

The Hon Georgie Crozier, MLC
Chair, Family and community Development Committee
Parliament of Victoria
Spring Street
MELBOURNE 3000

Submission: Inquiry into Handling of Child Abuse by Religious and Other Organisations

This submission is being presented by [REDACTED] I DO NOT want my name on this submission if the submission is to be placed in a public domain. I am happy for you to place the submission online but would like my name blocked out because I am a care leaver who grew up in a Catholic orphanage and have not disclosed this to many people including some family members.

My submission addresses

1. Compensation; and subsequently
2. Data and the process of legal discovery which is necessary if we are to negotiate compensation with the religious

Compensation

In brief, when the Senate Report on the Forgotten Australians was released, one of the recommendations stated that the State Governments and the churches and charities who ran out-of-home care should set up a redress scheme. Some of the churches in Australia declared in their apology and on their web site that they would contribute to any scheme developed by the State of Victoria. The reason why the State of Victoria has been implicated to develop the scheme is because under the Children's Welfare Act 1954, the State of Victoria had inspectorial responsibility over churches and charities that ran out-of-home care. This is why we need a Royal Commission – to determine culpability so that those responsible whether church or State are held accountable.

The Parliamentary Inquiry should ask why do the religious and other organisations have to wait for the State Government? If the religious acknowledged that the abuse in their organisations did occur (as they did in their apologies to care leavers), why do they not set up their own redress schemes for people that were abused in their care? They, the religious should be atoning for their own sins regardless.

The Catholics "Melbourne Response" only serves those victims that come forward, can substantiate what happened to them, and who are prepared to subject themselves to a Catholic investigative process that may include medical assessments by Catholic appointed medics. What about all the other care leavers who cannot get access to data (because it is lost or inaccessible due to poor record keeping) or who have lost so much faith in the Catholics that they refuse to approach the very people who were the perpetrators of abuse.

The most appropriate form of compensation to those who suffered abuse from the religious is that the religious either set up their own independently managed schemes for all who were abused in their care or the religious co-contribute to an open and transparent State funded redress scheme.

The Parliamentary Inquiry should be asking churches why they are not working collaboratively to induce the State Government to provide a redress scheme for those that were in care? The Heads of Churches meet several times a year with the Premier of Victoria, why are they not pursuing a redress scheme as recommended in the Senate Report on Forgotten Australians.

Data

The ability to negotiate compensation with churches and charities is largely dependent on having evidence to substantiate claims of abuse. Even under legal discovery orders the religious are not forthcoming with providing information because of the deplorable state of their record keeping which has been highlighted by the Forgotten Australians Senate Report. When I got my file from the Catholics there was so little information that I was left totally bewildered – could these few pages be the total sum of my 11 years in care. Where is the rest of the information including correspondence with my family and the department of Human Services? Is it destroyed, is it uncatalogued/inaccessible? Who knows ?

Worst still when I approached DHS they said they could not locate my file and haven't to this day. The DHS file is critical as it would have all the visits from my social worker at the time and all the case notes. According to the Public Record Office of Victoria, Ward Files held by DHS are permanent state archives – I have a right to expect that these files are being managed by DHS. How am I to substantiate my case of abuse if I cannot get access to the data?

I would like to ask the Parliamentary Inquiry to investigate with the Keeper of Public Records what penalties the Keeper has imposed on DHS (DHS who hold extensive collections of church and charity records) – the answer is none.

Also, how are we to substantiate claims if we cannot get access to the data held by the very organisations that perpetrated the abuse?

Thank-you.

Yours sincerely,

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