume would have been absolutely locked together, but he was told that his files were destroyed in a flood and were not available. He subsequently was given some information on the basis of which he took some legal action. It gives rise to this question of who is keeping what information away from people?

Mrs COOTE — Thank you very much indeed.

Ms HALFPENNY — The issue you raise about documents is really concerning — that they cannot even keep them in a proper way. My question is about the compensation process. We have heard about a lot of experiences that people have had with Towards Healing and the Melbourne Response, but if you have been a ward of the state it seems that there is third process for how you go about raising the abuse and then what happens. I do not if we have heard what the actual steps are if you were a ward of the state and were also staying in a religious institution and how it is different to perhaps Toward Healing or the Melbourne Response. It sounds like it might even be worse. For example, the Medicare payback, I do not think anyone has spoken about that. If victims receive a payment from Towards Healing they do not have to reimburse Medicare, for example. Would you mind just going through the steps of how you go through that compensation process?

Mr GOLDING — You have touched on a very important question, but it is quite complex for somebody who was in more than one place. Who is it that you are going to approach? The Catholic Church, for example, is a very big complex organisation. On their website — I looked at it last night — it runs to a couple of pages of subdivisions, sections and autonomous self-governing parts of the body, and people do not necessarily know. They know they were looked after by nuns, but they do not necessarily know what order of nuns. One of the groups has gone to New Zealand and taken their files with them. It is very complex. Because people were in different institutions, that is the reason why we are preferring an independent panel which simplifies the process. It would be paid for by all the players, and it would be staffed by people who are expert in helping people actually locate the information or pointing them in the right direction and showing them the support agencies that could help them.

We see an independent panel as being really important to minimise the self-interest that groups have in protecting themselves. Those who are heavily backed by insurance companies of course would want the status quo to prevail, so we see the need for an independent panel where people can go and lodge a claim, be told what the criteria are for dealing with their case and receive some support in actually preparing the proper documentation.

Ms HALFPENNY — But once a person makes a complaint and gets a meeting or whatever, from what I can gather there is a government representative or somebody. I think somebody mentioned about who pays the

compensation — is it government or is it the religious organisation? Once you have a meeting with the religious organisation, do you then go through the Towards Healing process, or is there another process because of the government involvement?

Mr GOLDING — We do not want the church's Towards Healing process or any other similar process to continue.

Ms HALFPENNY — But you said the one people use now — —

Mr GOLDING — We want something at arm's length from those organisations. They will obviously have an interest in defending themselves, and they should be given an appropriate opportunity to do so, but they should not be judge and jury when they have got so much to lose in terms of accountability and payments. We are saying remove them from the scene altogether in the sense of who would make a determination.

Ms HALFPENNY — Is there a third process? That is what I am trying to understand.

Ms CREMONA — If you do not want to go to the Towards Healing process, you should have options available to you. It might be that you know a psychiatrist who has been treating you and you might want to continue with that person; you should have that option. You may prefer to go to a counsellor who does not come from a religious organisation. There are other options around that people should be able to take up.

Ms SHEEDY — I do not think there is a process for people who were in Victorian government homes. We said in our speech that we do not know what the process is. If people ring CLAN up and say they were abused and they want to take legal action, I give them the name of a solicitor in Victoria and say, 'They may be able to help you'. I do not recommend her. I say, 'You have to make sure she is right for you'. Right?

Ms HALFPENNY — Yes.

Ms SHEEDY — I know of one case of a woman who was in the Good Shepherd home at Oakleigh. She stood on a box from age 10 till she was 13½. She was directed to the solicitor. I had better finish that story. She stood on a box because she was the youngest girl there, for 3½ years, and she ironed six days a week. If they talked or stopped, they got hit on the back of the legs for going too slow and for talking. She did go to that solicitor to try to get some justice for what happened to her. Because it was such a long time ago the solicitor was unable to help her, so then she was directed to the Good Shepherd nuns.

I went to that facilitated meeting in Finley in New South Wales, where two nuns arrived and a mediator who was employed by the Catholic Church. I can mention her name, because she has given me permission. Jan was given \$5000 compensation. They would not compensate her for working in that laundry for 3½ years, because they said, 'We don't provide compensation for the work you did. We were giving you a skill'. Bad luck if you did not want to work in a laundry when you got out. She was given a month to make her decision — 'Take it or leave it' — so she was not able to be helped by the lawyer, but she was directed to go and deal with the nuns herself.

Ms HALFPENNY — At the start, Leonie, you mentioned that CLAN has a position on an aged-care advisory board.

Ms SHEEDY — Yes, we do.

Ms HALFPENNY — Also, you mentioned in what you spoke about today this idea about if people have been abused, whether it is physically, emotionally or sexually, that there are a whole lot of supports that they need, and one of the issues is around health care. What do you see going into the future that, say, a committee like this could recommend in terms of health care? Do you see more research being done in this area? How would you see a good service for people who have been care leavers and who have been abused to look after them in later years?

Ms SHEEDY — I think we need a card that says 'Care leavers' — whatever; a descriptor — so that we do not have to keep telling our story over and over and over again. The public do not know about orphanages. Doctors do not know about orphanages. When I took Anthony to a doctor in Sydney to get his hearing tested, I said to him, 'He's very scared of doctors; he was raised in nine orphanages'. This young little upstart said to me, 'But he's not in an orphanage now'. I said, 'Yes, but the legacy of growing up in those orphanages is still with

him'. That card would be really helpful so that we do not have to continue to be retraumatised by telling our story over and over again.

Ms CREMONA — I guess the other side of that is that part of our involvement with this aged-care working group was also to look at putting together a package that was an educational package, and it was to go into aged-care facilities. It had a couple of sections to it. It was all about understanding who the Forgotten Australian care leavers are, what some of the issues may be if they come into care and also to think about whether you actually have somebody who is in your facility now who may be a Forgotten Australian. It is really quite comprehensive. Unfortunately it seems to have stalled, and we are not sure what is happening.

Ms SHEEDY — We think it will be launched in February next year.

Mr GOLDING — If I can just make the point, the committee probably knows that this was the first time a government had actually recognised care leavers as a group — a target group in particular need — so they are actually listed alongside a number of other groups as special needs groups for aged-care services, and that is built into the Aged Care Act and the documents that attach to the Aged Care Act. That is a very significant step, and we are saying that is terrific and we congratulate the government for doing that, but there are medical issues to do with people who did not ever get to see a dentist or a doctor while they were in care and they have health needs. There are people who did not get education.

In England now the legislation requires care providers to look after children's education until they are 25 and there are special funding arrangements for bursaries and scholarships. We believe that is based on the model of how a good family would look after its children as they grow up. They do not just cut them off at the age of 14 or 15, as most of us were, they actually say, 'We will look after you until you are 25 in terms of your legal requirements, your educational needs and so on'.

We are saying there is a whole swag of government services, and really it would not take much because a lot of these people are actually in the system now. It would not take much to acknowledge them formally and say, 'This is a special needs group that requires and deserves priority treatment in some way or another'. Whether it is through a card or some other system is immaterial so long as they get that acknowledgement that there is that group. It is really demeaning to have to go to people like Centrecare and so and say, 'I was a Forgotten Australian' — 'Oh, what is that? Tell us about it'.

Ms CREMONA — Building on further to what Frank is saying, one of the issues that I keep bringing up with this working group for aged care is that I am aware the indigenous community can be assessed at the age of 50 because of the premature ageing concerns they have because of the difficulties; there is the trauma from their childhood, alcohol abuse, self-medicating, drugs et cetera. By the time they are aged 50 they can be assessed to go into an aged-care facility. I have asked for that consideration to also be given to Forgotten Australians as well.

Mr GOLDING — If I can say just one last thing.

The CHAIR — I would like to move on to the next question, but if you would like to make that last point.

Mr GOLDING — Thirty seconds?

The CHAIR — Yes, of course.

Mr GOLDING — A lot of our members are absolutely petrified of finishing up in a home, as they started in a home. They read in the newspapers about sexual abuse of people in homes and think, 'My God, don't put me in a home'. So some other form of aged care is obviously preferable.

Ms SHEEDY — There should be research into the drift of boys who went from boys' homes into prisons. In the absconders list, in 1929 Ronald Ryan escaped from Rupertswood in Sunbury. And the other fellow who was with him at Pentridge that shot the guard, Peter Walker, was also a homie.

The CHAIR — You did provide that list to the committee, I think.

Ms SHEEDY — This is the current one.

Mr WAKELING — Members of CLAN, thank you very much for your presentation. Just a couple of questions, if I may. Firstly, your survey that you referred to, the 2008 survey where you came up with the amazing statistic of 44 per cent of respondents had indicated that they had been sexually abused in care. I am interested in the survey. How did you conduct the survey? Was it of members of CLAN?

Ms SHEEDY — Members of CLAN. It was sent to every member at the time with a self-addressed envelope, and those who could not read and write had the opportunity to speak to the counsellor or myself and we would help them fill out the forms.

Mr WAKELING — So the 382 respondents, what would that have comprised of your membership at that point in time, roughly?

Ms SHEEDY — We would have to get back to you on that.

Mr GOLDING — It is a very high response rate — well over 30 per cent.

Mr WAKELING — That is good; I was just interested in that from a statistical perspective.

Mr GOLDING — And it was very long. It was 15 pages or some such, so it was quite a task for people to fill it out. We thought the response rate was extraordinarily good.

Mr WAKELING — Building on that, given that high number, are you aware of whether those people have reported those crimes to the police or whether there was any discussion amongst yourselves about that?

Ms SHEEDY — It is a really good question, because in January next year we are actually going to do another survey specifically on that target, asking them if they have reported their crimes to the police. We can send you a copy of that survey when it is completed.

Mr WAKELING — It would also be interesting to understand the reasons for which people are not, and whether it is time or other factors. That would be interesting.

Picking up on a point that has been raised — I think Ms Halfpenny raised it — in regard to settlements of matters where people have received a payment, and I think you talked about an example of someone who received a \$5000 payment, to your knowledge do people sign agreements, and if they do, what is their understanding of signing the agreement? That is, ‘Does this mean I am never allowed to talk about this again from a confidentiality perspective?’, but also from what they call a ‘release’. Is it their understanding that if it is a criminal act that has been perpetrated and they have received a \$5000 payment — although the example was not a criminal act in terms of the sexual abuse — they are unable now to raise the matter with the police?

Ms SHEEDY — I think there would be some people who would feel that they cannot disclose any of the conversation to anyone.

Ms CREMONA — I know two cases who gave me permission to talk about them, they were involved, and one of the first two people to go through litigation in Victoria. I asked them, ‘Were you encouraged to report the offences to the police?’. And they said, ‘No, we weren’t’. They were not encouraged at all. I said, ‘Did you talk about perhaps charges being laid against the perpetrators?’. No, that did not happen either. So I think sometimes it is also the legal people who are dealing with people who are going through the litigation process also maybe having the responsibility in encouraging people to go to the police. But having said that, the people who, as I said — where several girls did run away, there is a police report on that, apparently, and it is in their file. I cannot get that until we get signed, written permission from one of the girls to get it.

Mr WAKELING — Just finally, if I may, given the fact that many of the examples you talked were that when they were teenagers they actually went to the police and did not receive the support that they were expecting, do you believe that mark in some way may go towards their reluctance to go to the police now? Do you believe that those people who perhaps went to the police when they were 14 and were ignored, sent back to their home — do you think there would still be that reluctance now? You may not be able to answer that now, but that may be something from the survey.

Ms SHEEDY — I have actually taken people to the police station to disclose their abuse, and I can speak of two Victorian homies. One lives in South Australia, the other lives in Queensland. They had previously gone to

the police in Geelong about the criminal assaults on them, and the police were not interested in it. I think since this inquiry and the royal commission there is a greater awareness of these issues, so we have tried again, and we have gotten onto a very good police officer in Geelong who has been really very supportive, and they have gone again to report. I always encourage them to go to the police, and I always will go with them as well, but a lot of them are very scared of not being believed.

Mr GOLDING — And furthermore, just on that survey that you referred to, we find that 32 per cent of the entire sample had police involved in their removal from the family. That is a question of trust and authority. The man in the blue uniform is scary, and that would account for a great deal of reluctance, I think.

Mr O'BRIEN — I thank you again for your evidence today. I wanted to just quickly — well, not quickly, but briefly — go to the law reform section that you have put together. I think it was Frank who spoke about that, and under that section you have identified three issues in relation to legal defences: the statutes of limitations; the Ellis defence, or the structure of the correct defendant; and vicarious liability. We note that you seek legislative reform in all three areas. Would you also seek, in relation to the key churches and other non-government institutions and organisations that you mention in your submissions, for those organisations to make enforceable public statements or commitments and/or advise this committee that they will not seek to rely on any of those defences in any existing or future proceedings before Victorian courts?

Mr GOLDING — Yes. The very fact that as recently as a few years ago the churches used that defence is of very great concern. When you read the documentation, particularly of the Catholic Church, they talk about the bad past and, 'We have reformed things now; we will not be playing so hardball'. I think until the laws actually prevent them playing hardball they will be tempted to play hardball, so that is why we think law reform is really important. We do not have the expertise to advise you on how that is done; what we have done is point to some known difficulties with the existing arrangements and hope that you can find a way through them.

Mr O'BRIEN — Yes, and thank you. We know our obligations in relation to recommending law reform, but in relation to the behaviour and the practices, potentially, of the organisations themselves, would you also like them to make that commitment publicly, accountably and to a collective group that they will not seek to rely on these defences in an enforceable way?

Mr GOLDING — Of course. That would be nice, but we would like the backup of the law as well.

Mr O'BRIEN — I appreciate that. Just in relation to confidentiality, if we could follow on from Mr Wakeling's questions, because they have made a commitment in their submission to this inquiry. At paragraph 9.9 on page 74 they make a statement that:

The church in Victoria does not seek to enforce these obligations —

that is, confidentiality obligations that were in existence around Towards Healing in 2000 and Melbourne Response agreements —

and will not restrict any abuse victim from speaking publicly about their abuse.

They also say that where settlements have occurred outside those processes confidentiality agreements should not occur, and where they benefit the church entity they will not rely on those provisions either in the context of this inquiry or elsewhere. We are also protected by parliamentary privilege in relation to the evidence you provide to this committee. Is it something you think that the church needs to communicate more properly to victims who have signed confidentiality agreements — exactly what their rights are and also to provide those communications to this inquiry?

Mr GOLDING — Yes, indeed. We have read all those submissions from the churches, and we are gratified to read that sort of thing, but our experience is different. They say, 'This is what we have done since 2004' or whatever. It is not what we are experiencing, as we indicate.

Mr O'BRIEN — Finally, just on record, I know you have a very old book there on the table. The information you provide to this committee in relation to records is very interesting and very important, and I can understand the difficulty you have had. Firstly, I am curious as to what the book contains.

Ms SHEEDY — The book is titled *Neglected Children's Department, Victoria 1.07.04*, and it just lists children's homes; the reformatory at Apollo Bay; relatives visiting children; reformatory minutes; the Ragged School Mission. Then it is all articles about children's homes; boys of the state; professional philanthropists living on waifs and strays; wards of the state harboured by employers. So it is all interesting articles about wards of the state and care of children in the department, or lack of.

Mr O'BRIEN — There are a number of reasons you chase records; obviously, for accountability for the past, for identification of perpetrators and systemic problems, and obviously for individuals, including their families, seeking information that some may say is historical but you see as current. Can I sum up? Is your recommendation, in effect, that there be a better one-stop shop than our present FOI — certainly there is no official place in the private system, or the non-government system, to manage this data retrieval on a record basis?

Mr GOLDING — We have been lobbying for a one-stop shop approach for quite some time. We have a lot of support, but not to the point where that has been agreed. I think it could be done very easily. It is just a matter of goodwill and people being willing to hand over their power or cooperate in the sharing of information so that it is much easier for people to get information than it currently is.

The CHAIR — Are there any final remarks that any of you would like to make to the committee?

Ms SHEEDY — I do not know if I said this, but the boys who ran away from homes and ended up in prison have told me over and over again that prison was much better than the boys' homes.

The CHAIR — Any final comments, Mr Golding or Ms Cremona?

Mr GOLDING — I would just like to say that I think the case that Leonie gave of those two prisoners — those very violent prisoners — although there is no way of pinning down the causal relationships, I think the fact that they were not treated well as children has led to a bitterness and anger that ultimately costs the community as they move into adulthood. We have heard so many stories of people who are so angry at and untrusting of authority that the only thing they can think of is to smash it. I believe it is really important that we actually take what we call historical abuse seriously, because in fact, although the events happened when they were 8, 9 or 10 years of age, they actually carry that anger, frustration and rage through to their adult lives, and the community pays for it through the prison services and whatever.

The CHAIR — Again, on behalf of the committee, I thank the three of you for being before us. Your evidence has been most helpful.

Witnesses withdrew.