



COMMONWEALTH OF AUSTRALIA

# Official Committee Hansard

## SENATE

COMMUNITY AFFAIRS REFERENCES COMMITTEE

**Reference: Child migration**

THURSDAY, 22 MARCH 2001

SYDNEY

BY AUTHORITY OF THE SENATE

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**SENATE  
COMMUNITY AFFAIRS REFERENCES COMMITTEE**

**Thursday, 22 March 2001**

**Members:** Senator Crowley (*Chair*), Senator Knowles (*Deputy Chair*), Senators Bartlett, Evans, Gibbs and Tchen

**Substitute members:** Senator Murray for Senator Bartlett

**Participating members:** Senators Abetz, Brown, Calvert, Chapman, Coonan, Crane, Denman, Eggleston, Faulkner, Ferguson, Ferris, Forshaw, Gibson, Harradine, Harris, Lightfoot, Mackay, Mason, McGauran, O'Brien, Payne, Tierney, Watson and West

**Senators in attendance:** Senators Crowley, Gibbs, Knowles, Murray and Tchen

**Terms of reference for the inquiry:**

For inquiry into and report on:

Child migration to Australia under approved schemes during the twentieth century, with particular reference to the role and responsibilities of Australian governments and to the issues listed in the following paragraphs:

- (a) in relation to government and non-government institutions responsible for the care of child migrants:
  - (i) whether any unsafe, improper, or unlawful care or treatment of children occurred in such institutions, and
  - (ii) whether any serious breach of any relevant statutory obligation occurred during the course of the care of former child migrants;
- (b) the extent and operation of measures undertaken or required to assist former child migrants to reunite with their families and obtain independent advice and counselling services;
- (c) the effectiveness of efforts made during the operation of the child migration schemes or since by Australian governments and any other non-government bodies which were then responsible for child migration to:
  - (i) inform the children of the existence and whereabouts of their parents and/or siblings,
  - (ii) reunite or assist in the reunification of the child migrants with any of their relatives, and
  - (iii) provide counselling or any other services that were designed to reduce or limit trauma caused by the removal of these children from their country of birth and deportation to Australia;
- (d) the need for a formal acknowledgment and apology by Australian governments for the human suffering arising from the child migration schemes;
- (e) measures of reparation including, but not limited to, compensation and rehabilitation by the perpetrators; and
- (f) whether statutory or administrative limitations or barriers adversely affect those former child migrants who wish to pursue claims against individual perpetrators of abuse previously involved in their care.

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**Committee met at 9.02 a.m.**

**CHAIR**—I declare open this public hearing of the Senate Community Affairs References Committee inquiring into child migration. This is very much a national inquiry, with hearings having already been held in Perth, Melbourne, Adelaide, Rockhampton and Canberra. The committee has received over 200 submissions nationwide from individual former child migrants who, through their life stories, have raised a whole range of issues for the committee to consider. The committee has heard from many of these former child migrants at its earlier hearings, including their views as to the types of assistance and services they believe should now be provided by government and other welfare and support agencies. Unfortunately, it has not been possible to invite all those who provided submissions to speak with the committee.

With today's hearings including evidence from a number of organisations, it has only been possible to include a few former child migrants as witnesses. However, you must be assured that the many written submissions that the committee has already received have, in effect, spoken to us and assisted us in understanding the deep personal issues involved with this inquiry. Evidence in this session is being heard in public. However, evidence may also be taken in camera if any witness considers such evidence to be of a confidential nature.

**KENNEDY, Mr John Patrick, Chairman, Fairbridge Foundation****POLLARD, Dr Ian, Councillor, Fairbridge Foundation**

**CHAIR**—I welcome representatives from the Fairbridge Foundation. Do you have any comments to make on the capacity in which you appear?

**Mr Kennedy**—I am chair of the council of the Fairbridge Foundation.

**CHAIR**—The committee prefers all evidence to be heard in public, but should you wish to give your evidence, part of your evidence, or answers to specific questions in camera, you may ask to do so and the committee will give consideration to your request. We have before us your submission No. 43. Do you wish to make any alterations to that submission?

**Mr Kennedy**—No, Senator.

**CHAIR**—I invite you to make an opening statement and then field questions.

**Mr Kennedy**—I will be very brief in an opening statement, because I think we have said it all in our submission. Essentially, the point is that the Fairbridge Foundation is the successor to the Fairbridge Farm School, which was at Molong. Our role currently with former child migrants, Old Fairbridgians, is to be the custodian of the records which were transferred to our offices from the Fairbridge Farm School when it was closed down. We have those records and we have well-developed procedures for the release of information from those files of former Fairbridgians. That is all I wanted to add.

**CHAIR**—Dr Pollard, do you wish to say anything at this time?

**Dr Pollard**—No.

**Senator KNOWLES**—It is interesting to look at your submission in the context of Western Australia, because I am from Western Australia and know well the Fairbridge Foundation. In your submission, you talk about your lack of support for reparation or compensation in any form. What is the basis for your position on that? Is it that it would simply be too difficult to quantify in each circumstance because, obviously, various people had various experiences? Unfortunately, while no-one denies that wrong happened, it is anecdotal. What are your reasons for the position that you have taken?

**Mr Kennedy**—The reason is essentially that, when the Fairbridge Foundation was established after the farm school was sold off, that involved a new memorandum of association, et cetera. The MOA spelt out that we were to use any funds that we had for the support of organisations whose objective was to care for children who were suffering some disadvantage. So that is what we do. My understanding of the legal advice is that, from the time we developed the foundation, if we departed from that objective we would in fact lose our status as a registered charity. So we have been concerned to essentially preserve that status as a registered charity and to try to help Old Fairbridgians as much as we can through the release of information or anything else we can do.

There has been only one occasion on which we have actually given money to an Old Fairbridgian, and that was as a loan. It was never repaid, incidentally, but that was because he had difficult circumstances. That was a man who wished to train as a pilot in a missionary situation, and we gave him a loan to help with the cost of his training. We made that as a loan because we were advised that, if we did otherwise, we would lose our status as a charitable organisation. I guess that would be our main reason. The other reason is that we have a part-time secretary, who is the only staff we employ, and we therefore attempt to keep our costs of administration as low as possible. It is also important to say that the situation in New South Wales is different from the situation in Western Australia, in that Pinjarra was directly controlled, if you like, by the London office of Fairbridge. We were not. We were an independent group affiliated with London and used the name, but essentially we were an independent group in New South Wales. So there is that difference between Pinjarra and Molong.

**Senator KNOWLES**—Thank you for that answer. But I suppose I am still a little at a loss in coming to grips with the way in which Fairbridge, New South Wales, operated in comparison with a lot of the other receiving institutions, purely and simply because of those differences where, as you say, the children were encouraged to keep in touch with their parents and more children's histories, before the children came to Australia, were held in files by Fairbridge in London. Are you aware, in any global sense, of why there is such a difference between the children who were received by Fairbridge and those who were received by other agencies who had absolutely no contact, no family history and, in many cases, did not even know whether their name was their own name?

**Mr Kennedy**—As you say, we were a receiving agency, and so the decision about which children came to us was made by London. What information we got at their time of arrival was made by London. I think a lot of the difference is probably due to the fact that the principal for most of the time was Mr Woods, whom I met only once. Both he and his wife were, by all accounts, extremely kind and caring people. I think he developed the policy of encouraging the children to try to keep in contact. I have read some of the files. Nowadays when an Old

Fairbridgian asks for information from their files, I read the files and then photocopy the material and send it off to the Old Fairbridgian. So I have read a number of these files, and in there you will find references by Mr Woods to the children, particularly after they have left Fairbridge. We had an after care officer as well and you will find references to him. There are letters to the Old Fairbridgians reminding them that they really should get in touch with their grandmother or their mother. One I read only last week was in relation to a grandmother who had raised the child in England. There were a couple of letters from Mr Woods to this person saying, 'Please get in contact with your grandmother.' I think a lot of the reason was probably that—that it was in the nature of the principal and his wife. His wife also played a very key role, I think.

**Senator KNOWLES**—It is fascinating to think that many of the children—as you state in your submission—came after having been proposed for the scheme by their parent or parents or guardian. I suppose it really does create a very different scenario for those who came to Fairbridge as opposed to those who went to a number of the other institutions, who in some cases were told their parents had died—that not being the case, but that is what they were told. I find your submission exceedingly helpful, and I thank you very much for it.

**Senator MURRAY**—Mr Kennedy, on page one of Barnardos submission, which we will deal with later today, it says:

Barnardos Australia believes that the policy of child migration, whilst seen as giving children opportunity at the time, was wrong.

Do you and your organisation agree with Barnardos?

**Mr Kennedy**—No, I do not think we do. We have said in our submission that we have a quote from London which says that obviously on some occasions things went wrong. I think in general, and certainly from the feedback we get from Old Fairbridgians, the scheme was an important scheme for them. So I believe our view would not agree with Barnardos.

**Senator MURRAY**—You have identified something the committee has already established, and that is that the performance and nature of institutions could be quite different over different time periods depending on who the staff were, who was running the institution and so on. It is useful that your remarks refer to Molong, New South Wales, because the evidence from other Fairbridge institutions is not as rosy as some might think. Have you had an opportunity to look at the transcript from the Senate hearing in Perth with the Fairbridge people there?

**Mr Kennedy**—No, I have not.

**Senator MURRAY**—There are echoes of their views in your submission. Frankly, when they were questioned, it seemed to me that they were in some shock. The committee had in camera hearings with a number of Fairbridge people, which indicated that the same problems that were present in other institutions were present there; namely, criminal assault, gross cruelty, sexual assault—very disturbing situations. I am not implying that that was right across everybody, but one of the things the literature shows is that the two organisations which have been most inclined to a state of denial were the Catholic organisations—and they are slowly getting over that, I think, given the revelations—and the other one was Fairbridge, and your attitudes are

quite different to, say, Barnardos. I just wonder whether you think there is a desire in yourselves to ignore, even if it was a minority, the fact that the people did experience considerable abuse?

**Mr Kennedy**—Not at all. I acknowledge, and I have acknowledged on other occasions, that everything was not rosy all the time. The Fairbridge system at Molong was that the children lived in cottages with a so-called cottage mother responsible for them. I became involved with the Fairbridge Farm School about four or five years before it was closed and sold. I visited Molong on several occasions. I am quite convinced that some of the cottage mothers were not saints, by any means. I acknowledge that, and I am sure that some children did suffer. I went to a boarding school for six years, and when you put a group of people together, kids together, obviously there is bullying and there are all sorts of things like that that go on. You would be silly to say it did not happen, but I have no idea as to the extent to which it happened. We had no evidence of any gross abuse that occurred.

**Senator MURRAY**—The committee needs to constantly be aware that you cannot smear every institution with the same practices, or depths of practices, and individuals did vary. Yesterday, for instance, we had a public submission on the record, which is available for people to read, from a man who had gone to Fairbridge Pinjarra in Western Australia when he was aged 10. He outlined to us beatings which amounted to criminal assault, not punishment, excessive cruelty, no education. He said:

I attended one week at school and three weeks on the farm. I was a young child slave aged 13.

He was working full time on the farm. So he had no education and constant work—up at 4.30 in the morning and finishing at 8 at night, which for a child is very difficult. We had another person who had been to Tasmania who outlined both criminal and sexual assault. The point I put to you is: does Fairbridge make itself open, even if it is a minority, to try and steer or encourage Fairbridgians who might have had a bad experience in New South Wales in the direction of counselling and getting relief for what might have been not only painful experiences but also experiences of criminal actions?

**Mr Kennedy**—Yes. While we do not employ any counsellors, we have a policy to provide counselling if an Old Fairbridgian comes to us with a situation for which he or she believes that counselling would be desirable. If someone asks for something from their files and we read it and we believe that this information is such that the Old Fairbridgian may be particularly distressed if they got this information without appropriate counselling, we have a policy that we will arrange for counselling for that person before that material is released to them or at the time that it is released to them.

Secondly, in relation to education, there was a primary school on the farm. In Molong there was a central school to which the children went once they moved on from primary. Alternatively, they could go to the high school in Orange. Also a number of them—again, as I find from files—went to the Hurlstone Agricultural High School on the outskirts of Sydney, which was a government boarding high school. From my reading of the files, education was a very important issue for the children at the farm school.

**Senator MURRAY**—I should comfort you a little by confirming that, although Fairbridge received very high numbers of child migrants, we probably have amongst the lowest number of



critical submissions about Fairbridge. One of the things I am interested in is your records. I am pleased that you have got records. Other Fairbridge bodies destroyed theirs. Was Molong ordered to destroy their records?

**Mr Kennedy**—No, we have them all here in our office in Sydney—the ones we have. Some of the records are incomplete. There are some for which, for example, there is no birth certificate. I read one last week of a person who had requested information and there is no birth certificate.

**Senator MURRAY**—On page 3 you have said:

Access to files is controlled by procedures agreed between the Fairbridge Foundation, Fairbridge London & the Old Fairbridgians Association. No person, other than the Child himself or herself has access to the information in his or her file.

Does that extend to relatives of the person who is deceased, incapacitated or unable to attend?

**Mr Kennedy**—Yes. No-one other than the Old Fairbridgian has access while the Old Fairbridgian is alive. After the Old Fairbridgian dies relatives have access. A relative is defined as a person who is the direct issue of an Old Fairbridgian or the spouse or common law spouse of the Old Fairbridgian at the time of death. They have access to information.

**CHAIR**—Brothers and sisters?

**Mr Kennedy**—No.

**CHAIR**—It sounds like it is children or spouse.

**Mr Kennedy**—Direct issue or a spouse or a common law spouse of the Old Fairbridgian at the time of death.

**CHAIR**—So it is not brothers and sisters?

**Mr Kennedy**—No.

**CHAIR**—Nor cousins nor aunts?

**Senator MURRAY**—If there were no children, surely you would give it to the kin?

**Mr Kennedy**—No, not under these guidelines. The only other persons who shall have access to the personal files are bona fide scholars and researchers.

**Senator GIBBS**—But not family?

**Mr Kennedy**—I should also say that the files that London had are now lodged with the University of Nottingham archives. So Old Fairbridgians can approach those archives for access to information that was held by London which we do not have.

**Senator MURRAY**—Are you aware that the Fairbridge body in Western Australia has been one of eight receiving agencies—I think it is eight—which have coordinated with the West Australian government an index and a memoranda of understanding between those receiving agencies, the West Australian Department of Family Services and with the UK government? As a consequence, there are set protocols there which are helpful to child migrants. Are you aware of that?

**Mr Kennedy**—I am not aware of that, but I am aware that the Department of Community Services here in New South Wales has in fact published a directory about access to information and so forth in relation to children, and that includes Fairbridge. There is a whole host of organisations in this directory, but Fairbridge is one of them. We cooperated with the department in providing that information.

**Senator MURRAY**—Are you telling me that your organisation does not have automatic exchange of information with the Fairbridge organisation in Western Australia—it is completely distinct?

**Mr Kennedy**—Yes, as I said earlier, we were quite separate always. The New South Wales Fairbridge school was an independent group affiliated with London, whereas Fairbridge Pinjarra was controlled by London.

**Senator MURRAY**—Don't you think it would be wise for your organisation to try to ensure that your protocols and procedures match the best practice of whatever other child migrant organisations exist—or those dealing with them? You might have developed something 10 years ago that you thought was best practice, but the scales move on.

**Mr Kennedy**—I agree. The procedures that we have are very much driven by the council of the Old Fairbridgians association. They were the ones who really persuaded us along certain lines as to the way in which we should handle the information. The other point about Western Australia is that we have certainly had linkages with the organisation—I cannot think of the name of it now; it is the one that basically owns Pinjarra now.

**Senator MURRAY**—It is the Fairbridge Foundation, I think.

**Mr Kennedy**—No, I do not think it is called Fairbridge Foundation.

**Senator MURRAY**—Senator Knowles, you might know the name.

**Senator KNOWLES**—I thought it was Fairbridge Foundation.

**Mr Kennedy**—It is affiliated very much with the Masonic Lodge.

**Senator KNOWLES**—It is Fairbridge Western Australia.

**Mr Kennedy**—That is right, yes. We certainly have had contact with them. We have had visits from the executive officer on a couple of occasions. We do have contact with them, but we do not have close contact—let me put it that way.

**Senator MURRAY**—If this committee were to recommend—and I stress that this has not been discussed by the committee yet—that the federal government coordinate between all receiving agencies the common protocols for access and the way in which records should be dealt with—the alternative is legislation, as you would understand—would you be cooperative in such an endeavour?

**Mr Kennedy**—Of course. But I stress that there would need to be consultation with the broad community—not only with us, the Fairbridge Foundation, but also with the Old Fairbridgians. We would insist on that.

**Senator GIBBS**—Mr Kennedy, when we were talking before about abuse in the Fairbridge institutions, you said that you had actually seen incidents. Could you elaborate?

**Mr Kennedy**—No, I did not say that. I said that I had joined the Fairbridge Farm School board four or five years before it closed down. I visited the farm school on a number of occasions and, as I said, the children lived in cottages under the care of a cottage mother. I met many of these cottage mothers. Some of them—I am sure—were not saints.

**CHAIR**—What does that mean?

**Mr Kennedy**—Basically, it means that some of them were fairly hard. They would have different ideas about discipline.

**Senator GIBBS**—So you knew of incidents.

**Mr Kennedy**—I am sorry?

**Senator GIBBS**—If you say that these women had different views, you must have had knowledge of incidents.

**Mr Kennedy**—No, it was purely a perception. I have also spoken with Old Fairbridgians, and I am sure they would agree with me that the cottage mothers differed. Some of them did not last very long.

**Senator GIBBS**—No. We have had quite a lot of evidence. Do you know of any former migrants who have taken legal action against Fairbridge for physical or sexual abuse?

**Mr Kennedy**—As far as I am aware—and I have been involved with the Fairbridge Foundation since its beginning—there has never been any legal action taken against the Fairbridge Foundation. We have had some outspoken Old Fairbridgians. Senators are probably aware that some years ago Peter Couchman, when he was with the ABC, held a program on former child migrants. Certainly some Old Fairbridgians spoke out very strongly on that program and indicated that their time was not necessarily a happy one. The majority, I believe, were happy, but there were certainly some who were not happy there. I was reading a file the other day for someone who had requested information and found that this person had written a letter to Fairbridge after they had left the farm school, saying that they had heard that so and so had run away and asking whether she had been found. From these files, I am aware that there

were occasions when people did run away. As I say, they did the same thing at boarding schools.

**Senator GIBBS**—We know about that. What about Mr Heath? Was he a principal at Molong?

**Mr Kennedy**—I am not aware. Woods is the one I knew.

**Mr Ruffels**—He was the farm manager.

**Mr Kennedy**—The farm manager, was he? Thank you.

**Senator GIBBS**—Mr Heath was a farm manager.

**CHAIR**—Excuse me. It is clear that all of you are listening and participating, and we welcome that. But if you speak it will not be easily picked up because you are not within access of microphones. Therefore, I ask you not to make comments like that. We appreciate this one—‘he was the farm manager’—but we need your name and address.

**Mr Ruffels**—I am speaking later. My name is John Ruffels. I am from Barnardos.

**Senator GIBBS**—We have had evidence that Mr Heath was particularly violent towards the children. Do you know anything about that?

**Mr Kennedy**—No, I do not know anything about that.

**Senator GIBBS**—There is nothing in your records—there has been no allegations made against him?

**Mr Kennedy**—No. As I said, I have recently started reading the files when Old Fairbridgians request information from their files. Prior to that Dr Bradfield, who was the chairman of the council before me, used to do that work, but he has never said anything to me about any allegations about Mr Heath in the files.

**Senator GIBBS**—With regard to these files, if somebody who was at the school comes to you and says, ‘I want all of my files and records,’ do you hand them over?

**Mr Kennedy**—Yes. We hand them over but, if there is something in the file which we feel may be distressing, we would hand them over with a counsellor or with counselling.

**Senator GIBBS**—But people are entitled to know everything. People are entitled to have their file.

**Mr Kennedy**—That is right. We provide it.

**Senator GIBBS**—We are now dealing with adults. These children may or may not have been dreadfully treated—the evidence that we have been given is that they have been dreadfully treated. But they are now adults and they are entitled to have their files.

**Mr Kennedy**—I agree with you, Senator, and that is what we do—we provide the information.

**Senator GIBBS**—I find these farm schools quite intriguing. What was the standard of education? How high did the children go?

**Mr Kennedy**—As I said before, there was a primary school on the farm. When children moved on they could go to Molong Central School, which was a school up to intermediate certificate, or they could go to Orange to the high school. In some cases they went to Hurlstone Agricultural High School here on the outskirts of Sydney.

**Senator GIBBS**—Did Fairbridge send them to these places and organise their board and accommodation while they were there?

**Mr Kennedy**—Yes.

**Senator GIBBS**—Was that paid for or did they have to win scholarships?

**Mr Kennedy**—The state government did provide scholarships. I think they were nearly all scholarship people who went to Hurlstone. Molong Central School was quite close and the farm school did have a bus.

**Senator GIBBS**—What if they did not want to go? It seems to me that the idea was to bring them out, put them in an institution and, when they were old enough, whack them out onto a farm—cheap labour; it is as simple as that. What if they did not want to work on a farm? Farm work is not everybody's cup of tea.

**Mr Kennedy**—Exactly. We had boys and girls. The boys were taught some farm skills when they were young, but they did not have to go and work on a farm. They could become an apprentice motor mechanic or an apprentice something else. In some cases they went on to university—those who had gone right through high school. They did not have to become farmers. The objective that Fairbridge had when he started the scheme was that the girls would learn domestic skills.

**Senator GIBBS**—Of course!

**Mr Kennedy**—We are talking about the thirties, Senator.

**Senator GIBBS**—What else are women for but to wash dishes?

**Mr Kennedy**—Again, they did not have to get employment in domestic work. They would not have got it in the later part of the Fairbridge scheme because people just did not employ

domestics. Those two things were part of the original intention of Kingsley Fairbridge, the founder.

**CHAIR**—We have to wind up, but I have a couple of questions. If somebody from Fairbridge Western Australia was living in Sydney, could they approach you for assistance or contact with Fairbridge Western Australia?

**Mr Kennedy**—Yes. We have no records from Western Australia.

**CHAIR**—What help would you offer them?

**Mr Kennedy**—We would put them in contact with Fairbridge Western Australia.

**CHAIR**—What does that mean—you would give them a phone number?

**Mr Kennedy**—An address, phone number and probably a name—we would have names.

**CHAIR**—I am just following the questions that Senator Murray asked. I understood from your answers to his questions that there was not a network of support from one Fairbridge organisation to another. So if somebody from Western Australia Fairbridge approached you, you would be able to provide them with a name or a phone number but little else?

**Mr Kennedy**—That is right.

**CHAIR**—And if there was a recommendation from this report to improve that, you would participate, but at this stage you are not doing anything about it?

**Mr Kennedy**—As I have said, we have had discussions with the executive officer of Fairbridge Western Australia.

**CHAIR**—Are you thinking of doing anything further?

**Mr Kennedy**—No, I do not think so. The other thing I should say is that we often get requests from relatives of people who were child migrants for whom we have no information. All we can do is refer them to the Child Migrants Trust or some organisation like that and say, ‘As far as we are aware, this person was not a Fairbridgian.’

**CHAIR**—The committee has received evidence in a number of submissions of harsh treatment by cottage parents at Molong, including severe physical punishment, long work days and lack of affection. You said that ‘some of the cottage mothers were not saints.’ That means that you at least had a whiff of pretty harsh cottage mothers. Did anyone complain to you?

**Mr Kennedy**—Not to me personally.

**CHAIR**—Were complaints received?

**Mr Kennedy**—I am not aware of any specific complaints, other than to the principal.

**CHAIR**—They sound like specific complaints.

**Mr Kennedy**—The principal was the person who employed them. Some of the cottage mothers did not last very long.

**CHAIR**—Because?

**Mr Kennedy**—Because they were sacked.

**CHAIR**—Could you tell us how many were sacked over what long period?

**Mr Kennedy**—No, I do not have the detailed records of the employment of people in Molong.

**CHAIR**—The concern of this committee is to try to get to the truth where possible.

**Mr Kennedy**—Yes, certainly.

**CHAIR**—We do not believe anybody who has prepared a submission for us has sat down and written us a pack of lies. But it is very important, where possible, to try to corroborate any claims. We have no reason to suspect that a number of witnesses who have written about cruel and harsh punishment at Molong are telling lies. You can give us no corroborating evidence?

**Mr Kennedy**—No, I cannot. I was not involved for long enough.

**CHAIR**—You were there long enough to get a sense that some of the mothers were not saints.

**Mr Kennedy**—Yes, we just had to talk to them.

**CHAIR**—And what did you pick up?

**Mr Kennedy**—As I said, some of them were hard. Some of them had very firm ideas about discipline—much more than others.

**CHAIR**—When you met such people, did you ever raise that with the principal?

**Mr Kennedy**—Yes.

**CHAIR**—Did you have a hand in seeing some of those cottage mothers moved on?

**Mr Kennedy**—I honestly could not say so. It was a long time ago, and I cannot recall. Dr Calov—now dead, unfortunately—was a member of the council for many years. He was the person who was tuned in. He was often consulted by the principal and others about medical issues to do with the children. Unfortunately, he is not here any longer.

**CHAIR**—What did a child who complained do? Do you know of any records of children who complained about harsh and unusual punishment?

**Mr Kennedy**—I am not aware of any records.

**CHAIR**—Did the Department of Child Welfare regularly visit Molong?

**Mr Kennedy**—Yes.

**CHAIR**—How did they satisfy themselves that the children were not in the control of harsh cottage mothers?

**Mr Kennedy**—As we indicated in our submission, we were regularly audited by the department that is now Department of Community Services. We have mentioned in the submission that we were regularly visited and audited by the relevant government department.

**CHAIR**—Did they ever prepare written reports that suggested the children were not being adequately cared for?

**Mr Kennedy**—We have no records in our files of that.

**CHAIR**—Do you know whether any children ever had the opportunity to speak to those representatives from the department?

**Mr Kennedy**—No, I am not aware. I think you will be seeing some Old Fairbridgians this afternoon. They would be the ones who would be able to tell you.

**CHAIR**—We have to finish, Mr Kennedy. I appreciate that your time, which was very tight, is now not so tight. Even so, we have a long day ahead. We thank both you and Dr Pollard for appearing today.



[9.44 a.m.]

**PENGLASE, Dr Joanna Llyndallbeth, President, Care Leavers of Australia Network**

**SHEEDY, Ms Leonie Mary, Secretary, Care Leavers of Australia Network**

**CHAIR**—I welcome representatives from the Care Leavers of Australia Network. The committee prefers all evidence to be heard in public, but should you wish to give your evidence, part of your evidence or answers to specific questions in camera, you may ask to do so and the committee will consider your request. By way of introduction, I understand that CLAN represents people who were not former child migrants but who, in many cases, grew up in the same institutions. They are therefore, within the committee's terms of reference, able to comment on the level of care and treatment of children that occurred in such institutions. The committee has before it your submission, No. 139. Do you wish to make any alternations to the submission?

**Ms Sheedy**—No.

**CHAIR**—I now invite you make an opening statement and then field questions.

**Dr Penglase**—We do not wish to make alterations to our submission. We would like to speak very briefly. I am here as a former home child—somebody who grew up in a home in New South Wales. I graduated last year from Macquarie University with a PhD called '*Orphans of the Living: The Home Children NSW 1939-1965*'. I wrote this thesis to try to understand the context of my own childhood, which I believe is extremely relevant to the inquiry into child migration and the policies that were operating at that time. We are very happy that this inquiry is occurring. We feel our contribution is to try to widen the context of the inquiry. What I was most concerned about in writing my thesis was to try to understand how children could have these policies applied to them—not merely child migration policies but also policies which said that children will grow up well in institutions. This seemed to be the major abuse from which all the other abuses came.

I do not know how generally known it is that to put children in institutions was a standard practice in this era. There is a long history of orphanages. This continued into the 1970s, although homes were not called orphanages then. I had three child migrants amongst the 19 interviewees I had for my thesis. People answered advertisements that I put in newspapers. The sorts of stories that people who had been children in homes told me are identical to those that are told by child migrants and also by Aboriginal people who were part of the stolen generation. All homes were run according to a particular formula. I think we have to understand that the initial abuse is to put children in homes. If you do not have the publication by Dr Judy Cashmore, *Systems Abuse: Problems and Solutions. A Report of the NSW Child Protection Council*, I really urge you to get it. It is about systems abuse. A paragraph in my thesis reads:

Homes for children for decades appear, as a matter of normal practice, to have displayed all the features of what now is termed 'systems abuse': that is, 'harm done to children in the context of policies or programs that are designed to provide care or protection'.

There is ample evidence in my interviews that what children are exposed to in all forms of substitute care in this period was an environment of depersonalisation, which in itself constitutes the primary abuse and from which stem all other particular abuses, such as sexual abuse or excessive corporal punishment.

There are two issues, and I think these two issues are not separated enough. They are the policies which sent children to the other side of the globe, put children in homes, fostered them out to strangers or took them from their Aboriginal parents and said, 'They will be fine; the main thing is for them to have good material care.' That is one issue. The other issue is the abuse of all varieties which happened to children within these contexts. We have to start by understanding that a philosophy about children which says a child will be fine if you export him or her to the other side of the globe away from everything that is familiar, away from all significant relationships with everybody in their lives—a belief about children which holds to that—sets up a system in which any sort of abuse can occur. You then have a very vulnerable sector of the population who are considered second-class—they are the rejects of society. I want to submit to you a copy of my thesis because these are the issues I looked at. How did people feel in these homes? They all felt the same: abandoned, desperate, friendless, lonely—and on top of that they were abused.

I think these two issues need to be very carefully looked at. We should not be surprised that children are abused when we can believe that they have no feelings. You asked the previous witness whether any child had the chance to speak to the Child Welfare Department. Any child who dared to speak to the Child Welfare Department would have been beaten within an inch of their lives. I can tell you this. They would have been punished severely. They would have been told they were liars. I grew up in a very violent home that was licensed by the Child Welfare Department. They came every three months. I remember their names very well. No child would have spoken. Every day I watched my sister be beaten, kicked down the stairs, slapped around the head and told what a wicked, dreadful unlovable person she was.

I became a robot and I studied, which is why I am here today. I chose a form of survival which stood me in good stead. I was extremely lucky. One of the things we have found with our members in CLAN is that the standard of education for all children in care for this period was not high for many reasons. I think that is something that needs to be looked at. I am going to stop now and let Leonie tell you about CLAN, Care Leavers Australia Network, and why we set up this organisation.

**CHAIR**—I want to thank you for that and also for your offer of the thesis, because my first question was going to be whether we could have a copy. Thank you very much.

**Ms Sheedy**—I just want to introduce you to my brother, James, and me. From when James was aged three through to nine we spent a period of time at the same home in Geelong. When he was nine, he went up to the boys' home, where I saw him once a week for an hour. When he turned 16 he left the home, and I did not get to see him for another 21 years. I am one of 7,000 children who were in care in Victoria in the 1960s, but I was in care from 1957 until 1970. There were 120 children at my home. We were segregated by age and sex. I still live with the implications of being raised like this. My children do not have extended family. My 13-year-old son asked me only two weeks ago at the dining room table, 'Mum, have you ever sat in the same room as all your brothers and sisters at the one time?' I said, 'No, Kieran, I haven't.' I

went to say goodnight to him that night and I said, ‘Kieran, that was a really interesting question you asked me. Why did you ask that?’ He said, ‘I have that opportunity every day of my life and I abuse it.’ My little seven-year-old said, ‘Mummy, it seems really hard to me that you don’t have a real mum.’ I think we need to talk about the impact it has on the next generation.

I am here also to tell you about CLAN. CLAN was formed with Joanna and me seven months ago. We had Australia’s first public meeting for home children, state wards and foster children of the older generation that you are seeing today—we ‘wardies’ and ‘homies’. We had 38 members on 21 October last year, and we now have 208 members. We provide a library and we provide a newsletter—we have done our fourth newsletter. I want to read you a letter that arrived two days ago:

Thankyou for the March Newsletter. I look upon it as a letter from my family.

I brought a cross-section of letter that we have received. We are getting a lot of letters from the adult children of state wards, because they do not know their own personal history. This is one from South Australia:

I just heard of your organisation and I am interested in hearing more. My mother spent most of her childhood in a Catholic Orphanage (St Joseph’s at Largs Bay SA) in the 1930s-1940s. It makes me sad to see the effects of this on her and also the effects on her seven children, because we all were emotionally and physically abused as she was. Perhaps you may be able to help her in some way, and she suffers a great deal from shame and fear of rejection.

Another letter we received was from a New South Wales lady who is looking for her mother. She has not seen her since 1963, when she was three. She says:

I look forward to being a member of this organisation. I strongly agree that the government must break the silence and recognise care leavers and their rights. I am not looking for compensation, but I would like the same freedom to information that adoptees, or the stolen generation, are given. I have tried to get around the Privacy Act by suggesting I was adopted by the New South Wales government when I was made a state ward, but to no avail. The search for my mother is hindered by the laws that govern the Privacy Act. So you have my full support on this. Congratulations for having the courage to come forward and to make a stand for our rights.

Another letter we received was from a lady in her seventies from Victoria. She says:

I read with interest your article in the Age Good Weekend of 14 October, ‘Orphans of the living’, because I was also a ward of the state of Victoria for just on four years of my life, from the time I was 8 until I was 12 in the late 30s to 40s. In that time I was charged with being a neglected child and made a ward of the state. In that time I learnt a lot, saw a lot and suffered a lot. For example, extreme loneliness and heartbreak, attempted rape and molestation from a foster father, hunger, living in filth with lice ridden hair, bed bugs infesting my bed, worked as a child slave until I was about to go into decline health wise, beltings, always feeling cold from not enough warm clothing, no-one I could confide in and fear and anxiety as my sister and I were moved from one childrens home to another. There are hundreds of stories out there, and if I can be of help in my old age, as there were seven of us unfortunate children fostered out to one of the worst people one could imagine. I saw no kindness there whatsoever for any of the children. If I was neglected by my own parents then I did not know it. But I knew all about the neglect from the welfare department’s choice of foster parents.

They are just some of the letters.

**Dr Penglase**—Some of you may have seen that article. It was in the *Sydney Morning Herald* and the *Age* last October. It actually came out of my thesis.

**Ms Sheedy**—A gentleman was talking about files earlier. When I applied for my wardship file 19 years ago I was seven months pregnant. It was sent to me in Sydney from Victoria—not by registered mail, not with any support—and written in that ward file was a comment from the

Reverend Mother of the home that said: ‘Mentally slow but not retarded.’ I had an opportunity to confront that nun in a facilitated conference last year and I said to her, ‘What experience and expertise did you have to write that about me and what did you do about it?’ Her answer was that she gave me to Sister Genevieve to look after. She admitted that it was the wrong thing to have written and said, but that was all she had to say about it. I can assure you that my husband has had to pick up the pieces over the last 28 years. The people who have supported state wards and home children in Australia need to be given a gold medal.

**CHAIR**—Can I perhaps interrupt there just so as we have time for a few questions.

**Senator MURRAY**—In your submission you say:

As public inquiries such as the one which resulted in Queensland’s 1999 *Forde report* have shown, residential care in this era all too often involved high levels of sexual, physical and emotional abuse.

I want to focus on the word ‘abuse’. Do you now know, but you might not have when you were children in institutions, that in the legal sense such offences were not abuse at all, they were assault? It was against the law at the time. It was not discipline; it was criminal activity. Is it your opinion that the same things that have been established for Aboriginal born Australians in their inquiry, and for British migrants in this inquiry, prevailed for Australian born persons in institutions?

**Dr Penglase**—I am absolutely convinced that this was the case. From anecdotal evidence from my interviews, and from what I witnessed daily myself, I think we have to clarify the idea of discipline in this era. There was a high level of corporal punishment tolerated in schools and certainly in homes. I have absolutely no doubt that that was the case in home situations, and very possibly in foster care situations also—and foster care was much more common in New South Wales than elsewhere for state children. I interviewed 90 people and heard appalling stories of criminal assault, sexual assault and physical assault. Emotional abuse is even now a difficult concept for many people. It goes without saying that emotional abuse was inherent, but I think we will never know the degree of physical assault that occurred in institutions. In most cases, they were closed societies, and that is often a matter of degree. I think one of the reasons the Catholic homes have come under intense scrutiny is that they were even more closed than many others. You had other homes that were, ostensibly, extremely well run, but you have to distinguish between the management policies and the policies at what I call the coalface—the carers.

A home like the Burnside homes for children in Parramatta had a very dedicated management committee, and corporal punishment was actually not permitted except in a very mild form. Yet I interviewed people from Burnside who were beaten mercilessly by their carers and nobody knew. The other children knew, but who would believe a child. I think we have to ask about who was employed in children’s homes in this era. You needed no qualifications whatsoever, and there was a cultural belief that women—all women—loved children or were capable of looking after them. My belief—and this is simply a personal belief, and perhaps it comes out of a rather skewed perspective from my own childhood—is that many people were, and perhaps still are, attracted to child care because children are powerless, and powerless people look after children so they can pass their own lack of power down the line. Their feelings of inadequacy and of bitterness, very often about their own lives, can be taken out on children with impunity in

an atmosphere such as was common in all the homes. Every home in Australia was open to this sort of abuse of power. It does not mean it occurred in every home, but the potential was always there. There were no checks and balances.

**Senator MURRAY**—The question of numbers is important. This inquiry has heard different numbers for former British and Maltese child migrants to Australia, but certainly it is not more than a number of thousands. Do you have in your research any idea of how many home children there have been in, say, the last century in Australia?

**Dr Penglase**—It would be a very difficult figure to come up with, again because of record keeping. In the case of my thesis, I could look at the New South Wales Child Welfare Department annual reports. At the end of the report, there would be the number of children in homes at the end of any year. You only had to have a licence if you had children under seven; therefore, the children over seven were not counted. The children who came and went in one year were not counted. In 1960 in New South Wales, something like 3,800 home children had been counted in the statistics—and that is not all of them—and the same number of state wards who would have been fostered. The 77 or so per cent would have been fostered. This information is in my thesis.

Records have not been kept. I have no file, and there is no file on my home. I have been through the archives. The department did not keep all the files. Every single home must have had some sort of file at one stage. There is now, I think, about six very small boxes documenting, for example, the 296 homes in New South Wales in the year 1956. There certainly are not 296 individual records in the archives at Kingswood in New South Wales, and that is only for one year. As a peak, I think there were something like 331 homes in New South Wales—and that is just New South Wales—and half of the children in care in New South Wales were fostered. In other states that was not the case. In Victoria, for example, there would have been about 7,000 children every year who were in homes. If you take that over the baby boom period, there are thousands of children who grew up in homes from the beginning of the century. I have no doubt about that, but I cannot tell you how you would do the statistical reckoning.

**Senator MURRAY**—Let us assume, just to make the maths easier, that your 1960 figure is nearly 4,000 and that New South Wales is 20 per cent of the country. That would be 20,000 children there in 1960. It seems to me it is not an exaggeration to expect at least 100,000 children over the last century.

**Dr Penglase**—At least.

**CHAIR**—As I understood, Dr Penglase, you said there were roughly 4,000 home children plus 4,000 fostered?

**Dr Penglase**—State wards, and most state wards were fostered.

**CHAIR**—I thought to double that—

**Dr Penglase**—That is right—so there are more. In Victoria, which is less populous but quite populous, I think there were something like 7,000 in the year.

**Senator MURRAY**—Let me take you where I am going with this, as we have always got time constraints. The chair is quite right to pick me up on the maths. It means we use the same figures and we double to 40,000 and maybe there are many more than 100,000 last year. Add to that what was described by one witness in Melbourne as the other two parts of the trilogy—fewer than 10,000 child migrants and very considerable numbers of indigenous children, you are somewhere between 150,000 and 200,000 children last century. All those people have a ripple effect on those near to them—perhaps 10 people.

**Dr Penglase**—Indeed.

**Senator MURRAY**—So you see where I am getting to. There are a million potential Australian residents and citizens who have been so affected. My question to you therefore is: from your experience, do you think that state governments and the federal government—but particularly state governments—through their counselling services, their connection services and the services they have to provide to support those in society who have difficulties arising from their upbringing are sufficiently alert to the scale of the problem?

**Dr Penglase**—They barely exist. There are no services. Leonie could perhaps talk about ARC.

**Ms Sheedy**—There is an after care service that is conducted by Relationships Australia at Parramatta, and their focus is primarily for wards who are under 25. When the Woods royal commission findings came down, Justice Woods recommended that there be support services and the Labor government in New South Wales did commit some money to after care services, but it is a telephone help line. We only found out about it 12 months ago. We got the flyers in the mail only last week. Many people do not know about it.

**Dr Penglase**—I think it is primarily if you were sexually abused, is it not?

**Ms Sheedy**—Yes.

**Dr Penglase**—Which of course does not apply to all of us. Neither of us was sexually abused. That does not mean our childhoods were not appalling.

**Senator MURRAY**—This committee has had evidence that the consequences of their upbringing and all the ramifications, both from mild to extreme, for many people have been marital and relationship problems which impose a cost on society.

**Dr Penglase**—Absolutely.

**Senator MURRAY**—There has been the full range of financial costs, marital and relationship breakdowns, substance abuse—drink and drugs—large-scale suicide and criminal activity.

**Dr Penglase**—Prison.

**Senator MURRAY**—In other words, dysfunctional people, and I am not implying that all migrants and all home children are like that.

**Dr Penglase**—Absolutely, you are right.

**Senator MURRAY**—If the reason that we have so many indigenous people in prison in WA is because of the stolen generation and the reason that so many child migrants have committed suicide and so many people are taking drugs in New South Wales is because of their institutional care, do you think this inquiry might be the match to light a far more intense flame in state governments to deal with these issues?

**Dr Penglase**—We would certainly hope so. That is why we wanted to speak today. Really, it is a forgotten history. We are invisible; we are trying to become visible. These histories, as you have so usefully summed up for us, are simply not known. They affect hundreds of thousands of people. One of the things that we have not touched on, which is part of it and applies to child migrants, to Aboriginal people and to us, is the loss of relatives including siblings and parents.

I interviewed people who had employed private detectives to find the siblings they were separated from by the child welfare department. Others were separated because they went to one home and their siblings went to another. If you read the chapter in my thesis about the way homes were run—Leonie has indicated she was in a different home from her brother—even the one organisation had different homes for girls and boys. You would see your brother or sister on visiting day if someone came to visit you. It was one hour on one day maybe once a fortnight, more likely once a month. People lost all sense of kin, of kinship, of relatives and of belonging, in the same way that the indigenous people and the child migrants did. This happened in our own country, here, to children in the care of the state, or in the care of religious or charitable institutions that had been set up specifically to do the best for these children.

I should say that we must not get sidetracked as happens in this debate—and it has happened with the indigenous debate particularly—about whether people were well meaning or not. We cannot judge by the standards of today, but it seems to me a distraction to argue about whether people were well meaning in formulating these policies. It does not explain anything to say, ‘Oh well, they were well meaning so it is just unfortunate.’ Even if policies were well meaning, they still could do irreparable damage and they did.

**Senator KNOWLES**—I do not wish to sound unsympathetic in any of this. Clearly, what has happened is just absolutely and utterly appalling. I do not think there is any distinction between wards of the states in many cases and the child migrants. It is all just a matter of distance and what does that matter at the end of the day one would say. The difficulty that this committee has is that perennial problem of federal-state relations. That is where I suppose I really would like to lead you. Where, given that problem that wards of the state are precisely that, of the state, do you see this committee having any influence from a federal perspective?

**Dr Penglase**—You are asking something that is, in a way, outside my expertise. I obviously understand the distinction. I do not know how federal governments can pressure state governments. That is not something I know anything about. Certainly you can make very strong recommendations, and perhaps you would know better than I the extent of your powers. I really do not know how federal governments influence state governments unless they wish to perhaps.

I think Aboriginal people at some stages were under state rather than federal care, too, yet it has come to be seen as a national problem. Perhaps one thing your committee could state quite plainly is that, since the same sorts of policies operated throughout Australia, there is little distinction between states. The same policies and the same types of institutionalisation were the norm.

**Senator KNOWLES**—But the way in which the various states have responded varies greatly.

**Dr Penglase**—Yes, indeed.

**Senator KNOWLES**—Therefore, I think that we, in some respects, are limited to a request of the states because we cannot make the states do anything. They just wave goodbye with two fingers, and they can do whatever they want. We could make requests of the states to ask what they are doing to help these particular people, but where do we go to from here? If we were to make such recommendations to the states, which they can accept or reject because that is their right, what sorts of recommendations would you want us to make to the states?

**Ms Sheedy**—There are things that I would like to see. I would like acknowledgment that being raised in an institution without your parents and access to your family impacts on you for the rest of your days. I want support services that are equivalent to the Post Adoption Resource Centre in Bondi and Link-Up, which is a support service that the government of New South Wales funds for Aboriginals who are state wards. I want help in tracing my family—I still have a brother to find. I want to be able to access services regardless of where I was raised. I live in New South Wales, but I was raised in Victoria. My issues live with me today in my adult life. It should not matter where I was raised. I should be able to access support services regardless.

I want acknowledgment. I want to be able to go into a bookshop and pull a book off the shelf that talks about lack of identity, the genealogical bewilderment and issues that adoptees have. I am tired of seeing this subject being pushed under the carpet. We live with the stigma, and it has to be removed. That is why you do not hear from many of us. That is why we do not tell our stories. We live with the shame.

So I want recognition and acknowledgment. I want respect. I want the same support services that the Aborigines and the adoptees have. I want mediation to help us find our families. I want appropriate counselling services. I want some research into the outcomes of people like me, and I want some research into the children of state wards. I want to know how many state wards have gone to jail. I want to know how many state wards have been birth mothers or birth fathers and relinquished their children. I want to know how many people like me are on drug and alcohol programs. More importantly, I want to know how many people like me have repeated the cycle and placed their own children into care. Sorry.

**CHAIR**—No apology.

**Senator KNOWLES**—That is a very helpful contribution. As I say, our hands are tied in terms of your particular circumstance, but it is a very helpful contribution. Everybody knows the states may or may not take on all or some of your suggestions. Thank you.



**Dr Penglase**—Could I just say one thing. Perhaps we should describe it as a social justice issue and a rights issue. For example, if your committee recommends that child migrants need substantial counselling services, it then becomes very discriminatory if people who have had exactly the same experiences have no access to such services. So it is a rights and a social justice issue.

**CHAIR**—I would like to make a few comments. Firstly, that was a mind-blowing submission and contribution, thank you. Secondly, what was that facilitated conference, Ms Sheedy? How did you set it up, or where did you find it?

**Ms Sheedy**—I went public with my story. I have never wanted to sue the Sisters of Mercy who raised me for 13 years, but I have always wanted them to acknowledge that there were some issues with the way I was raised. I have gone to great lengths to send that message, and I wanted to have a facilitated meeting with these four nuns. Only two of them met with me. It was very healing. I am not able to disclose information because it was confidential, but suffice to say that it was very healing for both these elderly women and for me. I got to say everything I wanted to say as a child. I was an adult and it was very empowering and it was wonderful.

**Senator KNOWLES**—Not quite everything, obviously.

**Ms Sheedy**—No, not quite everything.

**CHAIR**—Who did you get to facilitate the conference?

**Ms Sheedy**—The Sisters of Mercy in Melbourne had a law firm and they employed the facilitator.

**CHAIR**—You actually set out to do something about this? ‘There are some people to whom I wish to say things’—is that how it started?

**Ms Sheedy**—I wanted the Sisters of Mercy in Melbourne to recognise that the way I have been raised has an impact; it affects my children today.

**CHAIR**—I hate to cut across what you are saying, but this is such an interesting concept. I was trying to get a bit of detail about what you meant by a facilitated conference?

**Ms Sheedy**—I went to them and I said, ‘I want to have my day with them. In order for me to move on in my life, I need to have a facilitated conference with them.’

**CHAIR**—And ‘facilitated’ meant you were there and the Sisters were there. Were there any independent—

**Ms Sheedy**—There was the head of the Towards Healing organisation in Melbourne, Sister Angela Ryan. I wanted her there. Normally she is not there, but I wanted her to be there because—

**CHAIR**—She is a Mercy nun?

**Ms Sheedy**—No, she is not, she is a Brigidine nun. The Towards Healing organisation is for anyone who has been sexually abused in the church—that is, the Catholic Church's organisation. I wanted her there because I wanted her to learn. Her order was not responsible for the care of children, and if she was dealing with people like me she needed to increase her awareness and knowledge. I had a support person and the sister that I had dealings with had a support person as well.

**CHAIR**—Thank you very much. I do not think we have actually heard that sort of process described. I think that is very invaluable information for the committee. We are getting close to time, but there are a couple of questions. Dr Penglase, you used the expression 'excessive corporal punishment'. I know you fielded some questions from Senator Murray on this—if there is a page in the thesis, we will try and find it—but do you make an effort to draw the line between corporal punishment, excessive corporal punishment and when it becomes assault?

**Dr Penglase**—I do not believe you should ever hit a child—ever—so I am starting from that position. I was referring to the context of that era in schools. As we know, children of our generation were hit regularly and quite brutally sometimes. I do not draw any lines. I am trying to distinguish what would have been seen as culturally acceptable—that is, hitting children was fine. That was a part of discipline. I think there was a very strong feeling that children of this sort were likely to contaminate society unless you kept them in line, so they particularly needed strong discipline. Of course, I think that the sort of corporal punishment we are speaking of generally in an institutional context, as Senator Murray said, is really criminal assault.

**CHAIR**—We heard, for example, of one young boy who offended in some trivial way and, instead of getting six of the best, if I can use that old colloquialism, he got six of the best on his right hand and did not cry, so he got six of the best on his left hand, then six again on the right and then six again on the left, then 12 on the right and 12 on the left, and then three around the head for good measure. That seemed to me to be a good example of crossing the line. If anyone accepted six of the best, and that is not accepted, but going to 48 of the best would seem to me to be a clear example of where you are now talking assault.

**Dr Penglase**—Absolutely, and I heard many stories like this where people told me they were just literally beaten wherever.

**CHAIR**—We were told of girls, for example, who were hauled out of bed in the middle of the night, stripped naked, sat on head and foot and then flogged by a sister who was still upstanding.

**Dr Penglase**—I have heard similar stories. Bed-wetting was extremely severely punished and that was very common. Humiliation, parading nakedness in front of other children which is extremely humiliating and then inflicting corporal punishment.

**CHAIR**—We are trying to keep ourselves up to the questions. In your experience, and of the people who gave you evidence, were the children ever described by name or by number?

**Dr Penglase**—Leonie remembers her number.

**Ms Sheedy**—We had just LS written on our clothing. I did not actually have a number, but we had our clothes labelled.

**Senator MURRAY**—Did that stand for lost souls?

**Ms Sheedy**—Probably. But there was a lady who wrote in our first newsletter who was known as 42 and she can only remember one other person's name and that was the person behind her.

**Dr Penglase**—My interviewees said that. I remember one woman saying that girls left and others got their number and people had their names changed. This happened with foster carers but also in homes, 'We've got a Margaret, you can be Hazel', and that is what you had to answer to because you had hazel eyes or whatever. That is what I mean about the depersonalisation. You were treated as if you were interchangeable with any other lost soul; you were a lost soul.

**CHAIR**—The Queensland government and the Western Australian government have both issued apologies to the child migrants. Would one of the things that you would be putting in a litany of responses be an apology?

**Dr Penglase**—If I speak for our members, I think many would like an apology. Leonie and I particularly want acknowledgment. We want acknowledgment that these things happened. They had terrible effects. To have your history recognised is so important. We all grew up completely unrecognised even as an entity, as a self. Then we are told our histories do not exist either. Acknowledgment is very important, but if I speak for our members, many would like an apology.

**CHAIR**—I beg your pardon, I misrepresented that a little. The Queensland government's apology did actually go to the children in institutions, both the migrant children and the Australian born children. The important point, as Senator Gibbs has just reminded me, is that the apology first of all acknowledges that these things happened. You are suggesting one part of a process of recovery might be an apology, particularly the acknowledgment.

**Dr Penglase**—You cannot begin to heal unless you have your experience acknowledged. That is something that is not yet recognised in other areas either.

**CHAIR**—Touché, Dr Penglase. When you were preparing your very useful—to me, anyhow—division of this into policy problems and abuse problems and those policies that actually were governmental decisions to institutionalise or whatever, apart from the systems abuse—which is a wonderful pun—how far back in tracing the history of these policies did you go? Did you go into 19th century UK, for example?

**Dr Penglase**—Mine was not a historical thesis, but obviously I read it in that area. It is difficult to answer that. What comes to my mind as most relevant for your committee too is that I recommend you look at the Curtis report of 1948 in England, which you probably know about. This is the type of research that I was interested in. In New South Wales, fostering out and non-institutionalisation of children had been recognised from 1881. That is in answer to your question about the child welfare history. If you trace it back from 1881, boarding out or

fostering was considered to be superior to institutionalisation. If you leap forward a bit, the Curtis report in 1948 in Britain after the war recommended extremely strongly against the institutionalisation of children, and yet the children who were shipped here from the UK went into institutions. Now you have to try to balance what was happening there. So that is very relevant.

**CHAIR**—There certainly seems to us to have been a given—I am not sure that it was ever a policy, although I think there is some evidence that it was, if you could use that word for it. There were two principle causes, poverty and illegitimacy, for the removal of white children from their families, particularly their mothers.

**Dr Penglase**—Remember many families or parents put their own children into homes because they had no options. There were also no social supports. My own mother was abandoned by her husband. She was left with three children under three. We were legitimate. So there was a married woman with three children. There were no social supports. She put us in a home. That is what you had to do at the end of the Second World War. My thesis starts to go into this a little bit—why were children in homes? The loss of the breadwinner was a catastrophe, and that is it in a nutshell—whichever parent it was. If you lost one parent and you had no family supports, then that was the solution.

**CHAIR**—We are to the edge of time. The committee would particularly like to thank you. We have been assisted by wonderful submissions from everybody who has written to us and from people who have come to give evidence. As you start by saying, you are not actually specifically looking at child migration, but the points you have raised are so real for many of the child migrants. They do not go to 10,000 miles across the world, and they do not go to, as one woman said, very pungently when we were talking about culture, ‘I wanted to see if daffodils still grew in England’.

We are very grateful and we have been assisted by the work that you are doing, and I suspect lots of other families will be too. You also give us some very excellent thoughts, particularly in answer to Senator Knowles’s question: where do we go from here? There are ways in which the Commonwealth can direct the states—the powerful dollar comes to mind. But we also have international obligations under treaties that go to what is done at our state level regarding the care of children.

The other point that you have blown straight into my face, although I had been thinking about it, is that the child migrants were brought to this country under the immigration minister’s guardianship. They were brought to a nation that, as far as I can tell, had no clear cogent policy about the care of children. I am going to think on that.

**Proceedings suspended from 10.33 a.m. to 10.48 a.m.**

[10.48 a.m.]

**HOYLES, Mr William Richard, Director, Youth Services and Aftercare, Barnardos Australia**

**RUFFELS, Mr John Kevin, Former Child Migrant and Former Management Committee Member, Barnardos Australia**

**CHAIR**—Welcome. The committee prefers all evidence to be given in public, but should you wish to give your evidence, part of your evidence or answers to specific questions in camera you may ask to do so and the committee will give consideration to your request. The committee has before it your submission No. 50. Do you wish to make any alterations to the submission?

**Mr Hoyles**—No.

**CHAIR**—I invite you now to make an opening statement and then field questions.

**Mr Hoyles**—Thank you. Barnardos Australia was established in Australia to act as the receiving agency for child migrants brought out from England, in accordance with the migration policy which was in line with the UK and Australian government policy at the time. We have no hesitation in saying that it was a shameful practice, that it was barbaric, and that it was completely against any practices that we would currently uphold. We stress that we are giving our evidence as Barnardos Australia. We are a separate legal entity from Barnardos in the United Kingdom. If the committee wishes to obtain evidence from the UK it would need to get a representative from the UK or a copy of the submission that was made to the UK parliamentary committee. We do not have a copy of that because we are a separate entity.

Between 1921 and 1965 Barnardos Australia was responsible for the reception of 2,784 child migrants. We have copies of the files of each one of those children—the full files. We make copies of those files available to child migrants, including admission histories, unedited. We have had an open file policy for the last 17 years. We also provide photographs and original memorabilia from files held here. The UK has approximately 300,000 files of children who were in care in Barnardos. Those are on microfiche; they are not the original files. The original files were destroyed. They also have some records that are kept as volumes of books, like a ledger, and some of those records have been destroyed either through fire or by being eaten by mice.

We are able to offer an after care service, and we have been doing so since the days of the first child migrations to Australia. In the early days, when child migrants were placed out of the homes, they were visited by after care officers approximately once a month or less depending on how far away they were placed. Today we have an after care service, and the range of services that we offer are detailed in our submission. Because we are probably one of the better known agencies we are very often contacted by former child migrants from other agencies who have no-one to turn to. Wherever possible we help them in searching for families and in searching for records. Our policy is not to just turn them away. We have given statistics in our

submission of the number of children from other agencies that we have helped in the last couple of years.

A lot of our current work with children in Australia has been guided by the comments that have been made by former child migrants. In our practice today every child in our care has the right to see their file while they are in care. They are allowed to have a copy when they leave care. They are allowed to make changes or comments in their file. That sort of practice has been guided by the comments that have been made by former child migrants. We have had former child migrants on our staff—John has been on our board of management—and wherever possible we have included child migrants in the training of current staff so they know about the history. I do not come here today to try to justify the child migrant scheme. I do not think it is something that can be justified. I would now like to invite John to make a few comments.

**Mr Ruffels**—My comments are not addressed to the submission as such because I think Bill has adequately covered the submission, and I support the submission. Barnardos, as a child migrant sponsoring agency, is one of the more reputable of them. Whereas it is invidious to make comparisons, I think in the hindsight of today where we know more about them, this is an assessment I would make on evidence that I have seen.

I would like to make a couple of comments, without being drawn out. Firstly, I disagree with previous members—and a question from, I understand, Senator Tchen—in Western Australia that wards of the state having the same experiences as child migrants. I do not agree with this divide where one argues that the stolen children, the lost generation or wards of the state had equal or worse situations. I think all are bad, and it is good that today the spotlight is being gradually put on all of them.

The difference between a child migrant's experience and that of a ward of the state in an institution in Australia is to do with the mindset. There is a difference in how a British person or a Maltese person or an Australian person thinks. I think it is wrong to assume that somebody who has enjoyed a lovely passage from the other side of the world to come to Australia to be with other people in the same boat as themselves should feel that all they have to experience are the good and bad experiences of a child in an institution. I spent my first months at school arguing, debating and fighting with children in the school playground about the difference between an English person and an Australian person. I think the only element out of the movie *The Leaving of Liverpool* is the waving of the Union Jack, because if you have lost your parents or you have lost your identity or you are so young that you do not know what your identity is, one of the few things you still have left is your difference. As an English child in an Australian school, you fought valiantly for something you knew nothing about. So I would like to draw that to the attention of the committee.

Other than that, I would like to congratulate you on the fact that you got this far, and I sincerely hope that a separate and important inquiry for wards of the state is introduced by all state governments. That is all I would like to say.

**Mr Hoyles**—I would like to add also that we recognise the presence of a good friend here, Shirley Ronge, who is the president of our reunion club and who is also a former child migrant of Barnardos. She asked me not to acknowledge her, so I have made a point of doing so.

**CHAIR**—Thank you, Mr Hoyles.

**Senator KNOWLES**—I have a few questions about your after-care which, as you say, you have detailed very clearly in your submission. However, one thing that remains a little unclear for me is whether or not you actually provide assistance for travel.

**Mr Hoyles**—No, I think the submission does say that we do not provide assistance to travel back to the UK. That is not being provided by us or by Barnardos UK. There have been one or two incidents where Barnardos UK has provided airfares, but they have been in exceptional circumstances.

**Senator KNOWLES**—So you rely on the trust to do that?

**Mr Hoyles**—We rely on the trust that was set up by the British government and we have encouraged people to apply for it. We have advertised it widely, we have helped people to write submissions and we have prepared the documentation that is necessary. We also say in our submission that the trust is shortly to come to an end. The trust, which was set up by the British government, is running out of time. I do not think, and certainly other people that I have spoken to do not feel, that it has been properly advertised. We think that the terms by which people can access the trust are extremely poor. You have to have a means test, and I think that is denigrating the true nature of the child migration experience. It should be much more widely available, not only to close relatives but also to other relatives. To child migrants that have come from the UK, any relative is important, not just close relatives.

**Senator KNOWLES**—Yes. I note also that you say that there should probably be some flexibility for UK residents to travel to Australia in some circumstances.

**Mr Hoyles**—Absolutely.

**Senator KNOWLES**—In relation to that, given the restrictive nature of the British system of eligibility, has it ever been considered by Barnardos to put together a travel fund for some of those people who may not qualify?

**Mr Hoyles**—I cannot speak on behalf of Barnardos UK. I can say that my particular budget is very limited, and I do not believe that Barnardos in Australia would be able to afford the number of people that would apply.

**Senator KNOWLES**—How many of the people that you have assisted with applications for travel have actually succeeded?

**Mr Hoyles**—As far as I am aware, all of them.

**Senator KNOWLES**—That is interesting, because we have heard much evidence that many people have not qualified because of the restrictive nature of it.

**Mr Hoyles**—I think that might be because we have made it very clear to the people who have applied what the conditions are. There might be a self-selection process there where those who

do not feel that they would meet the criteria select themselves out from applying. That is why I am saying it should be much broader.

**Senator KNOWLES**—So there is a bit of a culling before the application goes in?

**Mr Hoyles**—I think so, yes. And I think that is a culling on behalf of the people who are considering applying.

**Senator KNOWLES**—One of the other things I noted in your submission on page 3 was that you said that in 2000, after mediation, a settlement was made between the victims of the sexual abuse and Barnardos. How many victims were there? What type of settlement was involved?

**Mr Hoyles**—I believe there were four or five—I cannot remember exactly how many. I was not personally involved in that process. It was a mediated process and there was a financial settlement. I am not aware as to whether the terms of that settlement are available. If they are available for public distribution, I would be happy to get them for you.

**Senator KNOWLES**—I would appreciate it if you would investigate that for me. Do you believe that for those people affected by Barnardos there is still an area of unmet need for assistance and after-care?

**Mr Hoyles**—Yes, I think there is. It would be very useful. We are currently looking at providing more in-depth counselling services for people. One of the greatest problems we have is the geographical isolation of people within Australia. Trying to deal with people—and I do not want to identify people—from the Goldfields of Western Australia through to the central desert region up to the far north of Queensland is extremely difficult. It is extremely difficult to get on-site people that can provide in-depth quality counselling, particularly in rural areas.

**Senator KNOWLES**—Are people coming to you or are you going to them?

**Mr Hoyles**—We do both. Wherever we are sending out information such as files, we accompany that either with somebody taking the file and providing counselling as the file is being read or we arrange for somebody in the local area to deliver the file—somebody that we have checked out, know and trust—to provide counselling.

**Senator KNOWLES**—I am sorry, but my question was ambiguous. I am actually referring to initial contact. Are you making contact with all former child migrants who came through your institution, or are those who are needing assistance making contact with you, or is it a combination of the two?

**Mr Hoyles**—We are certainly not making contact with all former child migrants. At the moment, as I say in my submission, we had 2,784 child migrants. We are in reasonably regular contact with either child migrants or their descendants through our publication of a *Barnardos Down Under* magazine. We have around 600 to 700 on our mailing list and they get regular information. We have regular reunions and we provide regular updates on organisations such as CLAN, which we have advertised, the Child Migrants Trust and the British scheme for travel assistance.



So we do keep people that we are aware of, and in contact with, informed of developments. But, no, we are not in contact with everybody. Some people do not want to be in contact with us; some people still feel that Barnardos is an entity that was established in the 1920s and it is still the same organisation. I joined Barnardos in 1985, and I have never abused anybody, yet we still have organisations such as the Child Migrants Trust in one broadcast saying that they do not want to send people back to their abusers. I am sorry. I am the head of Aftercare, and I have not abused anybody. I am trying to pick up the pieces of a scheme that was, as I said, shameful. We do that to the best of our ability.

**Senator KNOWLES**—That is always the difficulty, isn't it? It is the difficulty for government, it is the difficulty for a whole range of institutions and it is a difficulty for the Christian Brothers—that people get tarnished today for what happened yesterday and, invariably, quite unjustifiably. I wanted to ask you a question about the way in which you provide as much file information as is available. However, I note that you say you will also provide copies of birth certificates and photographs on request. My question is: why wouldn't they be provided routinely with the other information that you have?

**Mr Hoyles**—I think that is probably misleading. Always, whenever we get a file from the UK, if there are photographs accompanying them, we provide them. The 'on request' refers to the fact that, when somebody asks us for file material, we provide it. It is not that we would only provide those on request; we provide the whole file on request.

**Senator KNOWLES**—They routinely get the birth certificate, photograph and everything else?

**Mr Hoyles**—Absolutely.

**Senator KNOWLES**—I thought that that was probably the case but it was just a little ambiguous.

**Mr Hoyles**—Can I just point out something about the photographs? The good doctor was a very strong photographer, so we do have photographs of most children as they were taken into care, at the time that they were migrated to Australia and, in some cases, on arrival in Australia. We do have a fairly complete photographic record of children going back to 1867.

**Senator KNOWLES**—Are you aware of any legal action that has been brought against Barnardos by any former child migrants?

**Mr Hoyles**—Other than the two matters that are referred to in my report, I am not aware of any other legal matters that have been brought in Australia. I would stress that I represent Barnardos Australia; I cannot refer to Barnardos UK.

**Senator KNOWLES**—I note also in your submission you say that the government should be acknowledging the contribution made by child migrants. We have had some conflicting evidence on that. Some say, 'We don't want anything. We don't want a monument. We don't want anything there because it is too painful a reminder for us.' Others would hold your view that there should be something done as a recognition of that contribution. What form would you see that recognition taking?

**Mr Hoyles**—I was not really thinking of statues and things in that comment. One of the issues I have is that all too often child migrants are portrayed in a way that they do not want to be portrayed in. I am very proud of a lot of the people that I meet on a regular basis. I believe that they have overcome tremendous odds to reach where they are today. Every time I read of them as victims in the newspapers, it worries me. It puts down many who really did make a go of it and who were able to actually arrive at something. I do not mean incredible wealth; I just mean stability, family and settlement in a new country. I just feel incredibly proud of a lot of them. There are some who suffered tremendously, made the best of it and have come good in the end. I just hate it when people keep thinking of them only as victims and having been abused.

**Senator KNOWLES**—Another request that has been put to the committee fairly regularly is a request for assistance in terms of retirement and aged care. Because so many people across the board had poor education and have thus had limited occupational opportunities, the care that they are likely to receive or the type of living conditions that they are likely to withstand in their latter years is going to be reduced. Do you have a view on what sort of retirement or aged care facilities there should be? Should they be separate? Should they be fast-tracked through the system?

**Mr Hoyles**—This will sound as if I am dodging the question, but I think that that is something you need to ask child migrants. What system would they feel comfortable with? I go back to means testing again. What system would enable them to have a comfortable retirement? I accept that schooling et cetera was extremely varied, that many people did struggle and a majority of them are living with the consequences today. We certainly in aftercare see ourselves as providing lifelong care. One of the worst parts of my particular job is attending funerals. Just recently there have been all too many of them.

**Senator KNOWLES**—Would you like to add something to that?

**Mr Ruffels**—Yes, I certainly would. Firstly, I would like to say that this review committee is looking at people who are comfortable with coming forward and discussing events which happened sometimes quite a long time ago in their lives. As was touched on before, there are a goodly number out there who do not feel comfortable discussing such things with anybody, and I refer to the first submission made today. I would say that one of the problems in some sponsoring organisations is that the people who have been through their system are not communicating with them and, as a result, it is very difficult if inadequate filing systems are kept or they were kept a long way away and have been destroyed by mice or the Blitz. These people are at the mercy of such things.

I was very impressed by Robert Fisher's submission to the inquiry in Western Australia. I think he is from the equivalent of the child welfare department over there and he saw that one of the solutions to the problem was in accumulating sufficient data to establish exactly how many people came out. Once you have names you can search for files and for data—these people exist. Then you can either go out and get them or invite them in to provide information, and from that you can distil decisions.

I think it is very important for us, firstly, to establish just what the dimension is—and I know that Senator Murray has been trying to say have the strict time data of 'after the war to now'.

Barnardos Australia, through its newsletter and its reunions, is in touch with a lot of people who came here before the war—and we spoke about the funerals. I think it is probably a bit exclusive to think that these people did not experience what the people after the war experienced, and I should like some consideration to be made to the fact that these people exist. Thank you.

**CHAIR**—Mr Ruffels, I think you have just made an extremely important point. One of the things that is a small comfort to the committee in response to your comment is that we have had a number of people who have written submissions who have been insistent that they would come and speak to us but only in camera. So we have had the opportunity to hear from people who are extremely shy. You are right. It does not cover all of them at all but I would just like to let you know that we have provided, as much as possible, the opportunity for a whole range of people who—no way—want to be on the public record, and we are assisted by a lot of those people, too. But you make a powerful point.

**Senator GIBBS**—A lot of the witnesses that we have had before us have said that they have had problems not only accessing their files also problems with birth certificates and getting passports. Do the Barnardos people have similar problems?

**Mr Hoyles**—We provide all the information that is available in the files that we have. We support people in passport applications. I have personally written passport applications for people and provided letters of proof of arrival, because we have the shipping records of the ships they arrived on and the record cards that say where they were placed on arrival so we can provide some evidence. We have advised them of the procedures involved in getting passports and records.

The only occasions on which I am aware we have had difficulties have been when children have been placed in the care of Barnardos and there is absolutely no record of who they are, specifically those who have been abandoned in telephone boxes on the Brighton Pier and other places such as that—where they were just abandoned, left in a crib or in a box and they were placed in the care of Barnardos. That is the only time that I am aware of when there have been difficulties in obtaining birth certificates or any other sort of—

**CHAIR**—That is Brighton Pier, UK, Mr Hoyles?

**Mr Hoyles**—Yes, the UK, not here.

**Senator GIBBS**—They have been left in telephone boxes, did you say?

**Mr Hoyles**—Yes, actually abandoned in a telephone box and then placed into the care of Barnardos, and that has been a problem in trying to find a birth certificate.

**Senator GIBBS**—So apart from the abandoned children, Barnardos would have birth certificates of all the other children whom they received?

**Mr Hoyles**—We would not necessarily have birth certificates, but we would do everything possible to get one through the records offices in London. Barnardos UK has, compared with our operation over here, something like 30 after-care officers in the UK. They have a huge after-

care department. All we do is write, saying the name of the person, date of birth and the ship that they came out on, and they provide us with the records. Obviously, there is no charge for any of that service.

**Senator GIBBS**—It has also been suggested to us that original records, such as birth certificates, held by the National Archives really should go to that person. How do you feel about that?

**Mr Hoyles**—The National Archives in Australia?

**Senator GIBBS**—Yes.

**Mr Hoyles**—I think birth certificates and records are the property of the people that they relate to, are they not?

**Senator GIBBS**—They should be.

**Mr Hoyles**—They should be, absolutely.

**CHAIR**—Once they become part of the National Archives, then they are under the control of the archive legislation, as we understand it, and that means that they are not freely available, if at all, to the people.

**Mr Hoyles**—Sorry, I have not heard of that. Obviously, all of our child migrants came from the UK. We source our birth certificates from the UK. We never source them from Australia.

**Senator GIBBS**—If people come to your organisation seeking records, seeking birth certificates or anything relevant to themselves, do you find them for them? Do you actually search for them, or do they have to do it themselves?

**Mr Hoyles**—Can I clarify whether you are talking about former Barnardos child migrants?

**Senator GIBBS**—Yes.

**Mr Hoyles**—No, we provide them. They do not have to do any searching whatsoever. All we need is the name of the person, some proof of their current identity if there has been a name change through marriage or whatever, some proof that they are the person that they say they are, and then we get the information from the UK.

**Senator GIBBS**—What about searching for their families? I think somebody asked that. Do you actually do that too?

**Mr Hoyles**—Barnardos in the UK has a tracing service. We also use the facilities of the Child Migrants Trust. If the child migrant is more comfortable with being dealt with by an organisation other than Barnardos—this does happen—then we use the Child Migrants Trust, International Social Service, the Red Cross or the Salvation Army. Primarily the Salvation Army is, in our experience, the best for searching for people in the UK, because they have some nefarious means of finding information.

**Senator GIBBS**—Is this free of charge?

**Mr Hoyles**—Absolutely, yes.

**Senator GIBBS**—Other organisations and other witnesses have said that there is a problem with the children as they approach old age, and they believe that aged care facilities and homes should be made available.

**Senator KNOWLES**—I just asked that.

**Senator GIBBS**—You did too. I just wondered how you feel about that and who you think should finance it. Should it be the institutions who actually ran these homes, these farms, or should it be just be left to the government?

**Mr Hoyles**—I can only speak about what we do in after-care. As I said earlier, we provide a lifelong service. I get people ringing up and asking for assistance, and wherever possible we provide that. I do know that there is a question mark that has been raised in one submission where people will say, ‘We were never told about it.’ We have issues in Barnardos around confidentiality: we do not necessarily broadcast what we do for individual people to everybody else, because we believe they are issues of privacy.

**Senator MURRAY**—Mr Ruffels and Mr Hoyles, I apologise for missing that first part of your presentation. I was unavoidably distracted elsewhere. One of the things I like about your submission is that it seems to me you are resisting denial. You do say that the policy of child migration was wrong; later on you say that it was a seriously misguided policy.

**Mr Hoyles**—While you were out of the room I also said that it was shameful and barbaric. The *Hansard* would record that.

**Senator MURRAY**—But I do like that, because the problem of denial is still apparent in some organisations, some institutions and some people. The other thing I like is your reminder to us that not everybody who went through the system was a victim, and it is important to remember that. One of your great insights, which probably arises from your experience, which is more considerable than most, is on page 2 of your submission, where you say:

Barnardos Australia believes that the most positive outcome of the experience of child migration is to learn the importance of identity to children ...

I would just qualify that by saying ‘and to adults’, obviously, once they have gone through childhood. If anything has made an impact upon this committee, it has been that very issue—people’s absolute desperation to be able to connect with their past and with their families, and so on.

My question therefore relates to the things Mr Ruffels picked up on. Mr Robert Fisher is the Director General of the Department for Family and Children’s Services in Western Australia and he is a reminder to me of the astonishing quality of some of our Australian bureaucrats. Through his driving initiative and at relatively low cost, he has coordinated an identity index with protocols and memorandums of understanding with the British government and with

receiving agents, which is a very useful addition to the extraordinary work that people like you, the Salvation Army and the Child Migrants Trust do in this area. We have identified already a need for other states to follow this route. With the reputation you enjoy and the substance you have as an institution in New South Wales, is it possible for you to go back to both the *Hansard* record of the hearing and to that submission and to try and encourage the New South Wales government to duplicate that activity? It needs somebody to get it going and it would seem to me that you people are well equipped to initiate the talks.

**Mr Hoyles**—I am happy to fight with the New South Wales government. We do have a reputation—I do not know if it is fortunate or not—of persuading governments to do things. I am happy to take that on board and relate it to our chief executive and board of directors. I do not see any reason why we would not.

**Senator MURRAY**—I think Mr Ruffels would agree with me, since he has read the submission, that there is no need for anyone to reinvent the wheel. They have learnt how to do it.

**Mr Ruffels**—It is done. It just needs communication among Western Australia, New South Wales and the other states.

**Senator MURRAY**—And a facilitator such as you. So could I ask you, possibly on behalf of my colleagues as well, unless they disagree with me, to get going in this area? The next issue is a more difficult one. There is a fear lurking in me that these events are not past events but still current events and that children in foster homes or in institutions now are still vulnerable to the sorts of events that went on in the past. You have specifically stated in your submission:

The Federal Government has not, despite petitions and inquiries, become involved in setting a set of national standards for substitute care, or established officers with a brief to examine the conditions of children currently in care, this contributes to ongoing problems in substitute care. The NSW Association of Social Workers has an excellent paper on this subject which is attached.

Can you indicate to me whether, in your experience, these dangers are still apparent in current Australian society?

**Mr Hoyles**—I can certainly speak for New South Wales. If I put on another hat, I actually run a residential unit for severely emotionally disturbed and acting-out South-East Asian adolescents. I believe that the New South Wales government introduced a scheme of community visitors—the idea being that there would be this independent person who would come into each institution in New South Wales, funded by the New South Wales government, and that person would have total access to records, total access to young people in the institution, and that they would be interviewed alone so that, if there were instances of abuse, they would have the opportunity to explore those with an independent visitor. I run one of those homes, and we had an independent visitor who was excellent. For the first six months he came on a monthly basis. He raised a number of issues about the practices that we had. We took those on board and implemented changes. It was excellent. It gave the young people a way of raising issues. If they felt uncomfortable with the staff about raising them directly, they could raise them with that visitor. That was for about six months. I have not seen him since. It has been a year and a half now. We are still funded by the state government. We should still be receiving that visitor or a community visitor. Either the scheme is totally underfunded or they realised that we were doing

best practice and did not need to come back so often. But it just does not seem to be happening. So, no, I do not think at this stage that abuse could not happen as it has in the past. I would also say something about the practice that was mentioned earlier about abuse and smacking, et cetera. Our current policy is that, if we have a member of staff who institutes any form of corporal punishment, it is instant dismissal.

**Senator MURRAY**—You would have heard the two witnesses from Care Leavers of Australia Network indicating the need for research in this area. Parliamentarians have an expression called ‘unintended consequences’ when the consequences of something are such that you have not foreseen. I do not think any government in Australia foresaw the consequences of either their institutional policies or their migration policies. We would probably use a different adjective and describe it as appalling consequences in some cases. We have had evidence about large numbers of suicides consequent to people’s experience, tremendous numbers of people who have had alcohol abuse and to some extent drug abuse, people having ended up with a criminal experience, people with psychiatric difficulties and some of them psychological—I am never entirely clear what the difference is, but Dr Crowley will know—and things of that nature. We also know that numbers of people came through relatively unscathed, not victims. My question to you is: as an organisation with your experience in after care, and the fact that you attend funerals, are you able to give the committee any statistical record or a snapshot of, say, 100 Barnardos children? For example, how many ended up as good functioning members of society—not suicidal or dysfunctional or those sorts of things? It is very difficult for us to get a grip on the consequences. We are getting these submissions but we cannot get a numerical feeling for it.

**Mr Hoyles**—I could not give you any indication whatsoever. We are in touch with a number of former child migrants. Many of them have had poor or bad experiences in the care of Barnardos—I call it ‘in care’ advisedly—and there are many others who have had very good experiences. I do not know whether John could give an indication.

**Mr Ruffels**—Every single one of those categories you have just mentioned reminded me of somebody that I grew up with, and I grew up in one of the cream of child migrant organisations. I should not say that because that is, once again, giving an invidious comparison. What I mean is that my life was fairly good. I could be an Uncle Tom for Barnardos, but I am not. I grew up with people who were psychotic, alcoholic and the whole gamut. On a percentage basis, I would say it would be no different from any other institution, but no worse.

I am very interested in what Senator Murray said about the repetition of system abuse. I think the submission previously by Dr Penglase, which drew attention to that work, would be a very useful thing for studying that, because Barnardos have given me a lot of opportunities. One was to address their middle management about my experiences growing up as a child migrant in an institution in Australia. One of the questions that I raised with them was how does one know if a system is not working correctly and if abuses and things are occurring? What would they do in such circumstances? I see constant instances of adoption and fostering in Australia, where problems of identity for overseas born people are going to be replicated in the systems in Australia. This distresses me because a lot of well meaning people adopt children from Romania and so forth. Later in life these children are going to have identity crises and also cultural crises because they were born in one culture and grow up in another. I am getting quite

off the track. I do not have any statistical answer to your question. All I can say is that certainly it is not exclusive to the worst institutions.

**Senator MURRAY**—To finish that, is there any possibility of looking through, say, 100 files and coming up with a view that you could provide the committee? We do not want names; we just want to get a feeling.

**Mr Hoyles**—I think that is extremely risky because would we choose just the first 100 files alphabetically or how would we choose them? Would we choose pre-war or post-war? How would we know whether there was anything recorded on the file for somebody that has not had contact with us since 1937, for example? One of the difficulties is that we tend to deal with those who have issues because they come back to us and ask us for help. Most of our current files would be those people who have issues or problems, who have felt able to come back to us.

**CHAIR**—We are coming to the edge of time and beyond.

**Senator TCHEN**—Mr Hoyles, you said in your submission that, in 1983, a specific officer was appointed by Barnardos to work with child migrants. I know that you also said that, from mid-1970 onwards, child migrants have the right to look at their files, and I presume they will request for that. Was the appointment of the specific officer to respond to the quantity of demands or was that because of something else?

**Mr Hoyles**—I joined Barnardos in 1985, so it is a bit before my time. At that stage, it was felt that the job was getting to the point where it needed one person to monitor it, coordinate it and supervise it, rather than it being handled by different welfare officers from different homes. In some cases, if the home was still in existence, the inquiry might have gone to that home, and it was felt that it would be better to centralise it. I am speaking of a time two years before I arrived. Maybe John Ruffels could help because he has been around longer than I have.

**Mr Ruffels**—One of the things was that reunions were gingered up for former migrants and attitudes changed socially and politically. There was gradually emerging a changed attitude in these people who did not talk in the past. If you talked to pre-war child migrants, they would not discuss the problems which post-war ones discussed. Reunions gradually built up in the 1970s, and what you were getting was the same group of people getting together each time with one thing in common. Gradually they would then talk to staff and so forth, and they realised they could be a bit more open about their problems than they were in the past. Cheap air fares was also another thing which made it possible for working class people to catch a plane and go to England, Ireland or Malta and do something about picking up the pieces by solving the mystery.

**Senator TCHEN**—It just seems to me that 1983 is a relatively early response compared with other institutions.

**Mr Ruffels**—There is a lot of feedback from the child migrants to Barnardos, and Barnardos is responsive quite a bit to bullying from child migrants.



**Senator TCHEN**—Mr Ruffels, I would like to thank you for reminding the committee of one of my questions earlier in Western Australia. That reflects my assumption that the experiences of the British child migrants might have been a subset of the circumstances facing state wards and other children in that situation in Australia at that time. That is not to downgrade the disagreeable experiences the British child migrants had, but it looks at it as a larger problem. I think I have the same concern that you have, that we should not have isolated cases of one against the other.

That leads me to something which touches on the issue we are looking at today. You raised the problem of cultural identity which British child migrants faced. You also pointed out that children from some of the more recent adoptions from Europe and other countries may also face this problem. Is it possible to overcome that sort of cultural isolation by a larger social approach like the multiculturalism that we have adopted for our school communities? Would that help to alleviate some of these problems?

**Mr Ruffels**—What I was really getting at is that there is a great deal of catering for migrants from countries in more recent years. Facilities, counselling groups, support groups and financial support are made available for migrants under the multicultural umbrella. I wanted to point out that the British migrant has largely been overlooked as not require such things.

**Senator TCHEN**—That is a general problem with British migrants. They seem to fall through this multicultural gap. I am looking more at individual cases, say Roumanian babies who might have been adopted in Australia. In 15 or 16 years time they may demand to know their background. I wonder if it is possible to satisfy that need through a wider multicultural program.

**Mr Ruffels**—In a country like Australia it certainly would be, because there would be a Roumanian enclave in most states, which could presumably supply some kind of information about their background. The essential point is that anybody brought from another country, or even wards of the state or lost generation Aboriginal people, needs to have an essential database to begin with. That is, there should be a complete record of absolutely every bit of information about any child who is brought from another country to enable them to resolve their identity at some later date, should they wish to do so.

**CHAIR**—Regarding your information about the 1980s when Barnardos was made aware of allegations of sexual abuse of children—one of whom was a child migrant during the 1950s—by an employee, Mr Victor Holyoake, who was subsequently charged, tried and jailed. Can you tell me when that happened and where it happened?

**Mr Hoyles**—The home was in Kiama. I am not sure of the precise date, but he was working in that home between 1960 and 1970. It was a 10-year period that he was actually—

**CHAIR**—So it was a New South Wales prosecution.

**Mr Hoyles**—Yes, it was.

**CHAIR**—Do you know how it was prosecuted—who brought the complaint and who proceeded with it?

**Mr Hoyles**—The child migrants brought the complaint.

**CHAIR**—To whom?

**Mr Hoyles**—To the police. That is my understanding of it.

**CHAIR**—Your comments on page 7 actually add:

Barnardo's experience arising from the Holyoake case (see above) indicates that the "statute of limitation" can be reinterpreted. There does seem to be flexibility by the Courts in this matter which make barriers less restrictive.

Is that what happened in this case?

**Mr Hoyles**—Yes, that is my understanding of it.

**CHAIR**—Is it your understanding that the statute of limitations was, effectively, waived or set aside in this case in New South Wales?

**Mr Hoyles**—Yes, that is my understanding of it.

**CHAIR**—Do you know if that is possible in other states?

**Mr Hoyles**—I am sorry but I have no idea of what is possible in other states.

**CHAIR**—If there were any information that you could provide the committee about this case of exactly when and how it was pursued, and the argument about the statute of limitations being reinterpreted, the committee would appreciate that.

**Mr Hoyles**—I actually made a note of that earlier.

**CHAIR**—How many children from Malta came to Barnardos?

**Mr Ruffels**—None. I was referring to the other submissions from Western Australia. I thought that was an interesting example of a rather neglected side of things. Could I add to Mr Hoyles's last answer?

**CHAIR**—For 30 seconds, yes.

**Mr Ruffels**—Federal government legislation can be created to override state legislation. I do not know if the Australian Attorney-General can instruct state attorneys-general on matters such as the statute of limitations.

**CHAIR**—I do not know. We will seek further information. My understanding is that that would be a matter for the state Attorney. People can propose suggestions from all sorts of places, including Senate reports, that state governments might adopt. In your Barnardos briefing, you refer to interesting stuff about Australian government involvement and parental consent. You say:

Despite being a part of state policy, child migration schemes operated by charities were subject to very little regulation: it was not until 1982 that the government issued guidance on child migration covering voluntary organisations—some 15 years after the practice had ceased.

Which state government?

**Mr Ruffels**—New South Wales, I suppose.

**CHAIR**—Can you confirm whether it is only that state government or is it that one and others? This is in your briefing notes—it does not tell me which state government it refers to.

**Mr Ruffels**—I doubt that it is a very common thing. I would say it is New South Wales alone but I would be guessing.

**CHAIR**—We will take the guess today, Mr Ruffels, but if you could, with Mr Hoyles, confirm that for me, that would be very useful. We are so pressed for time. We thank you very much indeed for your submission and your contribution.

**Mr Hoyles**—Could I make one very quick last comment?

**CHAIR**—Yes, Mr Hoyles.

**Mr Hoyles**—As I have put in our submission, we do help people from other organisations from time to time. If there is anybody that is present today who has been looking for relatives or is looking for relatives or cannot find their records, if they would like to contact me I would be happy to try to help.

**CHAIR**—Thank you very much.

**Mr Ruffels**—May I just add a few words? People's files are their own property where they have no knowledge of their background. I think that an archive policy which says that they do not have access to the physical documents within the files—state or federal—is wrong.

**CHAIR**—We appreciate those sentiments, Mr Ruffels, but it may be that we will have to change the law to enact them.

**Mr Ruffels**—Wouldn't that be good?

**CHAIR**—But we are seeking further information about the status of archives. Thank you very much.

[11.48 a.m.]

**McKEOUGH, Sister Therese Daphne, Member, Joint Liaison Group on Child Migration**

**SHANAHAN, Brother Anthony John, Convenor, Joint Liaison Group on Child Migration**

**O'CONNOR, Mr Paul Toby J.X., Member, Joint Liaison Group on Child Migration**

**CHAIR**—Welcome. The committee prefers all evidence to be heard in public, but should you wish to give your evidence, part of your evidence or answers to specific questions in camera, you may ask to do so and the committee will give consideration to your request. The committee has before it your submission No. 54. Are there any alterations you wish to make to that submission?

**Mr O'Connor**—There are a couple of additions I want to make to it in the course of the opening statement, if I may.

**CHAIR**—Fine. I now invite you to make that opening statement and then field questions from the senators.

**Brother Shanahan**—We are here as a representative subgroup of the joint liaison group, which is a working group within the Catholic Church. Our liaison group is mandated by two peak bodies in the Catholic Church: the Bishops Committee for Migrants and Refugees—a committee of the Australian Catholic Bishops Conference—and the National Executive of the Australian Conference of Leaders of Religious Institutes. It is a bit of a mouthful, but it is the umbrella body for the leaders of all the Catholic religious orders. The membership of our group reflects the fact that Catholic Church involvement in child migration included various bishops' organisations, individual diocese, as well as individual religious orders. Some of us are from a religious order background; some are concerned with diocese and/or bishops' organisations. It is probably worth making the point at the outset that the Catholic Church is not monolithic in its organisational structure and operations. For example, most of the religious orders involved in the care of child migrants have a degree of autonomy in their normal operations with respect to the authority of the local bishop.

Historically, the impetus for child migration after World War II came from the Commonwealth government's drive to boost immigration. The Catholic hierarchy was encouraged and assisted by the Australian government in its planning for Catholic child migration. However, it was still up to individual bishops, and individual religious orders, as to whether their dioceses and institutions, respectively, would receive and care for child migrants. Catholic child migration represented 1,355 children out of an estimated 7,000 to 7,500 child migrants to Australia this century—in other words, about 20 per cent.

Looking more closely at the post World War II period, Catholic schemes brought 1,245 children out of an estimated 3,500 in all after the war—about 35 per cent. There were 16 institutions, nine dioceses and 10 religious orders in all involved in that. Hence, the need for a group like ours with a role of coordination and liaison. Our focus has been on identifying areas of need, making recommendations about further initiatives that may be needed to meet the

needs of former child migrants and assisting as appropriate in implementing those recommendations. We came into existence only two years ago—well after a lot of initiatives had already been set in train. One of the first things we did was survey the dioceses and religious orders involved to see what sorts of things had already been done. The information gathered in that survey provided part of the basis for our submission to this inquiry.

Given our focus on current needs and responses, we have not been in a position to undertake detailed research into the administrative workings of child migration, as it took place across 16 institutions, nine dioceses and the six states of Australia. From the archival research we have been able to do, I would have to say that it has been difficult to get a clear and complete picture of the administrative arrangements for Catholic child migration.

In this opening statement we wish to add to our submission in a couple of ways, and one is particularly important. In section 4 d) of our submission, reference is made to the role that formal acknowledgments and apologies have to play in the process of healing and reconciliation. Last year the Australian Catholic bishops made a general statement expressing regret for the church's failings, including its failings with respect to the pastoral care of migrants. I have a copy of that statement that came out last year if anyone wishes to examine that.

**CHAIR**—We appreciate that. Thank you very much.

**Brother Shanahan**—We wish to build on those previous statements with a public apology. I have copies of that for the members of the committee and I would like to read it, if that is permissible.

**CHAIR**—Go right ahead.

**Brother Shanahan**—This statement comes from the joint liaison group on behalf of the Australian Catholic Bishops' Committee for Migrants and Refugees and the National Executive of the Australian Conference of Leaders of Religious Institutes. It reads:

This statement refers to the Australian Catholic Church's involvement in child migration, which began in 1938 and concluded in the mid-1960s, and which saw more than 1,000 children from Britain and 310 children from Malta brought to Catholic institutions in this country.

The Australian Catholic Bishops' Committee for Migrants and Refugees and the Executive of the Australian Conference of Leaders of Religious Institutes apologise to all those men and women who suffered because of their experiences as child migrants in Catholic institutions.

While we recognise that there were good intentions in child migration, there were also other factors at work that often led to children's interests being subordinated to other considerations. For many men and women, the result has been a profound disruption and dislocation in their lives.

We are painfully aware that some children suffered physical, sexual and emotional abuse, and this is a source of deep shame and regret for us. We are sorry that some of those vulnerable children who should have found care and protection in our Catholic institutions suffered abuse.

At the same time, we affirm the many carers who served the children with integrity and generosity. There are many former child migrants who are today grateful for the care they received.

While acknowledging the shortcomings in the child care practices of those days, which were not then known, we recognise that many of these were a result of the social and economic conditions of the times.

In offering this public apology, we commit ourselves to continuing to assist the former child migrants who came to Catholic institutions.

**CHAIR**—Is this the first time that apology has ever been put on the public record?

**Brother Shanahan**—Yes. There have been other apologies from an individual diocese and from several religious orders but not an apology in regard to child migration from these peak bodies in the Catholic Church.

**CHAIR**—Thank you.

**Brother Shanahan**—As a liaison group, we do not believe it is our role to try to defend or excuse anyone. We do want to contribute to the effort to explain, as far as we can, and to understand what happened in child migration, and we particularly want to contribute to the urgent search for more adequate responses to the needs of former child migrants.

One other addition to our submission is a piece of information that was inadvertently omitted. There is reference in parts 4b) and 4c) to various initiatives and programs undertaken by Catholic Church organisations. In addition to those, two legal settlements, one involving the Christian Brothers and the other the Sisters of Mercy in Rockhampton, have meant that an estimated \$2 million or more has gone in some form of services or direct payments to former child migrants. It is a guesstimate, because both settlements involved children who were in care in those institutions and were not exclusively former child migrants.

I would like to comment briefly on a number of other matters that are touched on in our submission. The submission emphasises three central needs of former child migrants: assistance in family search, travel assistance and counselling. A lot of detailed attention is often given to the first two, and rightly so. We believe, though, that access to generic counselling services is not nearly as effective as access to counsellors with some degree of specialisation and experience in this field. I think of the experience in Western Australia, where the Department of Family and Children's Services' offer of access to generic counselling was not taken up by very many. Former child migrants emphasise that the only people who can really understand what they have gone through are other migrants. For this reason, it often takes time for a counsellor to build rapport and to establish credibility with a former child migrant client. An understanding of the particular issues that arises from the child migration experience is important.

One of our concerns has been how to share around the country the expertise that has been accumulated largely in Western Australia in the last 10 years. One of our initiatives was to circulate, last year, a brochure, *Is your client a Former Child Migrant who came to a Catholic Home in Australia*. Copies have been sent to Centacare agencies throughout the country, as well as to the offices of religious orders and dioceses, informing professional staff who may have dealings with former child migrants where they can talk to people who have accumulated some professional expertise in this area.

On a different note, we would like to support the comments in the submission made, perhaps amongst others, by the Fairbridge Association in Western Australia, about the importance of

recognising the positive contribution of former child migrants. Although it does not square with the view held by some people that child migration was always and everywhere a disaster, the fact is that many former child migrants have made happy and successful lives in Australia. Many of them find the popular stereotype of a child migrant—as someone who has been abused and has had a dysfunctional life—offensive and oppressive. It is to be hoped that the report of this inquiry will not reinforce that stereotype.

Accommodation needs of former child migrants have been referred to and were being talked about at the end of the previous hearing. I simply wish to inform the committee that the Christian Brothers in WA commissioned a needs survey in regard to former residents of their institutions in Western Australia. While this 1998 survey—and I have a copy of it there to be tabled—referred to men who were not exclusively child migrants, the majority of the men whose needs were being considered in the survey were former child migrants. I am happy to comment a bit further at some stage if people want to pursue what came of that needs survey

The joint liaison group support the rights of individuals to take whatever action they deem to be appropriate about any abusive experience they may have had while in the care of Catholic institutions. We would like to remind the committee that the Catholic Church in 1996 established a system for processing complaints of sexual and physical abuse by church personnel. This protocol has recently been revised, and there are a couple of copies for the committee. We believe that individuals should be able to make their own informed choice about whether they access this process or processes available to them through the law of the land, or even make direct approaches to the institutions which cared for them, as some have done.

A suggestion was made to at least some members of the committee prior to the commencement of public hearings that a roundtable meeting with representatives of receiving agencies and other organisations serving former child migrants would be helpful in achieving the purposes of this inquiry. As far as we are aware, this has not happened. We simply want to record here our support for the potential value of such a meeting as a way of identifying more accurately what realistic and practical steps need to be taken in the interests of former child migrants. We note that the distinction between guardianship and custodianship has come up in some hearings. I am given to understand that there is some uncertainty about this distinction in Australian law. While clarifying the distinction has some importance, what seems more important to us is acknowledging the fundamental fact in child migration of the responsibility shared by the British and Australian governments, state governments and receiving agencies such as the ones in the Catholic Church.

It is a fundamental thrust of our submission that this shared responsibility implies a shared responsibility for attending to the negative consequences of child migration. Our statement of apology today reflects this group's recognition that Catholic agencies have been a part of the failings of child migration schemes and a part of the harm done to individuals by these schemes. We recognise that apologies alone are not sufficient and believe that the efforts being made to assist the men and women who are part of Catholic child migration indicate that there has for some years now been a willingness to try to translate words of apology into action. The current focus of our group's work is a proposal for a new way of doing the family tracing in Britain. There is a service the Catholic Church has offered inquirers in Britain for some years. We are looking to significantly upgrade that and are currently working to secure funding for that both here in Australia and in Britain, and we have made some headway on that here in Australia.

**Senator MURRAY**—Before I commence my questioning, the three of you should understand that none of the things I am going to put to you contains any inference to the three people before me. So it is not personal. I am not familiar with everything about the Catholic Church and its organisations. Where does Brother Garvey fit in the entire organisation?

**Brother Shanahan**—Brother Garvey was the provincial superior of what at that time was called the Christian Brothers Southern Province, headquartered in Melbourne. He would have had responsibility for Victoria, Tasmania, South Australia and Western Australia through the late 1950s and into the 1960s, I think.

**Senator MURRAY**—Is he still a serving brother?

**Brother Shanahan**—He is dead.

**Senator MURRAY**—What do CMF and undersecretary as a rank in the Vatican mean?

**Brother Shanahan**—CMF?

**Senator MURRAY**—Yes, it is a designation which follows a name.

**Brother Shanahan**—Sometimes a three-letter acronym after a name might be the abbreviation of a religious order, and I honestly do not know what that one is.

**Senator MURRAY**—What does undersecretary mean? Is it a rank in the hierarchy?

**Mr O'Connor**—It would be an administrative position within one of the congregations within what is known as the Roman Curia.

**Senator MURRAY**—Is it a senior position?

**Mr O'Connor**—I would assume that all positions in the Roman Curia are fairly senior, compared with us humble people in Australia.

**Senator MURRAY**—So would I. I want to summarise for you the accusations which have been made—not just in this inquiry; as you know, there have been books and other things published about the child migrant experience—and that this committee has heard. I want to summarise them, particularly in relation to the Christian Brothers and the Sisters of Mercy, but not exclusively concerning them.

The accusations are as follows: those two orders engaged in systemic criminal assault which included systemic floggings with a variety of weapons and brutal and dangerous behaviour towards children which were offences against the law at the time; widespread sexual assault including rape; widespread conspiracy between individuals and organisations within the Catholic Church to conceal crimes and to persuade police, medical staff and other authorities to be accomplices to the concealment; denial of education and the rights of children; brutal and inhumane working conditions including slave labour; theft of possessions and wages; cruelty and emotional deprivation on a grand scale; aggravated breach of contract with governments



who entrusted children to their care; lies and deceit to children and to children as adults and to families, including forging and uttering; and a hypocritical and continuing use of legal stratagems to avoid the moral responsibilities arising out of those times. You have dealt with that, to some extent, with your apology and, to some extent, with your submission. Do you accept those accusations as being an accurate reflection of the evidence of many people?

**Brother Shanahan**—I accept that those accusations have been made by people. I do not accept them in the sense of pleading guilty as charged.

**Senator MURRAY**—Obviously, again, that is a personal thing. I will read you something from your submission, which strikes me as the Catholic Church still in denial. This is in *Hansard* at pages 11 and 19 and it reads:

While institutional child care has fallen into disfavour, it was widespread even a normative style of child care in those times. With limited government funding, lack of specialist training for staff and a scarcity of resources in many cases, the style of care was often spartan. We are also talking about a period when a certain level of corporal punishment was generally accepted as part of bringing up children. This of course does not condone excesses in this area, if any such excesses occurred, but it does mean that what we would now judge to be excessive may not have been seen that way at the time.

I will repeat to you: does the Catholic Church accept that the actions of these individuals—nuns—who were in these institutions, and men who were in the Christian Brothers organisation, were against the law at that time? They were not normative at all—they were not excesses; they were not discipline; they were not punishment. They were assaults of the most extraordinary and abusive kind.

**Brother Shanahan**—With respect, Senator, the words you are reading out about the style of institutional care were not meant to excuse or condone the excesses that certainly did occur. Speaking from my knowledge of the Western Australian scene, at least from the Christian Brothers institutions, we acknowledged in a public apology in 1993 that sexual and physical assault had occurred. Yes, they were criminal assaults.

**Senator MURRAY**—What do you say to what is the worst of all, and that is that good sisters and good brothers conspired to conceal these crimes, and still do?

**Brother Shanahan**—I honestly do not know what the evidence for that is.

**Senator MURRAY**—The evidence is that, without exception virtually—there are some exceptions, as is clearly outlined by Brother Coldrey's work, but nearly without exception—people who were of this kind were simply transferred often to other institutions managing children. That is concealing a crime. If somebody has beaten somebody, or somebody has raped somebody, you have an obligation to take that person to the police.

**Brother Shanahan**—You are correct in that there was a policy—in the way that sexual abuse of children was treated—of seeing it as a moral failing which could be dealt with by censure, by warnings and by transfer. Very clearly, that is something that we could not accept now. That was the way it was dealt with, and I think we have conceded that publicly before.

**Senator MURRAY**—Do you concede that these were works of great evil?

**Brother Shanahan**—I am sorry, Senator, but I have one further point. I am not aware that superiors who were transferring someone would have been aware, for example, that someone had raped a boy.

**Senator MURRAY**—We have had evidence to the contrary, but I will accept that you may not know that.

**Senator KNOWLES**—Senator Murray, may I intercede there and also highlight one point, which I do not know whether you commented on. In relation to that, in the submission on page 11 of 19, it says:

It seems that these abuses did not come to the notice of supervising authorities, be they congregational, diocesan, federal or state.

That is not according to the evidence that we have been given. In answer to Senator Murray's questions, I would like you to address your comments in that regard as well.

**Senator MURRAY**—Thank you, Senator Knowles. I will give you a set of names that are on the public record. There are actually more than this, but I will give these to you: Brothers Carmody, Murphy, Boulter, Marques, Angus, Hansen, Dawe, Thyer, Jordan, Cooke, Dick, Smith, Beeden, O'Neill, Campbell and Fricker. We are advised by a very good authority that those were brothers who abused boys sexually in the WA orphanages. We have also picked up other names. That is 16 names. Our information is that some 275 Christian Brothers served in the Western Australian orphanages during their existence. Added to the other names, you are probably looking at about seven per cent of the Christian Brothers organisation. On the public record, we have been given evidence that there is a reputable researcher in this field who, as I understand it, is a Catholic monk—Richard Sipe—who indicates that whilst 93 per cent of the Catholic clergy are not paedophiles, seven per cent are. I ask you these questions: has this disease amongst the minority of Catholic clergy been addressed properly by the church? Is it the case that we are unlikely to ever see the church concealing or moving or turning a blind eye to practitioners who abuse vulnerable children?

**Brother Shanahan**—I do not think it is our place to give our personal opinions about what 'the church' in general is doing. I would like to make the distinction—without too much quibbling between clergy, for example—that I am a Christian Brother, not a clergyman.

**Senator MURRAY**—I use it in the broad sense of the religious terms.

**Brother Shanahan**—I think the distinction is significant in the sense that I can speak for religious orders. For my own religious order and the other religious orders that I am aware of, this whole issue has been one that we have taken with great seriousness and have grappled with over the last 10, 12 or 15 years. We have run education programs for our men—various things have been done. Initially, it was a disturbing and shocking issue in the way that it confronted us. It is something that we worked through in a variety of ways and, in some ways, are still working through. I feel that I can answer with some confidence that we have tried to tackle and face the issue. I cannot answer for 'the church' in that, as I pointed out before, individual bishops in their own diocese run things in their way. I cannot generalise across the Australian dioceses; I simply do not know what has been done in general. Certainly from the mid-1990s, the Catholic

Church—that is, bishops and heads of religious orders together—brought down a package of measures in regard to the whole sexual abuse crisis, which it was and still is, in the church. This included the protocol to which I referred before. It included a code of ethics for people in ministry called ‘Integrity in ministry’. It included various forms of research. There are a number of other measures, but I do not have them all here at my fingertips.

The church, through its representative bodies Australia wide and the leaders of religious institutes, has tried to respond to this whole thing with vigour and with honesty. But, at the end of the day, it comes back to the individual religious order and the individual diocese as to how they pick this up and run with it in terms of; for example, how they screen people coming into their seminaries for training in the priesthood, the way in which people are helped to come to some sort of psycho-sexual maturity and so on. Those programs differ from one diocese or one institute to another.

**Mr O’Connor**—Perhaps if I could inform you that I have been involved in doing some research in the sexual abuse area involving the church. I am aware that Richard Sipe has made accusations. He was a priest who has since left. In the academic literature there are varying statistics available around the percentage, and I am happy to give you all that data and the chapters that have been written on it.

In terms of the church’s position on sexual abuse, there is another national committee that works under the bishops, known as the Bishops Committee for Professional Standards. I would be very confident that they could give you a guarantee that, to the best of their knowledge, this will not occur again. They are very serious about the protocol that has come out, and that includes procedures and advice to people who want to make a complaint—not particularly going to the church in the first order but going to the civil authorities. We have been quite strong in providing guidance to the people writing that document that that should be the case.

**Senator MURRAY**—The really encouraging part of Richard Sipe’s research is that 93 per cent of the clergy, or religious people, are not paedophiles or have not been involved in sexual abuse. What committees like ourselves have to be concerned with in relation to institutions like yours, which continue to have the care of children and interaction with children as part of your mission, is that the organisation will never again allow such crimes to be concealed, because they were concealed. That is the evidence before us, both from your side, through Brother Coldrey’s research, and from the child migrant side. That is the issue, and that is what you have to address. I must say that I still do not get that tone sufficiently. I am pleased, in fact, to have Mr O’Connor’s statement, because I do not get that tone sufficiently in either your apology or your submission. Let me make it clear that my remarks do not reflect upon the individuals at the table.

**Brother Shanahan**—Could I make one further comment on that, Senator. Hovering around the edge of some of what you were saying there, in terms of Richard Sipe’s research, is the question of to what extent celibacy is tied up with the incidence of sexual abuse. That is a question that people have grappled with and still debate. I think there is a fair bit of evidence that suggests that, at the end of the day, the number of sexual abusers amongst celibate people like clergy may not be much different from the general population. The underlying factor is more whether the person is mature and an adequate integrated functioning person, be they celibate or married. An immature, dysfunctional married person may well abuse children also.

An immature, dysfunctional, unintegrated celibate may abuse people as an expression of the dysfunctionality and inadequacy within them as a person. I think that is the underlying issue.

**Senator MURRAY**—But you do accept that the ordinary person in the general community does not have the trust given to them that people within your church do? It is the violation of trust which has so offended the witnesses before us. They wanted to believe in God and decency and love and charity—the decent things that the church stands for. Instead, they experienced a culture of evil, a culture of deceit, lies, cruelty, inhumanity, a lack of love, a lack of charity, beatings, assault, of the most extraordinary kind that you associate with war camps and situations where humanity is at its worst—and as a religious organisation. It has just been appalling for this committee to have that sense of betrayal expressed to us, and it still exists, because they still do not trust your church to be doing the right thing. My question is, do you accept that, at the time, these were not isolated instances in the institutions concerned, they were a culture and, secondly, that there was a culture of top to bottom obedience in the church, and concealment, which has to be broken down to avoid these things happening again?

**Sister McKeough**—Can I comment on the question about whether there is anything in place to see that it does not happen again? This document that we have tabled, *Towards Healing*, is a protocol about that. If there are claims of abuse against anybody now that are brought forward, either through the police or directly to the order, there is a protocol that requires a person to be stood down while that is heard. There are various systems about reporting of these incidents that are mandatory on the leaders of institutions. I think this process, which was instituted in the mid-1990s and was reviewed only last year by Professor Parkinson from Sydney University, includes sexual and now physical and emotional abuse as issues of concern. I think that is an attempt to deal with questions such as, ‘What about for now?’ and, ‘Are the church groups taking seriously their responsibility to see that these issues are addressed in a way that takes the issues of the victim seriously and does not attempt to be defensive?’ I would table that as evidence that things have been put in place over the last six years or so to attempt to address those concerns.

**Brother Shanahan**—May I make a response to Senator Murray’s last question about a culture of evil? One of the difficulties with a phrase as broad as ‘a culture of evil’ is that it sounds like we are talking about all institutions at all times. Somewhere in the submission we have made the comment that different institutions have been through different phases. Reference to a particular sort of culture might be appropriate to a particular institution or at a particular period. Speaking for the institutions whose history I know best—our own—I would accept that there was certainly a culture of severity with regard to corporal punishment. That was a part of our way of working in the past and that has become a matter of great regret to many of us.

However, with regard to the overall picture, when I hear what some former child migrants tell me about the care they received, and when I read what is on the public record in terms of inspection reports, the difficulty I have had over the last 10 years is putting all this together. I have also read some of the allegations—perhaps not all—made by former child migrants, particularly about sexual and physical abuse and some of them are quite horrendous, shocking and disgusting and I have had to grapple with, ‘How is that true?’ How about what these other residents tell me who say they knew nothing of it, they were not abused, they were well cared for and so on? How about what the inspectors say is true, that they went there and found the

boys happy and cheerful and working away and so on and so forth? I am simply telling you what is on some of those inspection reports. How does it all fit together?

**Interjector**—Talk about Pontius Pilate!

**CHAIR**—I appreciate that there is a lot of powerful sentiment and feeling in this room, but I would prefer, if we could, not to have accusations like that into the air. If you wish to see people later, by all means. We understand the pain, but I do not know that we are helped with that at this time. Could people please think on those comments.

**Senator GIBBS**—We have heard a lot of evidence of children coming to Australia and being put into institutions everywhere, but in Western Australia it was particularly upsetting. They worked as slaves, were very poorly educated and actually built the buildings that were there. Education has been a problem in all of the states that we have been to. People were coming out of these Catholic institutions and others illiterate—they virtually cannot read or write—and apparently the schools were on the premises. In your submission you said that there was limited education because the focus was more on practical skills. If that is the case, could you tell the committee how many of the migrants were actually put out to apprenticeships?

**Brother Shanahan**—I cannot give you a statistic here, but I think the records would indicate where they went to their first working placement, either as a farm labourer, in an apprenticeship or whatever it was. You would need to go through and top those figures up, but I think the files do indicate where someone's first employment was—they were working with this timber firm, that building company, this farmer or whatever.

**Senator GIBBS**—That is hardly a traineeship. It is hardly skilled labour to go and work on a farm. That is just a labouring job.

**Brother Shanahan**—It is, but I think it is the case that all through the 1920s, 1930s, 1940s and 1950s, perhaps, many of the children from child care institutions—at least in Western Australia and across the board, not just Catholic ones—found employment as farm labourers. I suppose that was perhaps more the boys than the girls.

**Sister McKeough**—They were cheap labour.

**Brother Shanahan**—There was a very high strong demand for farm labour at that time. It was particularly the case after the war, I am told. In the context of the time, it is true that many of the children coming from child care institutions were seen as headed for that sort of employment. That was not the exclusive focus, at least of the institutions in the west. There was a sort of streaming system, in effect, between the four institutions that we had. The boys who were seen as more academically inclined usually went to Tardun and to some extent Clontarf. Those who went through to what was called the junior certificate at what would be year 10 level now, and who showed aptitude, then went on to matriculate at other schools. There was not an exclusive focus on unskilled labour. The ones who were least academically able or inclined, or however anyone wants to say that—the terminology in the files at the time is pretty harsh—went to Bindoon. So its focus was more on basic skills and labouring.

**Senator GIBBS**—That is fine, but it is contrary to a lot of evidence that we have heard. I know that children who obviously were terribly bright were singled out and given further education. But a lot of the witnesses that we have heard were simply not given any education at all because there was too much to do around the place. They were put out into the dairy. The girls were made to do other physical work. How did they actually assess the children's academic ability? Some of the witnesses have actually received their files which have stated that they were backward or mentally retarded, which is extremely painful to find out years later. They have actually sat in front of us, and they are certainly not backward or mentally retarded; in fact they are quite intelligent people who simply have not been given a chance educationally.

**Brother Shanahan**—I know it is the case that many of the children who came in the first lot after the war in 1947 had had very disruptive educational histories in England. When they arrived here they did not have the primary education that people at this end were expecting they would have, particularly the lads who went to Bindoon. At Bindoon they were expecting to have kids who had finished primary education by the age of 14 and who would get on to acquiring skills and then move off into the work force. Instead, they found children who did not have that sort of foundation. They were not immediately geared for it and had to try to change gear in terms of getting some sort of classroom instruction and classes going, so that was part of it.

I think there is a letter from Father Stinson from the Catholic Episcopal Migration and Welfare Association to one of the state departments defending the fact that some of the boys had been taken out of class and were working on the buildings, because the teachers had come to the conclusion they had gone as far as they were going to go in the classroom and that this was in their best interests. Whether that was a correct judgment or not, that was the way it was seen.

Another factor is that, particularly for Brother Keaney at Bindoon, it was not a case of education or building, the building was the education—the learning to work, the learning to work hard to acquire those sorts of habits and skills and so on. He had, from well before the post-war child migration, what I think was regarded as a positive track record in innovating with apprenticeships and trade things with some buildings at Clontarf, which is also in Perth. I can show you some newspaper cuttings about that.

So giving people some employable skills by doing was part of the regime—whether or not you would agree with that or justify it now. It was well known to the authorities. I know there is on record something about a building grant that was coming for a new building at Bindoon. The labour component of the government grant was halved because it was recognised that the children, the students there, were working on the building and so they would not need to be funded as if they were employing adult tradesmen on the building. So that was built into the funding arrangement with the governments.

**CHAIR**—Could you get a copy of that for us, Brother? That would be extremely useful.

**Brother Shanahan**—Yes.

**Senator GIBBS**—To follow up on that, I want to come to unpaid work—and this is after their education—particularly with girls. From all the evidence that we have had and from the various books that we have read on this matter, and we all had these before we started this

inquiry, these kids were slaves. These kids basically built the places. They were uneducated, they were simply taken out of school, they had to work as soon as they got up in the morning for hours before they went to school, they went to school, then they were worked and then they went to bed—and of course, this is in between all the abuse, the floggings and everything else. How does the church feel about some sort of payment for the work they did? They actually built these places up. They put the buildings there. It was the children who did it. I would say that these properties are extremely valuable by today's standards.

**Brother Shanahan**—Senator, in regard to building buildings, we are talking about one institution.

**Senator GIBBS**—Maybe we are talking about one institution—

**Brother Shanahan**—Yes we are, we are talking about one institution.

**Senator GIBBS**—But they were worked at every institution.

**Brother Shanahan**—The work around the property, the work around the institution, was a normal part of institutional life and would have been seen—I think—as the equivalent of children doing chores around the home. It was part of earning their keep.

**Senator GIBBS**—When you have got little boys, of 10, 11 and young teenagers, building, doing tradesmen's work and cutting trees—

**Brother Shanahan**—I am sorry, Senator. I am not talking about the building. I am saying that chores, farm chores and other sorts of jobs around the place would have been seen in that light.

**Senator GIBBS**—I don't think so. I was brought up in a large family that had the work ethic, and we had chores but nothing like that. That is outrageous. All right, let's move on. A lot of the children were actually told, when they were placed on farms or wherever they were going, that a certain amount of money was to be put in trust for them, and a lot of them never received it. Have you had inquiries from people about this?

**Brother Shanahan**—Yes.

**Senator GIBBS**—I am talking about boys, but I am also talking about the girls who were placed in the laundries—in Bulimba in Brisbane, in Mitchelton, and there were others—where the witnesses themselves have actually said, 'Where we worked like slaves to wash the linen and all the sheets and do the laundry for the posh hotels for absolutely nothing.'

**Brother Shanahan**—In regard to working in laundries, none of us can speak about all of the individual institutions because we simply do not know how each of those was run and conducted, but I am not aware of any of the institutions that we are talking about here running laundries. That may have happened in Queensland, I do not know. You mentioned Mitchelton. I do not know where Mitchelton is.

**Senator GIBBS**—It is a suburb of Brisbane.

**Brother Shanahan**—I do not think there were any child migrants there, not in the Catholic scheme, anyway. The only Catholic child migrants who went to Queensland were in Rockhampton.

**CHAIR**—What I think happened was that many of the girls, or the boys, in their first placement, which happened sometimes when they were as young as 13 or 14, probably 15, were actually placed in these workplaces, almost under the protection of the child migrant institution. They were not paid any wages, and that is the question we would like to address. Has your organisation got—

**Senator GIBBS**—Before you answer, these places were actually run by the Sisters of Mercy.

**Sister McKeough**—Not at Mitchelton.

**Senator GIBBS**—Yes.

**Sister McKeough**—No, we have a record here. I can table the record of the organisations that had child care in Australia, and, if it was a Sisters of Mercy organisation, it was not at Mitchelton.

**Senator GIBBS**—It was some Sisters; we know that—Sisters of Nazareth, Sisters of Mercy, but it was certainly run by nuns.

**Senator KNOWLES**—Evidence was given in South Australia on Friday, I think, that the Sisters of Mercy in Adelaide had some of the young girls working in the laundry.

**CHAIR**—We do need to be accurate. I think the point that we are concerned about as a general piece of evidence is that any number of young girls and any number of young boys went out to work under the umbrella of the institution—they often went out and came back at night—and they understood they were having wages set aside for them. Where did any of that money go? That is the major question to focus on here.

**Brother Shanahan**—I can only comment on the Western Australia scene, which I have looked into, or tried to look into. I do not know what sort of arrangements prevailed in other states. My understanding is that these trust accounts were held by the child welfare department. In other words, the arrangements were interlocking. I think they were arranged in different ways at different times, but they involved the individual institution. In Western Australia they would have involved the Catholic Episcopal Migration and Welfare Association, CEMWA, which was the incorporated body which accepted custody of the children from their legal guardian, and the child welfare department. My understanding is that that money was supposed to be in accounts which were to be given to the children when they turned 21, at an exit interview with the child welfare department.

I think you have probably been over some of this ground with the people in Western Australia. The child welfare records are very patchy indeed. A whole lot of records were destroyed back in the 1950s. Our own records are uneven—there are some there—so exactly



how the thing was administered, where money went, why kids were not caught up with when they turned 21 to receive this money when they came of age, I do not have any clear cut answers to that.

**Senator TCHEN**—In your introduction, you said you and your colleagues are three individuals representing the Joint Liaison Group on Child Migration. I am also conscious of something that Mr Bill Hoyles of the Barnados Foundation said to the committee earlier; that is, that we should be careful today not to visit the sins of the fathers upon the sons. Given that, earlier Senator Murray said to Mr Hoyles that he was very encouraged by the Barnado's submission; that is, that it has no trace of denials in it. I regret to say that having heard your submission—I have also I read it—the same cannot be said of your submission. I think one of your emphases was that the responsibility for the child migrants in Australia was a shared one. Can I ask you whether, underlying that assumption, shared responsibilities means diminished responsibilities?

**Mr O'Connor**—Senator, if I could answer on both counts. We have apologised. We are sincere in our apology. We are three people who have tried to coordinate a response from the church. That is the Catholic Church in Australia. We are trying to deal with a large number of orders and dioceses, and we have written I think what we believe, and I am regretful that we did not write the words correctly to indicate just how sorry we are that this has occurred. I think we need to say that straight off. We are not trying to use a form of words that indicate that we are less regretful that maybe people think we ought to be, number one.

The second issue is the question about diminished responsibility, and I think we need to understand that the Catholic Church of the time does what the Catholic Church of today does; it seeks to work in partnership with the government. The government had a policy of child migration for a whole range of reasons, and the church said to the government, the Commonwealth government, that it wanted to assist. In that respect, it is a shared responsibility. Where there has been abuse in institutions run by an order or a diocese of the Catholic Church, we would encourage people to bring those allegations before the police and to make various people within the church structures accountable for previous actions.

**Senator TCHEN**—Thank you for making that clear although, again, reading through your written submission, it seemed to me that you implied that the Catholic Church has done certain things and the governments have not done anything, and therefore it has not met all the needs of the child migrants. Would government actions, whatever they may be—I will come back to that later—reduce the need for actions from other agencies or institutions involved?

**Brother Shanahan** —Certainly not from the agencies we are talking about. We want the governments to get in and work along with what is already happening. We are not looking for the government to come in so we can scale down our involvement, if that is what you mean. That is not our intention.

**Senator TCHEN**—What you are saying basically is, should the Commonwealth government or one of the state governments say, 'Right; we will take full responsibility, everything,' it means that the Catholic Church, as far as you were concerned, would still have responsibilities.

**Brother Shanahan** —I do not think we are asking the government, any government, to take full responsibility. I think we are asking for all people who were players in this to put their hands up and say, ‘Yes, we are part of this and we need to get together and see what needs to be done—what more needs to be done.’

**Senator TCHEN**—In that case can I come back to this point, what action do you think the governments should undertake?

**Brother Shanahan** —There are a number of recommendations in the submission, and I think most of them are contained there. The area of travel assistance, as I understand it, is one that is pretty important. In other words, it is one thing to trace family members, but it is another thing to have the means to be able to go and meet members of family. That is of enormous emotional and personal significance to many former child migrants. The British government has made funds available for travel assistance, but I understand the criteria have been criticised for being restrictive. I would like to see the Australian government put up at least an equal sum of money as travel assistance.

I think the governments, federal and state, have the potential to get people together—and I do not think this needs to cost a lot of money—and to get better coordination and get better cooperation amongst the different agencies in the field so that the available resources are used to good effect. I think the government can do that because of its moral standing in the community. If there is funding involved, there might also be the carrot of funds available. I think the government does have a role in that, because as I understand it there have been great improvements in relations between the various agencies seeking to assist former child migrants, but there is still some way to go. Some sort of government facilitation and catalysing of things in this area would be valuable.

**Mr O’Connor**—Could I make a further comment? I was here for the previous presentation. There was a comment made about the initiatives instituted by the Western Australian government. I would have to agree that, in terms of the Aboriginal and Torres Strait Islander children who were separated from their families, the Western Australian government’s department of child welfare was the most progressive in responding to the needs of that group. In my role within the church, I tried to coordinate with the various state departments across Australia. The only one that was doing anything significant was Western Australia, but it had the problem that none of the other states could be drawn together to work. We ended up publishing our own directory and giving that to the states. There is a complete lack of coordination across the states to help make the life, the work and the task of finding families for the former child migrants as easy as possible.

**CHAIR**—Just for the record, what is your work? I have read it in here, so please tell us. You work with Centacare?

**Mr O’Connor**—I work for the Australian Catholic Social Welfare Commission and for Centacare Australia, the national peak body of the church’s social welfare agencies.

**CHAIR**—I thought it was useful to have that on the record.

**Senator TCHEN**—I am enormously encouraged, Brother Shanahan, by your implicit statement that the government may have higher moral standing in the community than the church. Should governments come on board in making funds available, does that in any way reduce the need for the Catholic Church to make contributions?

**Brother Shanahan**—I have already answered that as best I can, and I think the answer is no. There are some things that we are able to do. There is a variety of needs with regard to things like family tracing, travel to meet family, the counselling that goes with that and so on. I do not think it is up to any one of the major players in child migration to do all of that. That is where I think the cooperation has got to be. We were all part of the child migration scheme and the care or lack of care for the children who came. Therefore we have got to share the task of attending to the negative consequences.

**Senator KNOWLES**—Could I please clarify something in terms of the travel. You suggest that the government should foot the bill for travel. C-BERSS, for example, foots the bill for travel for some of the former Christian Brothers boys. If your recommendation is adopted, does that not allow the church to abrogate its responsibility, as they have already seen fit to honour, in exchange for the government doing it?

**Brother Shanahan**—That is where the need to get everyone around a table, sit down and talk about the coordination comes in. C-BERSS is making funds available, so the men who went through our institutions in Western Australia have been catered for. Some of the people who went through the institutions of other religious orders have been catered for with travel assistance. I am not sure that everyone has. We have been able to do that even though we have said all along that we, Christian Brothers, did not arrange child migration. By all means have a go at us for what happened when the children were here, but we were not the ones who organised and brought them out.

Governments and other peak bodies ought to be doing that, but no-one was doing it, and we realised the importance of it through the child migrants themselves telling us that. We have made those funds available, if you like, on an ex gratia basis, not because we believe it is our responsibility to provide travel assistance. We certainly want to help, and we want to go on helping with that. What I am saying is: there may be gaps in what is happening at the moment.

**Senator KNOWLES**—You want to go on helping?

**Brother Shanahan**—Yes, we do.

**Senator KNOWLES**—That is what I am trying to flesh out. You are definitely wanting to go on helping, regardless of what additional assistance the government may or may not provide?

**Brother Shanahan**—At the moment the policy at C-BERSS, if I have got it correctly, is that they will fund a trip for a person. For example, if there is a reason for a person to make a repeat trip, that is normally outside their guidelines. There may be good reasons for considering more than one trip. A person may travel and, a few years later, something turns up and they find some family or relatives they did not know existed before. There may be some good reasons. That is why I think you need to get people together, talk about where the gaps are in the services at the

moment, formulate some reasonable guidelines and then use the resources that are available to best effect.

**Senator TCHEN**—The statement you read out earlier, Brother Shanahan, you said was your joint liaison group statement on behalf of the Australian Catholic Bishops Conference—the Bishops Committee for Migrants and Refugees. Did you make the statement with the authority of the church?

**Brother Shanahan**—This takes me back to what I was saying in my opening remarks about who is in power to speak for all of the Catholic Church. Are we talking about the hierarchy or are we talking about the people who turn up in the pews on Sundays? Clearly, we cannot claim to speak for every single person because we have not asked all of them about it. We are mandated by those two peak groups—that is, the peak body for the leaders of religious orders and the bishops committee that looks after the areas of migration and refugees. The apology was authorised by them and it is going out in their name. So it these representative bodies from the Catholic Church who are concerned with child migration who made this apology.

**Mr O'Connor**—As a bureaucrat myself, if we were looking for a statement to be issued by the Catholic bishops of the Catholic Church in Australia, the Catholic bishops, meeting in conference, are a little bit like Senate committees. They would consider an apology, the wording and redraft it, and it might take 18 months to two years to get out. We did not have that time, so we went to the delegated bishops committee that oversees this area of their pastoral work.

**Senator TCHEN**—The problem I have with this statement is that this committee's inquiry into the treatment of the children is not a migration or refugee problem. It is a child care problem.

**Brother Shanahan**—In so far as that is the case, it relates to the religious orders who ran the institutions or cared for the children in the institutions. They are part of this through the Australian Conference of Leaders of Religious Institutes. In so far as the children's legal guardian was a state government official, they were put into the custody of particular institutions, and that usually went through some church authority. So diocesan authorities—bishops' authorities, in other words—are part of that also; hence it comes from a bishops committee as well.

**Mr O'Connor**—I should also make it clear that the name of this bishops committee has changed. If you trace the names back, it was the Federal Catholic Immigration Office or secretariat, which was directly involved in the child migration. This is the 2000 version of the name.

**Senator TCHEN**—Mr O'Connor, you will have to forgive my bureaucratic mind as well, because it seems to me that it allows all sorts of ways to shift responsibilities.

**Mr O'Connor**—It certainly was not drafted or drawn up by ourselves with any of that intention in our minds. This is the best we can do. If people want an apology from the bishops, then perhaps by 2003-04, they might issue something that will pretty well say exactly the same if it were said.

**Senator TCHEN**—I am not sure whether you have the power to progress that, Mr O'Connor, and perhaps Brother Shanahan. Even if it only comes in 2003-04, it will be helpful, if it is in progress now.

**Senator KNOWLES**—Thank you. I would like to have clarification. On page 10 of 19, last paragraph, you say:

All of these institutions were subject to regular inspection by government authorities and these reports are on the public record.

Whereabouts are they on the public record? I am not being facetious, because I think you can understand that we have had evidence that these institutions were inspected, and what you said earlier and unfortunately got jeered for is, I think, correct. The reports went in and said everyone is warm and cosy and cuddly and happy and living the life of Riley.

**Brother Shanahan**—Not always, Senator. Some of the inspection reports raised concerns about the facilities or this or that aspect of policy and practices. So I do not mean to suggest that all the inspection reports were rosy, but they certainly were not suggesting that there was large scale brutality, and so on, the sort of things that some people suggest. That is my point.

**Senator KNOWLES**—Exactly. So when you say that they are on the public record, do you know where?

**Brother Shanahan**—In Western Australia there are several places where you can find out where all the files are listed. When you were in Perth, I think you were given a copy of the booklet with the personal history index by our archivist, Mrs Mathers. I am pretty sure at the back of that there is a listing of files from the public records office in Western Australia.

Brother Coldrey, whom I think spoke with you in Melbourne last week, produced a researcher's guide to the National Australia Archives called *Good British Stock*, and I presume that is the files at the National Archives level. So there is the National Archives and the Western Australian situation. I cannot be specific about the other states; we would need to go and make further inquiries about that.

**CHAIR**—I am sorry; we have a request for the ABC to come in. If there is no objection by the committee, it is so ordered. Senator Knowles, please continue.

**Senator KNOWLES**—There seemed to be holes in the availability of that information because the information is suggesting, basically, that, as I say, most of the reports did not clearly demonstrate that there was a problem. Therefore, people were able to get away with mistreatment and abuse.

**Brother Shanahan**—Certainly the inspections and the reports were not detecting the sort of abuse we have since heard about—yes that is certainly the case. But I would make the point though that, for example, in 1952 there was a review committee formed in Western Australia which interviewed individually every boy 14 and over at Bindoon. As far as I know, they were focusing on how the kid was and his sort of future prospects for work and studies and so on. I presume they were not asking the sort of questions we might ask now with the benefit of

hindsight about mistreatment and so on. But, for example, nothing that came from that review committee brought to light or evoked from the boys they interviewed any of the sorts of complaints we have had since.

**Senator KNOWLES**—But equally, that would be a fairly brave boy to be able to put his hand up at 14 and—

**Brother Shanahan**—I agree.

**Senator KNOWLES**—say ‘I am being abused’, because of the consequences that he would suffer. And that is why I come back to the point where I interjected in Senator Murray’s line of questioning. It seems strange to me that, in your submission, you actually state that it seems that these abuses did not come to the notice of supervising authorities, be they congregational, diocesan, federal or state. That is not in accordance with the evidence we have received whereby certain students or child migrants informed the hierarchy of the levels of abuse that were being meted out to them. The instance that comes to mind at the moment involved the Sisters of Mercy in Adelaide. Eventually, it resulted in a particular sister being shifted out of that type of responsibility. So I am just puzzled by your claim there that it did not come to the notice.

**Brother Shanahan**—In the light of what you pointed out to me, Senator, that sentence would have to be qualified now—and I apologise if that has been misleading—with words like ‘in general these abuses did not come’. I think there were some exceptions. I am aware of a couple of allegations by a boy who made a complaint to the Brother running the home. He was not believed and may have been punished for saying something vile about Brother X or Brother Y. I am aware of some allegations that that sort of thing happened. But it did not seem to get past that level is what I am saying, for the most part.

**Senator KNOWLES**—There was probably a veil of secrecy that was protecting—

**Brother Shanahan**—I think there was a mentality of denial, too, among some of the people running the place, that this sort of thing could possibly happen.

**CHAIR**—I might just interpolate here to remind Senator Knowles or to say that other evidence that we have had was that boys, for example, who ran away were picked up by the police and told the police why they had run away, that they had been abused and they had been beaten. So what did the police do with that information? Anyhow, sorry, Senator Knowles.

**Senator KNOWLES**—One can only presume that that, once again, was probably influenced by police thinking it was possible in those days. We can only guess. But I suppose the difficulty is in putting that in today’s context, with the new protocols that have now been established. You say that the reporting process and the identification process of any abuser from here on in will allow more ready identification. We are still dealing with young children, and those young children would still be frightened, in my humble opinion, to come forward and say, ‘I am being abused.’ I am not putting that in the context of purely the Catholic Church, because I think that applies whether it is incest in the home or anywhere. They are frightened that they will not be listened to and they are frightened that they will not be believed. How does the church cope with that type of contingency, bearing in mind that it is not just synonymous with the church?

**Sister McKeough**—There are now procedures in law whereby people who have children in care have to report any suspicion of any problems in this field that may be arising. Those are mandated through police law in New South Wales, I know, and that practice is extending in the Catholic Church under this directory. The provision of requirement for people in schools and in welfare institutions to have mandatory reporting is on the books, so I think those legal requirements for people to take seriously the protection of children is more prevalent in our system now.

**Senator KNOWLES**—But we still have one step back from that—some mechanism by which children can be encouraged to come forward. I understand and appreciate what you are saying about what happens from there on in. The difficulty that I have is just human nature: young children dealing with authority when they have been abused, and how to encourage them and let them know that they can come forward without retribution.

**Brother Shanahan**—I cannot give you chapter and verse but I would be confident that, for example, through the Catholic education system you would find, particularly at primary level of schooling, things like preventive behaviours programs, as they are called, that encourage children, try to empower children in regard to how to respond if someone does something that makes them feel uncomfortable, and who to talk to and all that sort of thing. Schools also would have anti-harassment policies that would perhaps cover of these sorts of contingencies. In regard to institutional child care, insofar as it still exists, I do not think any of the institutions involved with child migration on whose behalf we are here today would still be in the child care game.

**Senator KNOWLES**—Exactly. I think we would all agree with that.

**Brother Shanahan**—As to what is happening in child care in the Catholic sector by way of protocols, I presume things like police clearances are mandatory in employing staff. Regulations about not being alone with children and all those sorts of things are routinely promulgated and reinforced with staff, and, in my experience, practised.

**Senator KNOWLES**—How has the offer from the Catholic Church for former child migrants' further education been accepted, and what is the take-up rate?

**Brother Shanahan**—Further education?

**Senator KNOWLES**—For example, C-BERSS will offer former child migrants later education, given the fact that their literacy, numeracy and so forth are lacking. Has there been a good take-up rate?

**Brother Shanahan**—The details of that you would have to get from C-BERSS. My understanding was that they ran two programs or classes that went through a cycle, as it were, and graduated people in the area of literacy. But now, as individuals come to them, I think they are referring them and paying fees for them to attend literacy programs where they are available in the broader community. But I cannot give you details of numbers.

**Senator KNOWLES**—Therein lies the problem. Once again, we heard evidence from a former child migrant who wanted to go and get further education, and she did so at her own

instigation. She felt such a dill because she was doing this in her fifties and was so far behind those in the class that she could not even compete, so she withdrew from that. Therefore, there is probably a rather specialised need for more discreet educational opportunities for some of these people.

**Brother Shanahan**—As you would be aware, the C-BERSS program would have involved men who went through our Christian Brother institutions in Western Australia, so it would not have included any of the women. Whether the current arrangement for C-BERSS to, as it were, contract to offer services to female former child migrants in Western Australia will include the literacy area, I am not sure, but that may well be the case. One of the advantages of having a group, such as the ones that C-BERSS ran, is that people are with other people who may now have gone through the same difficulty and perhaps feel the same inhibition or sense of shame about this area. Therefore, they may feel more comfortable in coming to this group and working on it there. Others may not want to come to such a group and would prefer to do it in the general community, and I think that is where some of this referring people out and paying for the fees in whatever course they are doing has come from.

**Senator KNOWLES**—Is that being identified, though, at the moment by the counsellors, that type of requirement and the specific style of meeting that requirement?

**Brother Shanahan**—The short answer is I do not know.

**Senator KNOWLES**—Is it part of their charter, if the counsellors are being paid by the church?

**Brother Shanahan**—I am talking about C-BERSS now.

**Senator KNOWLES**—Generally, the counselling that is being provided to any of the—

**Brother Shanahan**—This is the point I made before about generic counselling, as against counsellors who know some of the issues around child migration and the needs of former child migrants. For example, an ordinary Centacare counsellor, if that is where the person came from, would be dependent on what the person told them about what their experience had been and what they were saying their needs were in terms of offering assistance. The person may need to ask for it and evoke it, and that is where we were trying to, as much as we could, get church counselling staff, who may be working with former child migrants, to tap into the knowledge base that exists in Perth.

**Senator KNOWLES**—I would like clarification of a couple of things to do with the Child Migrants Trust, to which you have referred in your submission. On page 12, you say:

The only federal assistance has taken the form of funding for one organisation, the Child Migrants' Trust—an agency which has done much good work, but which some former child migrants are reluctant to use.

Would you care to explain to the committee why they would be reluctant to use the Child Migrants Trust, because we have had so much positive information and feedback about them?



**Brother Shanahan**—Sure. I thought that some people had spoken to you about this in your hearings in Perth, so I think I would only be repeating what I have heard from them. It may relate more to past practices of the Child Migrants Trust and the way they have dealt with clients. I know there are some people who are dissatisfied with what they, I think, experienced as too proprietorial an attitude, or in the way that they were dealt with. As I understood it, they were not permitted to go and deal with any other organisation when their search was being done and so on. Some people just did not like that.

**Senator KNOWLES**—So it is more of a historical problem which now seems to have been corrected?

**Brother Shanahan**—I understand the situation is much improved.

**Senator KNOWLES**—Because I think originally there was a lack of exchange of information between agencies as well with the trust or vice versa. Additionally, I want to seek clarification on something else you have said about the trust here—and it relates to some of Senator Tchen's questions—and the funding. On page 13, you said:

At no time have these Church organisations and agencies been able to access Commonwealth or State funding to support the above activities and initiatives ... What is not appropriate or just is the absence of any government involvement in such services, and the inherent unfairness of functionally independent agencies being discriminated against in accessing funding for their specific programs as compared to the Child Migrants' Trust.

My difficulty with that comes from the fact that the Child Migrants Trust do not have resources of their own. They were not in any way perpetrators of the wrongs that were done. Is it fair? Why have you singled out the contrast between them and the church?

**Brother Shanahan**—I am sorry, I am not trying to pick on the Child Migrants Trust. I am trying to pick on the government.

**Senator KNOWLES**—Yes, I understand that, too. That is normal.

**Brother Shanahan**—To go back to the shared responsibility bit, governments share some of the responsibility for children being taken from their homeland and away from family ties, and therefore need to share some of the responsibility for enabling them to reconnect. The government has to do that itself, and it has not done that. It has so far directed funding to one agency that does. The question is why only that agency, if others are offering a similar service.

**Senator KNOWLES**—Probably the trust, though, is in many respects the one that is best equipped to be able to do what it is doing.

**Brother Shanahan**—For some of these points I am relying on the people from the C-BERSS management committee, whom you have also heard give their own submissions. They strongly feel that some freedom of choice in where child migrants are able to access services is important.

**Senator GIBBS**—I owe the inquiry an apology. I am sorry, I said that the Mitchelton organisation was run by the Sisters of Mercy. It was actually run by the Good Shepherd nuns, not the Sisters of Mercy.

**Sister McKeough**—For that reason it would not be in our categorisation, because they did not respond as part of the migration scheme.

**CHAIR**—You are, you say, not the church. A lot of people are going to get confused. Is it not true to conclude that this apology is very close to having an imprimatur?

**Brother Shanahan**—An imprimatur is a big ask.

**CHAIR**—Aiming high, Brother.

**Brother Shanahan**—I think you can assume it speaks on behalf of those agencies listed on the first page of our submission. The media release that has gone out today with this apology is headed ‘Catholic Church’s child migrant apology’. I think that for the man and woman in the street, the Catholic Church has made a public apology.

**CHAIR**—I think so too, so is there any need for Mr O’Connor to keep working on the bishops’ committee?

**Mr O’Connor**—Would you like me to?

**Senator MURRAY**—If you can get an apology from Rome, yes.

**Mr O’Connor**—That is out of my bailiwick.

**CHAIR**—I think the problem is that you have said two things. This I would say is an interesting thing. A number of my colleagues have said, having read the submission, ‘Yes, it is good, but it has a kind of qualification.’ You have just done it again: ‘The Catholic Church apologises to the child migrants, but maybe not.’ Maybe it is only this group; maybe it is this subcommittee. Maybe Mr O’Connor should keep asking the bishops further, ‘Are you speaking on behalf of the church, apologising for what the church institutions did to child migrants?’

**Sister McKeough**—This is an apology on behalf of the dioceses and organisations of the church that actually were part of the child migration scheme, the ones who signed up to bringing the children in—the bishops and so on—and the religious orders that cared for them. There are many other dioceses and religious orders that were not involved, and so their names are not listed here.

**CHAIR**—So they do not apologise?

**Brother Shanahan**—Senator, I am sorry, we did not invent this structure for the Catholic Church. We grapple with it as much as you do.

**CHAIR**—Have a shot.

**Brother Shanahan**—Insofar as the Catholic Church was involved in child migration, the Catholic Church is apologising, yes.

**CHAIR**—That is the point that I am glad you have now stated. Whether it is to the ordinary man in the street, whoever that might be, or to the child migrants who came to the Catholic institutions, I would have thought what you have said is that the Catholic Church has now apologised—not the Christian Brothers, not the Mercy nuns, but the Catholic Church—and for all intents and purposes that is true. I gather that is what you are saying. We can conclude this without being called liars.

**Brother Shanahan**—I think so.

**Senator MURRAY**—Madam Chair, if I could just reinforce your point: the fact that the hierarchy of the church helped conceal these crimes by moving people and knowingly keeping them under wraps, knowing that they were accused of various crimes, I think requires the whole church to be involved in the apology. Therefore, I am very pleased that Senator Crowley has progressed it in that manner. It is not just these institutions, because of that side of it.

**CHAIR**—I have another point of clarification and a couple of questions. You seem to suggest, in answering questions to Senator Gibbs, that the Christian Brothers were really down the line when it came to child migration. You did not look for them, you did not bring them here; that was a government to government thing and then the Christian Brothers were given the children to care for. But on page 4 you say:

Inspired by precedents like the Fairbridge Farm School near Perth, members of a Catholic business organisation, the Knights of the Southern Cross, and some Christian Brothers involved in child care, began planning towards what became the Tardun Farm School near Mullewa, east of Geraldton ...

And a Christian Brother, P. A. Conlon, was organised by the bishops to travel to London. That would lead me, on behalf of ordinary folk, to understand the Christian Brothers were pretty proactive in setting this up.

**Brother Shanahan**—In Western Australia they were proactive in the pre-war child migration.

**CHAIR**—This is pre-war? Right.

**Brother Shanahan**—That is correct. What I was referring to was that the great bulk of Catholic child migration, which the bishops got involved in—and the Church got involved in as Church— happened after World War II. That came through the Catholic hierarchy's collaboration with the Commonwealth government's push for immigration and so on. I want to make it clear that Brother Conlon figures in trips to England both before and after the war. Particularly after the war, his services were requested by the bishops to travel with Bishop Simonds to Europe. He was not going as a representative of the Christian Brothers.

**CHAIR**—Another one of those Catholic Church, 'We can make a category that no one has thought of before' and get us all confused. I understand your point except that reading this submission, first of all there is the sense in which you are saying, on behalf of all these organisations, you want to say how many children came, what bad things happened and how things should be made better. But there is a tone of qualification which I think all three of you, but certainly Brother Shanahan and Mr O'Connor, have made absolutely clear in answer to Senator Tchen that it is not the tone that you mean or intend by coming here today. We are grateful for that. On the historical background, to say the Christian Brothers did not do it directly, and then here is a chapter when they were pretty hot at it, I am glad for the distinction

‘before war.’ It is useful for us to get those clarifications sorted. In respect of Christian Brothers with responsibility for childcare and education, in answer to questions from Senator Gibbs, you mentioned some considerable qualification about the education standard of the children through the Christian Brother schools or through our Catholic girls’ placement places. On the record, how many of those people called ‘teachers’ had any teaching qualification?

**Brother Shanahan**—I think all of the ones who actually did classroom teaching were qualified teachers. I am talking about the Christian Brother institutions; I cannot talk about the other institutions.

**CHAIR**—In the 1940s and 1950s, all these brothers would have done some teacher training?

**Brother Shanahan**—You need to make a distinction as there were brothers on the staff who were not teachers, were never teachers and would not have done full-time classroom teaching. They would have been regarded as trades instructors and that sort of things. They were farmers, electricians or whatever else.

**CHAIR**—We are very concerned. The real problem we have here is that the damage was done then, the pain continues now, and this submission from you is a very important part of redressing that terrible pain and injustice. A lot of those people now finish up being 40, 50, 60 and 70 and they cannot read or write. It is just yet another part of the nightmare of their lives. Could you tell us who did the assessment, as Senator Gibbs said, to the effect that some children had written on their reports, ‘This child is mentally defective’, a label that went them for many years?

**Brother Shanahan**—My understanding is that those sorts of things would have come with the records of children from England. Some kind of educational assessment might have been there. I am just giving you what my understanding is.

**CHAIR**—I understand that some did, but some were also placed on the records of the children in this country.

**Brother Shanahan**—I am talking about the Western Australia situation. Some of them were assessed through the state education department. They did the school inspections.

**CHAIR**—Those inspections are a worry. At least, on all the evidence that we have been given, the inspectors were better about bricks and mortar than they were about people. We think they hardly ever spoke to a child. So their assessment of whether a child was happy, let alone whether their bodies were covered in bruises, weals and welts and let alone whether they were really able to read and write or what their educational ability was, was not something discovered directly by the inspectors. It might have been from files produced by the classroom teachers. I guess we have to own all the difficulties of the time back then. If you could provide any further evidence about the educational status of the people teaching and assessing within the orders, that would be useful for us. Certainly, it would seem that it was pretty insufficient.

Secondly, we have evidence of children, as Senator Gibbs said, as young as eight and nine who were abandoned from the primary classroom and were sent off to do the washing, milking, or the building of the roads at Bindoon, in particular. By the time these children were as young

as eight or nine, somebody had decided that they were not fit for school any more. If you could find any further information about who would have made those assessments, that would be helpful for us.

**Brother Shanahan**—The proposition that an eight- or nine-year-old was completely out of school, just doing work, is the one that boggles my mind. I do not know who on earth would have made that decision. It seems to me to be indefensible.

**CHAIR**—The witnesses before our committee said that is what happened to them. They are not telling us about other children, they are telling us about what happened to them. I guess that is one of the challenges. We have to deal now, in 2001 terms, with problems made then, and I do not really believe there is too much evidence that the climate of the day was justification for what mostly happened in those institutions. I wanted to know if you had read today's *Sydney Morning Herald*.

**Mr O'Connor**—We have.

**CHAIR**—As we have now established that you are a statement loosely affiliated with the church—I am being flippant about that—I wonder if you could comment from your position as a Joint Liaison Group on Child Migration on behalf of the Australian Catholic Bishops' Committee for Migrants and Refugees and the Executive of the Australian Conference of Leaders of the Religious Institutes about this article by Alan Gill in today's *Sydney Morning Herald*, Thursday, 22 March 2001, about the attempts by the church to suppress the publications by Barry Coldrey?

**Brother Shanahan**—That is news to me—it is. It is the first I have heard of it this morning, in terms of any attempt at suppression. I knew that Barry Coldrey had been putting together something under that title, and I think I have seen bits of it in draft form from time to time. I had no idea when he was planning to publish and I had no idea he had it on the Internet. This is news to me, so I cannot make any comment.

**CHAIR**—I think the committee would welcome very much if your organisation could produce for us what might be a reasonable response to this article. Here is evidence coming from an accredited historian already on the record about some of the things particularly to do with the Christian Brothers in Western Australia, producing another book that goes on from that and, as this article would have us believe, has been required to withdraw it from publication.

**Brother Shanahan**—As far as I understand it, he is not being required by the Christian Brothers to withdraw it from publication. I have got no idea who overseas has intervened. My understanding is that the book is addressing the current sexual abuse crisis in the Catholic Church and the question of whether people who are professed celibates are living honestly and with integrity in their lives and so on. My understanding is that it has not been primarily historical in terms of throwing any new light on what we are talking about here, but I have not seen the whole thing.

**CHAIR**—What concerns me is, firstly, if you could find for us whether there is any truth to this report and, secondly, who would be the people providing that suppression. I do not understand that it is the Christian Brothers. The reason I am concerned about it, though, is that

Barry Coldrey has written some very important stuff that has gone very much to the heart of the matter of some of the terms of this inquiry. Of course, this book may not specifically address that issue, but if, on day A you write a book that is important and pertinent, and then on day B you are regarded as writing stuff that has got to be suppressed or withdrawn, you could be called into question in terms of your own credibility.

**Brother Shanahan**—Our credibility?

**CHAIR**—No, Brother Coldrey's credibility. His credibility is possibly on the line here. As he is a powerful witness before this committee, I believe it is not an irrelevant question to ask whether you can find out some facts for us about this article.

**Brother Shanahan**—I note that the article, as I skimmed through it very quickly this morning, asserts that the attempt at suppression has come from the Vatican. I do not know how we are in a position to make inquiries about what is or is not happening in Rome at the Vatican. I will make what inquiries I can, but that simply may be beyond our scope and competence.

**CHAIR**—Absolutely, I appreciate that. If it is not pertinent to you, we will pursue it in other places, but it is certainly of interest to this committee, as is the concern about the management of sexual abuse within the church. It is a terribly important part of this inquiry. You have already said that there are now any number of processes to make sure that it does not continue. I take your point: it is not exactly the terms of reference here, but it is very close to our terms of reference. I wonder whether you could assist us in any way with the points that are raised here.

**Senator KNOWLES**—Madam Chair, before you conclude, with respect to that article, I would like to place on the record, for those who have read it, that this inquiry in no way proposes to be any embarrassment for the Prime Minister. The Prime Minister was not personally involved in child migration. The government has agreed to this inquiry. The inquiry has been run in a bipartisan way. Where Mr Gill got the information that it was somehow going to be an embarrassment for the Prime Minister, I do not know. I do not want people in this room to think that that is so. The government has agreed to this inquiry and we are participating.

**Senator MURRAY**—It is not bipartisan; it is cross-party.

**Senator KNOWLES**—That is right; it is cross-party, including the Democrats. Thank you, Senator.

**CHAIR**—Has anybody ever raised with you the question of whether institutions that failed in a duty of care for the children in their responsibility ought to be sued?

**Brother Shanahan**—I do not know whether they have raised it with us as a proposition; some have done it. I presume the committee is aware that there was a large-scale legal action launched in late August 1993 or thereabouts against quite a considerable list of defendants, which was eventually whittled down to one, which was the Christian Brothers as they are incorporated in this state, New South Wales. That action was settled in August 1996, approximately three years later. In addition to that, I understand there was a legal action leading to a settlement in Rockhampton, involving the Sisters of Mercy and possibly the diocese.

**CHAIR**—Those cases were presumably brought by people who had suffered. They were individuals or groups of people who were child migrants. Has the state government ever given consideration to the failure of the institutions, to your knowledge? Has the state government ever discussed the failure of the custodial institutions to care for children?

**Brother Shanahan**—You are talking about Western Australia?

**CHAIR**—Pick a state government.

**Brother Shanahan**—There was the Forde inquiry.

**CHAIR**—That is Queensland, presumably?

**Brother Shanahan**—Yes. That was an across-the-board inquiry into child care, which included Rockhampton, where you were yesterday. It has got some very enlightening and helpful things to say about institutional care and the conditions prevailing in institutional care at the time that we are talking about. I think the Forde report would be something that would be well worth perusing.

**CHAIR**—Indeed. Has your organisation addressed the question of where ultimate responsibility lies, as in the immigration minister signed with the British government, as guardian of the children brought here, delegated that guardianship to the relevant state minister, who then delegated in some cases the guardianship and in some cases the custodianship to the institutions? Is your organisation interested in that kind of question or are you looking at how we can best help the child migrants?

**Brother Shanahan**—We have not formulated any position on where the buck stops, if that is the question. We have worked on the premise that I have mentioned already, and it is in the submission—that the responsibility is shared and therefore we need to get on with doing it on a shared basis. In terms of where the buck stops, no, we have not attempted to answer that question.

**CHAIR**—Though you do say—and I think this is something others have referred to—that the British government and the Australian federal and state governments have played almost no role in responding to the needs of former child migrants. Is that a buck stops somewhere thought?

**Brother Shanahan**—It is in the sense that, again, it seems to us that they have a larger share of the responsibility than has been expressed in anything they have done so far.

**CHAIR**—Would you, in the light of what you have been asked today, put a qualifier on that sentence as you do on Senator Knowles's question about nobody in authority knowing about abuse?

**Brother Shanahan**—I am not saying that nothing has been done, because I am aware that the Commonwealth has provided some funding. I am aware the Western Australian government has made some initiatives—notably, the family and children's services index, which was referred to in the previous hearing—and there was an offer of counselling. I am speaking for myself now, not for the committee, because we have not talked about it in these terms. My view is that none

of the governments have responded in a way that is commensurate with their responsibility. That would be my sense of the situation.

**CHAIR**—It might lead to a lively discussion with your colleagues, Brother. Every day this inquiry goes, it becomes clear to me and to my colleagues that it just grows in the breadth of the issues that we might indeed have to in the end address—liabilities, responsibilities and so on. As I have said a couple of times, we are dealing with actions taken 40, 50, 30 or 60 years ago but, behind you in the room and in many other places in this country, there is evidence of the pain done then, which continues still. As we have also heard, this is pain done not just to those people but to their children and to their children's children. It spreads very wide and it also goes backwards. It goes up to the parents who lost their children and to the uncles and cousins who have discovered relatives after many years.

We are looking at a very difficult situation in trying to find a solution now, and I do believe you are saying that the main emphasis in the formation of this group is to look at where we go from here to try and redress those injustices. The committee is very much assisted by your submission, by your preparedness to come and talk on behalf of the organisation and by the apology released today. If we need to put other questions to you, we can do this outside of here. The committee thanks you for your contribution.

**Proceedings suspended from 1.32 p.m. to 2.15 p.m.**

**GILL, Mr Alan George Frank, (Private capacity)**

**SHERINGTON, Professor Geoffrey Edgar, (Private capacity)**

**CHAIR**—I note that the SBS is here. Is there any objection to its filming and broadcasting? There being no objection, it is so ordered.

Welcome. The committee prefers all evidence to be heard in public, but should you wish to give your evidence, part of your evidence or answers to specific questions in camera, you may ask to do so and the committee would give consideration to your request. We have your submissions—No. 2 from Mr Gill and No. 119 from Professor Sherington. Do you wish to make any alterations to those submissions?

**Mr Gill**—If it were possible, I would like what I am going to say today to substitute for the material that I have written before.

**CHAIR**—It will all be taken into account, thank you, Mr Gill. I invite you now to make an opening statement and then we will put questions to you both at the end of your submissions.

**Mr Gill**—I became interested in child migration about 14 years ago through a chance encounter which I describe in my book, and hearing about the remarkable and the highly commendable work of the Child Migrants Trust and its founder, Margaret Humphreys. As with so many people in Australia, hitherto I was unaware that child migration even existed, although I had heard of the immigration of older boys and girls through schemes such as the Dreadnought, the Big Brother Movement and so on.



The reaction that I had on hearing about the traffic in children was one, quite frankly, of shock—shock that such a scheme existed, and horror at revelations of physical and sexual abuse, which as a Christian I found especially distasteful. I felt anger at the secrecy employed—children being sent off without the knowledge of their parents; a smokescreen created by the authorities in regard to inquiries by parents about their children and by children about their parents. I felt dismay at the fact that many of the former child migrants whom I met were obviously suffering, as adults, some form of after-effects from their childhood experiences. I also felt sadness at the difficulties encountered by the former child migrants as adults in making contact with their next of kin, or even in some cases to ascertain their actual personal identities.

My view at that time was basically that all the above should be exposed and that remedial action should be taken. I supported the views of those former child migrants who were seeking at that time some form of formal national inquiry. Exposure certainly has taken place and a fair amount of remedial action has been taken. The religious charities, as the sending and receiving agencies, have taken the bulk of the flak and have responded, I honestly believe, in a creditable fashion. I would include in this the Christian Brothers, whose current response is admirable, the Catholic women's religious orders and, of course, the various bodies whose representatives have spoken here today.

State governments have largely, though not entirely, fobbed off the issue and the federal government has, I think, attempted to do the same. It is that point that I wish to address today. In my view, it is not good enough to say, as one former government minister did, that the Brits sent them here; it is their responsibility. Nor is it good enough to cast total blame on the receiving organisations. In my book, I quoted Section 6 of the Immigration (Guardian of Children) Act (31 December 1946) which stated:

The Minister shall be the guardian of the person ... of every immigrant child who arrives in Australia after the commencement of this Act, to the exclusion of the father and mother and every other guardian of the child, and shall have, as guardian, the same rights, powers, duties, obligations and liabilities as a natural guardian of the child would have until the child reaches the age of 21 years or leaves Australia permanently, or until the provisions of this Act cease to apply to and in relation to the child, whichever first happens.

It is clear from this that there was a federal government responsibility, albeit delegated to or shared with other agencies. I should like to stress that not all the orphanages and institutions to which children were sent were bad. It is unfortunate, for instance, when Barnardos gets lumped with Bindoon. As in other activities—for instance military service—there are people with good, sometimes very good, or poor experiences of the same organisation. I have met men and women who are extremely proud to call themselves Old Fairbridgians. A Fairbridge Old Boy, who phoned me on another matter, made it sound like some kind of Eton.

I would also like to say that I have modified some of the views I previously held. For instance, given the context of the time—a phrase sometimes used to excuse the inexcusable—I can see a defence for the policy, though not the failures in administration of child immigration. I was myself sent off to a preparatory boarding school in the south of England at the age of eight. My parents loved me and they thought they were doing the right thing.

The key issue is: what should be done now? I have discussed this with others, including Barry Coldrey, whose evidence has already been heard, and I would suggest the following: the production of a full and thorough report by the Senate committee, with perhaps a second

volume including the submissions of former child migrants who would like their statements to be published; (b) an official apology for any harm caused as a result of prior government policies, negligence or maladministration. I do not see it as opening the floodgates to fanciful and excessive compensation demands, but I would be prepared to bow to a wiser judgment on this; (c) I would like this committee to advise and encourage the Western Australian government to change the statute of limitations so that those who allege serious criminal behaviour was committed against them in the orphanages can sue for compensation in that state where most of them have settled; (d) I would like it to be accepted that personal payments for each child migrant would have to be won through the civil courts in classic negligence, for breach of duty of care or for breach of fiduciary duty cases; (e) I would also like this committee and other organisations to take note of the fact that a good number of British child migrants came out before World War II. They seem to have been ignored in the present deliberations, or at least all deliberations. A possible thought would be the establishment of a retirement village in Western Australia funded by governments and agencies, with its management charter arranged to give priority residence to former child migrants.

Finally, I would like to see increased funding to the Child Migrants Trust on a collaborative basis, with some form of government agency having oversight and accountability. I would like to add a personal note. A claim was made to me yesterday that in a passage in my book *Orphans of the Empire* I had maligned Margaret Humphreys. This was not my intention. If I did, I apologise to her and to the organisation that she represents. Thank you very much.

**CHAIR**—Thank you.

**Prof. Sherington**—I would like to make a few comments and a few points about the submission itself. I would like to thank the committee for the opportunity to appear before it. My interest in this stems initially from an academic field, in terms of the history of migration. I have been interested in migration for about a quarter of a century and I have been looking at child and youth migration for about two decades. I am not seeking to represent the views of either former child migrants or child migrant organisations. The purpose in my submission was to offer some understanding, from the point of view of an historian, of the history of child migration. There are now a number of published histories and a number of oral accounts by former child migrants. Some of them are particularly harrowing and talk the impact on people's life chances and cultural identity.

However, it appears to me that what is often missing in the history of most of these schemes is, to some extent, a lack of understanding of the vast amount of material that still exists on the public record in archives in both Australia and Britain and, interestingly enough, amongst some of the organisations themselves. Just before this meeting someone pointed out to me that one society I wrote a history of—*The History of Fairbridge*, which was true—to give myself access to the child migrant records, as an irony, does not give access to the child migrants themselves. I make no comment on Fairbridge doing that. Nevertheless, the work that I published on that society was based on very extensive research over about a decade.

Obviously, there are significant issues of human relations involved in this inquiry. Our focus has often been on the outcomes of child migration—and I think that is crucial—but to understand some of the areas it is important to understand both context and intent. I want to say three things. To elaborate on the submission, I believe child migration can be seen in two

phases. Alan has already mentioned that it should be seen right across the twentieth century. They are quite separate phases. The period up until the Second World War is essentially a British scheme, in which the major responsibility should be seen in terms of the British government in association with the Australian government's land settlement programs. After 1947, child migration was essentially an Australian sponsored scheme in which the British were often reluctant partners because of their concerns about the forms of treatment that some child migrants had received in the inter-war years.

The second point, which is the one of most interest and of great debate, involves the removal of children, their recruitment and the issue of parental consent. As I have indicated in my submission, that was a significant issue right throughout the period of child migration, not only to Australia but throughout the British Empire. Were parents consulted? Having looked at the records of the Fairbridge Society fairly extensively, my view is that in the period prior to 1939 it was more likely that parents may not have been consulted. The reasons for this were often to do with the question of the separation of children and parents in the early years and the institutionalisation of children. After 1947 the thing that surprised me was to find a number of parents, not under coercion, but directly enrolling their children with the Fairbridge Society. I cannot necessarily generalise to other societies nor to other child migration organisations, but I think it needs attention.

The final point is the question of responsibility that Alan has already pointed out. It is quite clear, I believe, that under that 1946 act that the Commonwealth was responsible—the Australian minister being the formal guardian of all children—even though that was delegated down to the state authorities and then provided for some surveying of the institutions.

There are a number of reports, principally instituted from the British end in the early 1950s, that indicated that there were problems in those institutions—there is no doubt about that—and what happened of course was that eventually the schemes were ended but no direct action appears to have been taken about the situations that were sometimes found. I would have to say part of that relates to differing views of child welfare in Britain and Australia that need to be also considered. The British believed that in fact, by this stage, institutionalising children was not the best way. It was better to try and keep them at home with parents and, therefore, there was great criticism. Nevertheless, there is a certain amount of evidence in the documentary sources that are available in Australian and British archives that they were aware that there were certain problems with a number of institutions.

Finally, I believe that, although the question of the impact of child migration and the trauma it has often brought on many individual child migrants needs to be considered, I would urge the committee to take some caution in not labelling blame across the board. I believe each institution should be looked at in a different way and I believe there is some overall responsibility at the government level, but I do not think you can simply say that, from the beginning, child migration was purely and simply misconceived and a bad scheme. It has to be understood in the context of the strong support that it actually got in both Britain and Australia, particularly in the period from the 1920s up to the 1950s. Thank you.

**CHAIR**—Thank you. Are there any questions? Senator Murray?

**Senator MURRAY**—May I start by saying that I think we are honoured to have before us two of the principal current authorities in this area? You, Professor Sherington, have done some very detailed and extensive academic work, and Mr Gill, with more of a journalist's eye, has done an equally comprehensive study which is of great value to all of us with an interest in this. I would add the other two names as being Dr Coldrey and Margaret Humphreys who round out a foursome who have given us great insights into this area—just personal thanks to both of you for the work you have done.

I think something really interesting emerges from what both of you have said, and that is the question of responsibility, because the consequences of these schemes mean that some of the remedies will end up costing money. The critical thing in my view is it is not going to cost a lot of money. Two of the fundamental issues that are of concern to former child migrants—indeed, institutional people generally—is reconnecting with their past and discovering their identity, and that is not hugely expensive. It is an administrative exercise but you do not need tens of millions, for instance, to do it. The second issue is specialist counselling which requires very great attention to personal trauma, post-traumatic stress disorders and other problems. I draw your attention to those two things deliberately because if you accept, as you do, that the scheme is pre-war British in origin primarily and post-war Australian in support and there is a government responsibility, and the principal things that arise out of those schemes are the identity issues, you can follow logically to the view that paying for reconnection can be seen as a government responsibility. The other side of the coin is criminal assault, sexual assault and physical, emotional and mental abuse, which was the responsibility of institutions and people within those institutions. You can therefore logically take the view that, if they were responsible for that, they should be paying for it. Do you see where I am going?

**Mr Gill**—I agree with everything you say except I make one minor observation. If the federal minister for immigration was the children's legal guardian, then he or his deputies also had responsibility for looking into the conditions in these places.

**Senator MURRAY**—Let me conclude a long lead-up and you will see where I am going with this. There is to me clear evidence of a significant breach of contract by the receiving agencies. The governments delegated the duty of care to them. They said, 'Look. Here is a set of rules and laws by which you must abide and we will give you money to look after these children. We will pop around and make sure that everything is okay.' In the popping around and making sure everything is okay is where the failure was. So on that ground, you say there was negligence, but no government ever authorised criminal assault, sexual assault, cruelty, slave labour, theft of wages or possessions or anything else. The question is where is the greater contractual obligation? My question is: do you think there is a case in law—and I know neither of you are lawyers—which can be fulfilled by the certain expenditure of money for both those parties to contribute what I think are several millions, not tens of millions, to address the fundamental needs of connection of identity, which is tracing, travel and accommodation, and those sorts of things, and counselling and resolution of people's personal pain?

**Mr Gill**—Yes, I think so; both organisations, that is what you are suggesting.

**Prof. Sherington**—There are two sets of responsibilities. It is a question of re-establishment of identity. I find it amazing that the organisations, for instance, have refused, and sometimes still refuse, even access to primary documentary sources because the parents may no longer be

alive. That in a sense, I think, is a failing now in the 21<sup>st</sup> century in terms of the organisations. In terms of the responsibility of the governments, the British government to some extent has accepted that responsibility about re-uniting where possible kith and kin have become separated.

The other one you are drawing attention to about questions of abuse is the very difficult one the committee has to look at. It seems to me that we are looking at two questions that need to be thought over very carefully. There is undoubted criminal abuse of a sexual or other nature and then there is what we might now describe, in the early 21<sup>st</sup> century, as child abuse, in our perceptions of the proper relationship between adults and children in terms of human rights. It could be argued that, in some respects, the child migrants are on the wide spectrum of another spectrum that deals with children in disciplinary ways in all institutions—and even between parents and children—in the period from, say, the 1920s up to the 1950s when there was corporal punishment et cetera. I am not trying to excuse what abuse might have gone on. It is a question of where that line was overstepped.

In the inquiry that I know about in the 1940s into the Fairbridge Society in Pinjarra, there was great concern that duty of care had been not followed. It was not so much in terms of discipline and the children but, to some extent, the society had lost control over what was occurring there. Those sorts of things only often occurred and were given focus at particular points in time. But there is the more general area that, undoubtedly, many child migrants lacked emotional support and love right throughout this period. But we need to be careful and to ask whether that is what we normally expect of a relationship between adults and children. If the society says, ‘We provided physical care and looked after them in that sense. We did not punish them. Why should we be responsible for love and attachment?’ To us it now appears extremely severe and not the sort of value systems that we might want to encourage, but it may have been the normal way that many children were actually brought up in the period of the 1920s and the 1950s. The other thing that has to be borne in mind is what would have happened to the children if they had remained in Britain because the institutions they were in there were often also pretty terrible.

**Senator MURRAY**—Professor, I would venture a small criticism. I think, both from reading your book and from your answers, that you imply a greater difficulty than there is with establishing the shift from criminality to just a harsh regime. I will give you an example. Senator Crowley today gave a good example from yesterday’s evidence: although it would be regarded as harsh, it was probably reflective of the times that six of the best would have been straightforward. But the evidence before us was that the person got 48 of the best on the hands, and three around the face. We have had evidence throughout, which we have been at pains to ensure the specificity of, about the use of weapons—not canes—against children. So I am suggesting to you that it is not hard to prove that, where a punishment book was not kept—they had a special phrase for it which I forget at the moment—and where the striking was a number more than that allowed by the regulations and on a part of the body other than that allowed by the regulations, it became criminal assault. Yesterday a woman gave us evidence of Neerkol, where she was dying of a perforated appendix and was flogged by a nun on every part of her body—front, back, side, head, you name it—because she had vomited bile in her bed. I suggest to you that those instances of criminal assault are easily delineated.

**Prof. Sherington**—Sorry, you missed my point. That is the very point. I said that if there are obvious acts, they are criminal assault. It is quite obvious. It is a question of the nature of the

regime overall. Something that appears to me to be offensive, for instance, and which is often used when the Fairbridge children are talking that way, is the notion of the bed-wetting: placing a sheet over a child and making them stand up at night. I find that absolutely outrageous. How do then define it, though—at what level is it child abuse? That is essentially what I am saying to you. Cases, I would think, that you have mentioned there would have been criminal acts at the time and should have been prosecuted if it had been known. The question of bed-wetting we would now regard as offensive and possibly Child Welfare would now been involved. Would they have been involved in the 1920s and 1930s? I am not sure. That is the only question I am raising. But for obvious cases of gross ones, as said there, yes, they are criminal acts.

**CHAIR**—I would just add to the example Senator Murray gave that the child who was flogged whilst a ruptured appendix was in the process of becoming peritonitis was eventually removed to hospital. It has to have been clear to the doctor and the nurses that this child had been beaten, flogged, yet they too made no report.

**Prof. Sherington**—I would find that criminal, yes.

**Mr Gill**—Obviously, there are some things which were acceptable within the context of the time, say in the 1950s, and other things which were not. To have high walls on an institution, with glass spikes on the top, would be acceptable but now would not. One has to attempt to see what was acceptable in those times and what was not. The point you made about the government not wishing children to be abused is obvious. But, on the question of a representative just popping in from time to time to see how things were going, if that was neglected, you could argue that that was a factor in promoting the very abuse which occurred. I therefore think that that does indicate a degree of government responsibility, as well as responsibility on the part of the caring organisations.

**Senator MURRAY**—It is my belief, having read as widely as I can in the field, having gone through submissions and having heard witnesses, that denial has in part been motivated by fear of the financial consequences of culpability and, to an extent, by fear of prosecution. I wish those people had been prosecuted, frankly. Leaving that aside, do you two, as experts in this field, believe that culpability has been well identified by the source material available, that it is no longer a question of having to prove events occurred, it is a question of establishing the cost of the remedies? My question to you is: do you accept, from your writings, the extent of governments' culpabilities and of institutional and individual culpabilities? Am I right in believing that the fundamental remedies are, from your knowledge, within the financial scope of those responsible? Obviously, governments have endless pockets, in theory, but certainly you would know something about the institutions' and the churches' resources and whether they could cough up the several millions necessary for their side of affairs.

**Mr Gill**—I do not know if money is an adequate response or if it can cure the harms which have occurred.

**Senator MURRAY**—How else do you pay for counselling or connecting people with their past?

**Mr Gill**—I see what you mean, yes.

**Senator MURRAY**—It costs money. Child Migrants Trust activities cost money.

**Prof. Sherington**—I thought the Catholic Church, for instance, had already admitted culpability. It seems we are looking at a spectrum here of reasonably harsh regimes in these institutions. I would have thought that all should take some responsibility for trying to provide forms of attachment to kith and kin, and where some counselling needs to be provided, I would have thought that all might be involved in that, because that has become the consequences of the schemes. Maybe we are then looking at levels of responsibility and action in terms of systematic and sustained abuse.

I made the point about the Fairbridge Society. Different institutions had harsh regimes and some people were aware of that on occasions. I would not say it has the same form of systematic physical abuse that has appeared. It may have had an emotional impact in various ways on many children, but not quite the same form of physical abuse that you can see perhaps in the Catholic institutions.

**Senator KNOWLES**—Mr Gill, I would like to ask you a couple of questions about your article in this morning's *Sydney Morning Herald*. The subheading reads:

The Senate inquiry into the plight of British child migrants has evidence of "sexual underworlds" among some clergy assigned to look after the children.

The text goes on to say:

In the past few weeks a prominent Christian Brother has been ordered to withdraw from circulation a book which accuses members of his order and others of having created a "smokescreen" in regard to clerical sexual abuse

It goes on to name the book. The article says that the book—and I quote:

... says that "sexual underworlds" have developed in some religious congregations and dioceses, and that a minority of priests and brothers are treating their celibacy vows lightly.

Mr Gill, what I would like to know is whether or not that book, in making that allegation, directly relates to what we are discussing here, that is, the British child migrants and their treatment, or whether that book relates to what evidence is being produced now by the author of that book regarding the concerns of the Catholic Church today.

**Mr Gill**—Firstly, I wrote a news story about Coldrey and a feature about the child migrants and they were amalgamated to form a single article in the way that newspapers often do, with what they call a write-off leading to the article. I did not see it until I opened the paper this morning. I feel very uncomfortable because it seemed to make certain assumptions or inferences which are not true. Coldrey's book, as I see it, refers to clerical abuse in general terms. He gives examples of cases and incidents which involve boys in orphanages and institutions and also cases involving abuse by people who had no connection at all with orphanages and institutions. There is no direct link to the British child migrants except insofar as a lot of the examples he gives are of misconduct by adults with children, including members of his own order and orders engaged in similar work. Of course, Coldrey has been closely involved in the child migration controversy, which basically explains how he came to be doing the work he does now and how he came to be writing this tome.

**Senator KNOWLES**—No-one is denying what has happened to the child migrants; I am not trying to do that at all. I am trying to establish whether your reference in that article to direct evidence that is given to this committee is accurate. Other evidence has suggested that the allegations made in that book have more to do with the conduct of some of the clerics today, rather than yesterday.

**Mr Gill**—Yes, that is quite true.

**Senator KNOWLES**—So that is quite misleading in that respect.

**Mr Gill**—I agree.

**Senator KNOWLES**—The other thing I would like to check with you as to the basis of your argument is that you say, in referring to this inquiry, that a Labor-Democrats alliance means that the government lacks the numbers to ‘curb’ or ‘dominate’ proceedings. Could you explain to the committee why you believe the government wants to curb or dominate proceedings?

**Mr Gill**—I think I said in the article that an approach was made to the Prime Minister to have it done as a joint Senate-lower house inquiry and the Prime Minister said no. I assume that, it being an upper house inquiry, the way the numbers fall with the combination of Democrats and Labor means that the government parties do not have the majority. So obviously it lacked the power to control the inquiry.

**Senator KNOWLES**—It makes the assertion that the government wants to control the inquiry, and that is quite wrong. You then go on to say ‘This is bound to be an embarrassment for the Prime Minister.’ I have read some poppycock in papers but I have to say, with all due respect, that that really takes the cake. This committee has been run in a very orderly fashion, with goodwill and in a tripartisan way. There has been no attempt whatsoever by any member—whether it be the Democrats, the opposition or the government—to take control. I think it is a shame when something as serious as this subject gets derailed on such a petty, party-political basis by someone of such repute as you.

**Mr Gill**—I accept the rap over the knuckles.

**Senator KNOWLES**—Yes, but unfortunately people have now read it and they probably believe it. I think this inquiry is too serious and too sensitive to have something trivial made of it in that way. I just hope that even though the damage is now done—because it is in print and it is in circulation—it will not be seen that way in the future, because it is a very serious and heartfelt inquiry.

**Mr Gill**—I do think it is potentially an embarrassment to the government. That is my view.

**Senator KNOWLES**—The government agreed to the inquiry, Mr Gill. I think it is very silly to pursue this line when the government and the Prime Minister agreed to the inquiry. It might not have agreed to the original propositions for a variety of practical and logical reasons—and not because of opposition to the topic—to which you and I might not be privy. That happens on a day-to-day basis. But please do not belittle this inquiry. It is too serious and too sensitive to do



that. It must be maintained on a tripartisan level from beginning to end and, hopefully, right throughout the report.

**Senator MURRAY**—For the record, the Prime Minister did reject a joint parliamentary inquiry. The notice of motion that was agreed in the Senate went through on the voices. There was no dissent, in the end, from government. It was a negotiated term of reference between the Democrats and Labor, which the government recognised would prevail. Subsequently Senator Knowles was of assistance, as was Senator Crowley, in defining the final terms of reference. Senator Knowles, a member of the governing parties, has been of assistance at this time. But the Prime Minister did originally reject a joint parliamentary inquiry.

**Senator KNOWLES**—Which can happen for a variety of reasons.

**Senator TCHEN**—We have spent a fair bit of time on this issue. Perhaps I ought to put it on record also that, had it been a joint parliamentary committee, the government undoubtedly would have a majority. Professor Sherington, you said you have nurtured an interest in child migration issues as part of your interest for many years in the history of migration. Was the book *Fairbridge, Empire and Child Migration* in 1998 the first book you have published on child migration from Britain?

**Prof. Sherington**—That is the first book I have published on child migration. I have written articles and conference papers. My main interest in migration probably goes back to about 1980, when I published a book entitled *Australia's Immigrants*, which was probably one of the first general histories of migration to Australia.

**Senator TCHEN**—I assumed that your emphasis would be on looking at the achievements—perhaps the more positive experiences—of child migrants in Australian society: what they have achieved, how they have fitted into and how they have influenced Australian society.

**Prof. Sherington**—Senator, you obviously have not read the book. No, it does not do that, unfortunately. That is why I am saying that I would like to go further. It essentially looks at the origins of the scheme and how it functioned until the Fairbridge Society closed as an operating group in about the 1980s. It does look at where the children came from. It looks at the experience some of the children had but does not go into great detail. I have noted briefly that some have done extremely well, for differing reasons, but I have not looked at the major contribution of the approximately 2,500 to 3,000 Fairbridge children that came here.

**Senator TCHEN**—I thought it was a lot more than that.

**Prof. Sherington**—That is a very interesting point, by the way. I would have to say—all other academic historians I deal with in Britain agree with me on this, and Barry Coldrey has drawn our attention to this—that the numbers have often been exaggerated. If you look very closely at unaccompanied child migrants from 1912, when the schemes began—Alan suggests that you can talk about convict children and others, but just looking at the organised schemes—from 1912 to the late 1960s my estimate is that it was in the order of 6,000. The 10,000 figure that has often been thrown around since about 1947 is because when Margaret Humphreys and others wrote the *Lost Children of the Empire* they looked at statistics which often did not draw a distinction between child and youth migration.

If you count things like the Big Brother Movement, yes, the numbers are greater. But the number of unaccompanied children under the age of 14 is approximately 6,000. It is still a very significant number but we should bear in mind Alan's point about the pre-war because at least half came before 1939, although most of the problems appear to have been accentuated post 1947.

**Senator TCHEN**—The reason I raised that is to do with two of the consequential areas of interest coming out of the matter of British child migrants. The first is the treatment they received in Australia in the context of the general child welfare environment in Australia at that time or throughout the period when British migrants arrived here. If we focus on the British child migrants treatment we might overlook the fact that other children of the same age group in the same institutions had the same treatment. Our society as a whole needs to face that issue. The other issue which I thought we as a nation should perhaps be facing up to is the positive contributions these child migrants may have made to Australian society.

**Prof. Sherington**—And it is quite significant in a range of areas, given the problems that many faced in the early years.

**Senator TCHEN**—Yes, that is right. The fact is they overcame the personal barriers they faced.

**Prof. Sherington**—Many have done very well. Some undoubtedly had many problems against the odds and found it difficult, perhaps because they lacked attachment to family and other groups. I will comment on your point, if you do not mind. I was suggesting to Senator Murray that we have to look at institutionalised care in the 1950s in Australia. It was pretty basic. That often came out in the critiques of orphanages and so on. Many children, Australian born, went through some horrendous experiences in that period and that is why the British welfare authorities were concerned about sending British children to Australia in the 1950s.

**Senator TCHEN**—Professor, perhaps several of your PhD students could pick up some of those topics. One of the issues that have been raised by a number of witnesses is children being placed on farms without any choice. Can you tell us from the historic point of view why that action was taken at the time?

**Prof. Sherington**—This was the whole rationale. As we understand child migration in Australia, it was essentially about land settlement. Child migration was about sending single unaccompanied children out to help farmers. Child migration in the British Empire in 1939 was essentially a form of sending what we would now see as cheap rural labour in what was an attempt to provide rural training. The Fairbridge model, which started with Kingsley Fairbridge in 1912, was focused upon what would now be seen as a very naive belief in taking children from British cities, often from deprived circumstances, giving them an opportunity and deliberately putting them in rural areas, not in cities.

The real problem is that that rationale basically expired with the Second World War. I think many of the dilemmas with child migration occurred because for differing reasons the organisations decided to continue a scheme which was losing its rationale. So for many children coming out in the 1940s and 1950s, when the economy was changing and there was not much demand for unskilled rural labour in the rural areas, it was a very strange scheme—and I

can understand why they would think that. But initially it was undoubtedly tied up to a population and settlement policy to do with agricultural development in Australia.

**Senator TCHEN**—Thank you.

**Mr Gill**—I wonder whether I might just add a point in answer to one of the questions raised by Senator Sue Knowles. It is about Barry Coldrey. I would like to make it clear that the difficulties he is now facing with his latest literary effort were not foisted on him by the Christian Brothers. As I understand it, it was the congregation in Rome which had a set on him regarding that book and his order in Australia, which was acting as the post office, passed it on. I would just like to make that point.

**CHAIR**—Thank you, Mr Gill.

**Senator TCHEN**—Mr Gill, from your submission, which is delightful in its brevity, would you like to perhaps outline and extend your view of the responsibility of the minister for immigration in relation to the welfare of the child migrants? Why do you think the minister is responsible?

**Mr Gill**—This afternoon I read from the act, and really that is all I know. The act of 1946 said that the Minister for Immigration was the legal guardian of these children, but it also says, of course, that he could delegate these powers to others.

**Senator TCHEN**—You believe the minister has a statutory responsibility—prescribed by law?

**Mr Gill**—I would have thought so.

**Prof. Sherington**—It is important to realise when that act was passed, in a context where officials in the Australian government, certainly from what they knew from the British government, knew that there had to have been some problems with child migration up to 1947. In some senses, although it could be said that they took the major statutory responsibility for organisations responsible for the areas, it should have alerted them that there may have been problems.

**CHAIR**—Will you write migration history differently after this inquiry?

**Prof. Sherington**—It depends what the inquiry produces.

**CHAIR**—One of the things I am struck by is that we are alive during a piece of history. Most of the witnesses are still alive. Most of what we have heard is from people who were part of a migration program and it has not been successful; in fact it has shattered many hearts. I wonder if you now look at migration in general in the light of the experience of these migrants.

**Prof. Sherington**—In certain senses, people sometimes become victims, and we have to look at those circumstances, but on many occasions people have been able to confront the issues and go forward. We have to be careful—this is what I was trying to say before—about how we

portray the overall history of these schemes. There were huge black holes, no doubt, in them. If you are suggesting that I have not taken consideration of child migrants' views themselves—

**CHAIR**—No, not at all. Many times when people write history, I will read things like, '50,000 people left X and went to Y,' and we never get the detail of what happened to them. We do not hear the good things.

**Prof. Sherington**—What you are saying is to follow the life course through. It is extremely important.

**CHAIR**—We have a window of detail in this program of migration that we do not often get about migration. I was just interested in your views as an historian.

**Prof. Sherington**—Will the material be made available? The House of Lords inquiry into child migrants had 300 pages of transcript, which I am hoping to have a look at.

**CHAIR**—Will what be made available?

**Prof. Sherington**—Will the material be available in the public record eventually—the public transcripts that you have taken?

**CHAIR**—Any public record is available; so are a large number of the submissions which are in the public arena. *Hansard* is available on the Net. The submissions will be available on the Net, but are not yet—that is, those that are public. This was not in any way to criticise or do any of those things.

**Prof. Sherington**—When I began my interest in this matter back in the 1980s I was aware it was sensitive and a whole range of issues, and then this avalanche occurred in the 1980s with Margaret Humphreys and so on. All I was trying to say at that time was that I knew. If we are trying to understand where we are now, let us try and understand where it all came from to try and see why these problems emerged.

**CHAIR**—I just wondered whether you would like to ring the Plymouth Brethren now in the light of this and say, 'Give me more detail,' or the Cajun journey from Canada to—

**Prof. Sherington**—If I had the time and were not dean, I would.

**CHAIR**—Quite. One of the lines that powerfully struck me is the second last sentence:

And only now are we beginning to understand the possible long term effect of the trauma of migration and separation from family and familiar surroundings.

When I read that, I wrote, 'The children knew then.' It has taken us a long time to actually understand what they knew then.

**Prof. Sherington**—I said the long-term effects. Obviously the separation at that point had tremendous impact. I am talking about it in terms of people's identity in later life—that is what I

am really saying. In some senses, you can only trace that as we see things going through the life cycle.

**CHAIR**—In fact, we are very much assisted by both of the volumes you have written. It is absolutely essential to the exploration of these issues that we try to get a balance, that we get the facts and that we get the people who have come and said, ‘Well, life is miles better since we got to Australia. We were never going to achieve anything in X or Y,’ but other people have been at pains to tell us that, anyhow, they suffered a terrible trauma from the moment they really got off the boat. For some, even being on the boat was horrible, but these were little ones who did not know who they were, and it has taken a long time for us to catch up with what they knew back then.

**Mr Gill**—I wonder if I might just add something on that historical touch?

**CHAIR**—Yes.

**Mr Gill**—I came to Australia in 1971 as a much younger journalist. One of the early jobs I had to do was to go to the St Mary’s Children’s Home in Alice Springs. I thought it was a marvellous place and I wrote a glowing article about it. I was told by lots of people that the removal of Aboriginal children was for their interest and was a good thing, and I believed it. It was only quite recently, when there was something on TV—an exposé of an Aboriginal children’s home—that it suddenly dawned on me that that was the same place that I had visited in 1971. So I have lived through this sort of period; it evolves so quickly.

**CHAIR**—Perceptions have changed. But I think from the response, I would say again, and from the evidence to us, the children knew then, and so did their mothers—at least most of them. Professor Sherington, you refer to parental consent in relation to child migration. Because of time, can I give you these questions on notice?

**Prof. Sherington**—If you like, yes.

**CHAIR**—But I would like to make it clear that we do not want a thesis; just some dot points.

**Prof. Sherington**—I do not have time to write a thesis.

**CHAIR**—Quite so. If you would be able to give us a dot point by way of response that would be helpful, but not long pages.

**Prof. Sherington**—Yes.

**CHAIR**—Thank you. You referred to the changes which the British government made in 1947 to the practice of sending children overseas without parental consent. You said it seemed to significantly change as before the war many more children were sent without parental consent. Can you give us any information, on notice, about the procedures when they parents could not be found? Could you just give us a comment or two about what we have also discovered, namely, the deliberate falsification of documents that came with children, post-war, when I think parents were deliberately ignored and children were told that they were orphans, that their parents were dead?

Did the 1951 Moss inquiry and the 1956 fact-finding mission have any impact on the child migration scheme and, in particular, the way in which child migrants were cared for by the institutions? Dr Constantine, from Lancaster University, has referred to the confidential attachments to the 1956 report—available in UK records—that apparently discussed the inspection of individual institutions way back then.

**Prof. Sherington**—In 1956, yes.

**CHAIR**—You are aware of that?

**Prof. Sherington**—Oh, yes. That is why I said government knew about it.

**CHAIR**—So you have dealt with that one. Thank you.

**Prof. Sherington**—If I could take those on notice, I could respond to a number of them.

**CHAIR**—I am sorry, Professor Sherington, we have run out of time. If you could take them on notice and, as I say, just a few comments would be fantastic. Thank you both very much. We are now behind time. I do appreciate very much your coming and your contribution to our deliberations. Many thanks.

[3.15 p.m.]

**CAMPBELL, Mr George Douglas (Private capacity)**

**CLEMENTSON, Ms Lyndon (Private capacity)**

**CHAIR**—Welcome, Mr Campbell and Ms Clementson. The committee has before it your submission. I also acknowledge the presence of Mr Thwaites from the Child Migrants Trust. Would you like to make a brief comment?

**Mr Campbell**—I want to make a point to the committee that I have written to the International Court of Justice in The Hague (Human Rights) regarding the treatment of child migrants:

I am writing to you regarding illegal transportation of British child migrants to all corners of the British Commonwealth between 1900 and 1967. I don't know if you are aware of the scale of transportation of children out of Britain, believe me, the numbers are mind boggling and to be honest nobody knows the exact number, but it is estimated close to 1 million children were transported to all parts of the British Commonwealth only to be physically, mentally and in many cases sexually abused by private and church organisations—Dr Barnardos, Fairbridge Homes, Roman Catholic Church, Church of England, The Salvation Army, et cetera.

Being a former child migrant, I believe that the International Court of Justice should, on behalf of myself and the other thousands of former British child migrants, charge Britain and the Commonwealth with:

1. Loss of British status and heritage
2. Lack of care by governments to protect children, who were physically, mentally and sexually abused by so-called child carers.
3. Failing to give British child migrants the opportunity to be repatriated back to their homeland by those child migrants who wished to do so, at the expense of the British and Commonwealth governments.
4. The failure of the British and Commonwealth governments to admit that British child migrants were transported only to maintain good British stock, overseas, and to dump blue-blooded British children in somebody else's front yard in order to save a few shillings per child, by the British government.

I believe, at the moment, the International Court of Justice (Human Rights) is looking into British child migration schemes, and I would appreciate it if you could pass on this letter to those concerned.

Due to financial restraints, I would love to come to The Hague to give evidence on behalf of British child migrants world wide.

**CHAIR**—When did you write that letter, Mr Campbell?

**Mr Campbell**—That letter was written on 17 February 2001.

**CHAIR**—Thank you. I am presuming you have not yet got a reply.

**Mr Campbell**—I have not heard from them, no, but I hope to in the near future.

**CHAIR**—I think the committee would be extremely interested to know if you get a reply and what is in that reply. Is there something else you would like to add?

**Mr Campbell**—I have the submission here. Most of the topics have been brought up by all the other people who have faced the committee. But I would like to read out my general submission.

My submissions to the Senate Community Affairs References Committee into British child migration:

1. An office to be made available in Sydney N.S.W. for the welfare and wellbeing of former British child migrants, and run by a private welfare organisation.
2. The office in Sydney to have access on the Internet so contact can be made with fellow child migrants.
3. Assistance for child migrants financially to attend conferences and meetings regarding former British child migrants.
4. Appoint former British child migrants to assist fellow child migrants tackle their emotions and the like.
5. Under the Freedom of Information Act, former British child migrants must get unlimited access to information from governments (British and Australian) regarding transportation, and government policies on child migration.
6. Under the Freedom of Information Act, former British child migrants must get unlimited access to information from private organisations (British and Australian) regarding transportation of children to all corners of the Commonwealth.
7. Saturated information and historical facts regarding transportation of minors (child migrants) be made available to local and international media (press, TV and the like) to expose the guilty parties concerned.

**CHAIR**—Mr Campbell, would you mind if I interrupted you here? If you say, ‘No, Senator, I want to read the rest,’ that is okay, you may go ahead. But in terms of time—

**Mr Campbell**—Most of it has been brought up anyway.

**CHAIR**—It is written. We have this on the public record, so we all have access to it. I appreciate, though, that there is a pungency in the way that you are making those points. I also want to know whether your partner would like to make any comment at this time?

**Ms Clementson**—Yes, I would. I have written to everybody—probably except for the KGB—trying to get help for George to find his family. It is funny that it was not until the Senate inquiry came about that he found out that he had a mother and a sister who is older than him. It is very interesting that the Australian government has been a lot more remiss than the British government. We finally got through to 10 Downing Street and Tony Blair spoke to George. I am not sure whether it was an apology or a sympathy but he did at least admit that it had happened. Mr Howard has not replied. My dear friend Phillip Ruddock—I am sure that what I think of him is not allowed to be put in *Hansard*—wrote back to George about Aborigines and Torres Strait Islanders. To my knowledge, there were not very many Aborigines born in Scotland in 1942. To me, that says a lot about what the Australian government thinks about child migrants. I object to the term ‘former child migrants’ because they will be child migrants until the day they die. But to me, the biggest insult was Mr Ruddock writing back to



George to say he was an Aboriginal or a Torres Strait Islander. As I said, there were not that many Aborigines born in Scotland in 1942.

**Senator MURRAY**—Mr Campbell, your submission covers areas which have been dealt with by other witnesses. I would like you to comment on an area which has not been well explored and that is your experiences at Barnardo's. We have not had many submissions from individual child migrants concerning Barnardo's. Perhaps you could outline your experiences with them for us. That would be a useful personal record.

**Mr Campbell**—Personally, Barnardos were the good guys. As far as I am concerned, they are not guilty of many of the crimes that are imposed on all the other organisations. But I do believe that they were influenced by governments at the time to transport children overseas, so they are as guilty as the rest of them.

**Senator MURRAY**—You came here in 1960. To exactly which institution did you go?

**Mr Campbell**—I went to the Barnardos home in Normanhurst—it was called Greenwood. From there, I went to—

**Senator MURRAY**—That is in New South Wales?

**Mr Campbell**—Yes. From there, I went to the coastal town of Kiama. I was there for about three months. From then on, I started an apprenticeship with a carpenter, which failed.

**Senator MURRAY**—At what age were you in 1960?

**Mr Campbell**—I was 16.

**Senator MURRAY**—So you came out as a youth migrant?

**Mr Campbell**—Yes—I think I came under the Big Brother scheme.

**Senator MURRAY**—Do you remain in contact with other Barnardos children?

**Mr Campbell**—Not a great deal these days. At one time, I used to but, like everybody else, we parted our ways and just tried to live a normal sort of life. But I have not really been in contact with Barnardos children for some time.

**Senator MURRAY**—These are very strong recommendations. They are unusually strong for somebody who came out as a relatively mature teenager.

**Mr Campbell**—I am not talking for myself; I am talking for the former child migrants.

**Senator MURRAY**—I see.

**Mr Campbell**—I am talking for child migrants.

**Senator MURRAY**—Have you had discussions with other child migrants in arriving at this submission?

**Mr Campbell**—No, that was all of my own accord. I sat down for quite a few days and thought about it all, and I thought that was the best submission I could come up with at the time.

**Senator MURRAY**—During your time at Barnardos, were there any instances of cruelty, physical assault, serious assault or emotional abuse—those sorts of things?

**Mr Campbell**—During my time at Barnardos?

**Senator MURRAY**—Yes.

**Mr Campbell**—No, not that I can recollect. Perhaps it might have been, because I was admitted at Barnardos at a very early age. Perhaps there might have been way back in the early fifties.

**Senator MURRAY**—In England?

**Mr Campbell**—Yes, in England. But as far as abuse of children, no, I cannot say I have seen any.

**Senator MURRAY**—All right.

**Ms Clementson**—Can I say something here. I am trained as a teacher of emotionally abused children—that is my profession—and my belief is that George has suffered a lot more abuse than he admits to. It is very common for abused children to pretend it did not happen. That is how they cope. I have lived with George for eight years, and it is my belief that he was abused a lot more than he admits to. That is my professional view. I am not saying that as somebody just out of the blue. He shows all the signs of having been abused a lot more than he says.

**Senator GIBBS**—Mr Campbell, at what age were you at Barnardos in England?

**Mr Campbell**—I was admitted when I was three years old. I was repatriated from Scotland. I copped abuse from a stepfather and a mother who did not want me. She originally wanted me aborted. I spent six months in the Edinburgh children's hospital with malnutrition, a broken nose and a fractured jaw at the age of three, and so I was admitted to Barnardos. I went to three homes in England: one at Woodford Bridge in London, one at Barkingside in Essex and the other was William Baker Technical College in Hertfordshire, where I was to learn a trade as a carpenter and joiner. My time at Goldings was the happiest time in my whole life. I thoroughly enjoyed it. It was very military, but I enjoyed every minute of it.

**Senator GIBBS**—Thank you. In recommendation 6 you say that, under the Freedom of Information Act, former British child migrants must get unlimited access to information from private organisations. Have you had a problem with this yourself?

**Mr Campbell**—No. I got most of the information because, as Barnardos Australia have already told the committee, they have given us unlimited access to files. I am talking on behalf of most child migrants, because they had a great deal of difficulty getting access to information. I am not talking about myself individually; I am talking about child migrants.

**Senator GIBBS**—Thank you. When you came out to Australia at 16, did the British government actually issue you with a passport?

**Mr Campbell**—No.

**Senator GIBBS**—No passport?

**Mr Campbell**—No.

**Senator GIBBS**—Even at the age of 16?

**Mr Campbell**—No. All we got was a voucher. A voucher was used to buy a dress or a pair of socks. Children were transported to Australia—to the Commonwealth—with a voucher. A voucher does not seem very much for a child migrant, does it. It doesn't say much for the price of children.

**Senator GIBBS**—No. So it would have been later on in life that you would have acquired a passport and all that sort of thing?

**Mr Campbell**—I have never bothered, but I will very shortly because the ISS has given approval for me to go back to Scotland to visit family that I have found in the last month. That is very convenient, isn't it.

**Senator GIBBS**—Great.

**CHAIR**—We will not ask you how you found your family, Mr Campbell, but it is a very positive note on which to finish. Thank you for remembering all that, for writing it down and for being prepared to come and tell us. We thank you very much.

**Mr Campbell**—It is a pleasure.

**CHAIR**—Because of the pressure of time, I appreciate your accepting us being a bit brief here. We do appreciate it and we have your written submission. Thank you.

**Mr Campbell**—Thank you very much.

[3.31 p.m.]

**RUSH, Miss Peggy (Private capacity)**

**CHAIR**—Welcome. I understand that you have seen a copy of the Senate procedures for the protection of witnesses and their evidence?

**Miss Rush**—Yes.

**CHAIR**— I note that Mr Ian Thwaites from the Child Migrants Trust is sitting beside you. Would you now like to make a statement?

**Miss Rush**—Firstly, I would like to say that I was very happy to hear the Catholic Church offer an apology this morning, because a year ago I asked them for an apology on behalf of my mother. I was taking soil from her grave in Melbourne back to Ireland to bury in her ancestral burial plot, which goes back to my great great-grandparents. They did not do that. That would have meant a lot to me and it would have given closure. I could have told my mother that she could rest in peace.

I approached the Sisters of Mercy in South Australia way back in 1992, and tried to reach some kind of reconciliation with them. I went through the Towards Healing process. I have been dealing with those issues right up until now. All these letters pertain to letters from the Sisters of Mercy—letters of mine to the Sisters of Mercy. This is all to deal with the Towards Healing process. You may photocopy every one of the individual letters if you wish. It was just a brick wall that I was up against all the time. So when it was mentioned this morning that the Towards Healing process had been set up, all I can say is that it is a sham. They said to me two years ago that they had closed my file. I said, ‘I have not closed this. There are still issues I want to discuss with you.’

Briefly, I will tell you my story. My mother and father were Irish. My mother came from Galway, a farm in Corrandulla, and my father came from Kilmallock in Limerick. I was brought up in Ireland until I was about six years of age. I then went to live in England. I have an older sister, Mary. By 1949, Mum and Dad just were not getting on, so Mum got a legal separation from my father. I had never been in an orphanage in my life. I need to tell you these things: my mother had been a nun in France. She then got separated from my father.

Going back a little bit further, because it might provide some insight for you, my sister was born out of wedlock. Because her father had had an accident, it was decided that my mother and he were not going to get married. But when my mother married my father, he adopted my sister. When mum’s marriage broke down, she decided that she wanted to migrate to Australia with my sister and me. She went to Australia House. I can remember that. She saw the chief migration officer there, who was a Catholic priest—Father Nichol. I am sure he would have looked at her history—birth certificates, my sister’s birth certificate, and whatever else. He recommended to my mother, ‘Send your girls out to Australia first and they can stay with a nice foster family till you have saved up some more money and then you can join them.’ Mum

trusted him. He was a priest. Also, she did not fear us staying with a foster family. Many children in England were sent to foster homes during the war.

She sent us out. We were put in Goodwood orphanage. Mum was then blocked from coming out. I have all the letters and documents from the Department of Immigration in Australia to Catholic child welfare in South Australia; to Father Roberts, who was my custodian, to the nuns. I have all the government documents pertaining to how my mother was constantly blocked. They assumed that we had come from an orphanage in England. They asked, in one of the letters, to find out what maintenance my mother paid for us while we were in England. They must have thought we had been in an orphanage in England. They never bothered to find out.

Father Roberts said that if my mother came to Australia she would have to pay £2.50 per week per child—£5, which was more than her weekly wage—and that she could not have custody of us until we turned 16. My mother had never given up custody. It used to cost £10 to come to Australia. It was a fruitless mission for my mother to even attempt to do so because they kept blocking her. Why didn't they want her to come out? They did not want her to know what was going on—this child migrant scheme and all these kids in orphanages. She saved up her own boat fare and came out as a free passenger in 1953; I arrived in Australia in 1950. From the time I was seven until I left the orphanage at 15, I was never allowed to spend one day or one night with my mother. I loved my mother very much. My mother loved us very much. I think she was the only woman who came out looking for her children.

By the time we went to live with mum, the bond was broken. We had no knowledge. I often used to say, 'Why did you put us in an orphanage? Why did you leave us there? You didn't love us.' She tried to explain but we did not believe her. She did not know all the facts. That is the background.

With respect to the orphanage, where do I start? I never went to high school. I went as far as grade 7. I was very cruelly treated. It happened every day. It was constant. The nun in charge of us was Sister Clare. She was an amazing woman. She had a lot of strength, and she was very cruel. We were all in awe and fear of her. Even the other nuns would step back and would not question her or her punishments.

We used to have to go on our knees to get punished—I suppose that way we were helpless; we could not run away—and she would hit us with a heavy wooden brush, six or 10 on each hand. If you flinched, you got it on the shoulders. I was locked up, when I was 11, in the third-floor cloakroom for two months. This was after class time, after school, and the whole of the weekends. My meals were brought up to me. She told me I was not allowed to talk to anybody but God. It was a very small room and it was up on the third floor. I used to look out the window, and down in front was the main road and I would count all the yellow cars, all the blue cars. If I was not doing that, I was doing 'strings and tags'.

**CHAIR**—What did you do, Miss Rush, to get two months isolation punishment?

**Miss Rush**—I was always getting into trouble for what she called smirking. I was a gregarious child. We were not naughty; we were too scared to be naughty. I was always talking. My sister was in charge of the girls and she had to write down our number if we spoke anywhere. For example, I was a kid: I might talk to somebody behind my sister's back. My

sister would put my number down whether I spoke or not, because another girl would dob on her and then she would get into trouble for favouring me. So my number was constantly down. I tried so hard to be good. I said I wanted to be a nun because I wanted to be educated, but I was not listened to there, either.

**CHAIR**—Just one other question, Miss Rush: can you tell us about the brush that you got hit with? What size was it? Was it a hairbrush of the standard sort?

**Miss Rush**—It was more like a clothes brush, because it was about that big, wooden with a handle. And then there was the black leather strap, and then there was the feather duster on the back of the legs—that hurt. When I was in grade 7, I got the side of the ruler on the back of my hands. This went on for three days, because Sister Clare decided she was going to take grade 7 through the whole arithmetic book—20 sums on each page and about 20 pages. Every time I gave a wrong answer, she would hit me—like that—on the back of the hands. The more she hit me, the more I cried, and the more I cried, I could not think. My hands, you could not see any of these knuckles or this bone. They were all swollen, cut and bruised. I would say for two weeks I couldn't use my hands smoothly, and for the first few days I could not pick up a knife and fork. There was another nun who saw this happening, Sister Margaret. She was with the bigger girls over near the kitchen, and they told me afterwards that she had said, 'Look at that poor girl. Look what's happening to her.' But nothing else was done about it.

**CHAIR**—What happened when you were 15? Did you leave the orphanage to go to work?

**Miss Rush**—Yes. There was an ad in the paper. It was to sit for a scholarship exam for a secretarial course. You had to go for a test, and I passed the test and qualified. The government paid you and you did a shorthand-typing course for six months, and then you were bonded to the government. That is how I started off. Later on I got into the promotional industry and I am now a high school teacher. I was intelligent. I knew it.

About the dentist: I was over St Mary's side, and you were over that side until you were at least nine years of age, so I must have been around eight or 8½. A group of us used to get sent to the dentist in town, and all of my baby teeth, the whole lot, were removed. I can remember lying up in bed in the dormitory for quite a few days—I could not eat, nothing, nobody ever came to me—I just looked at the ceiling and followed all the patterns in the ceiling.

After that, I was petrified to go to the dentist. Your turn would come up every so often. They were young guys. There was no injection; there was nothing. You would come back with all the insides of your gums ripped. We used to hate it. I am still petrified of the dentist. When I go now, they have to give me a Valium injection. I have anxiety attacks at the dentist.

**Senator GIBBS**—Why were your teeth taken out, Miss Rush? Was there something wrong with them?

**Miss Rush**—No. I still have good teeth.

**Senator GIBBS**—Why were your baby teeth taken out?

**Miss Rush**—I do not know.

**Senator MURRAY**—Were these students?

**Miss Rush**—Yes, they were.

**Senator MURRAY**—Where was the place where this was happening?

**Miss Rush**—The dental hospital.

**Senator MURRAY**—They were students at the hospital?

**Senator GIBBS**—They were practising?

**Senator MURRAY**—There was nothing wrong with your teeth?

**Miss Rush**—I would say not. I had been brought up in Ireland on milk. My genes are very good, and I have strong teeth.

**Senator MURRAY**—Were there other people in the room?

**Miss Rush**—Yes, it was an enormous room, with rows and rows of dental chairs.

**Senator MURRAY**—Were other dentists watching as the student practised on your mouth?

**Miss Rush**—Sometimes.

**Senator MURRAY**—Did you get the impression they were practising?

**Miss Rush**—We all knew that.

**Senator MURRAY**—So you were human practice vehicles so that they could learn dentistry. Is that what you are telling us?

**Miss Rush**—I would not have put it in those words when I was a kid, but we knew they were practising on us because they were so clumsy.

**Senator MURRAY**—There was nothing wrong with your teeth?

**Miss Rush**—No. I would like to talk about the ‘strings and tags’.

**CHAIR**—Briefly, because unfortunately we are coming to the end of time.

**Miss Rush**—The ‘strings and tags’ were for the Metro Meat Company. The strings were cut so long. There were 80 strings to a bundle, and it took 13 minutes to do a bundle. Sister Clare set the quota. I used to get 20 bundles a day and a box of tags. That is 1,600 tags. I would be up until 1 o’clock in the morning getting my punishment finished, because if you did not, you got belted. The punishments would go on—‘strings and tags’ went on for nearly 4½ years. The string threads used to go in our fingers and make blisters. We would sit up on the bathroom

floor to keep ourselves awake because the tiles were cold. When I told the nuns, ‘That was child labour. I want to be paid for that,’ one of the nuns, Anne Gregory, said, ‘We were told that sister bought records for you to dance to with that money.’ I said ‘We could have bought the whole record company.’ That money, I was told, was used to buy a big industrial laundry.

**CHAIR**—What was the worst you were beaten?

**Miss Rush**—That was that time.

**CHAIR**—Right. You have given us some extremely interesting information. How did this policy happen? How did it happen to you? What was the intention of the program, et cetera? It is interesting because probably what the program was intended for caught you in it.

**Miss Rush**—Yes, innocent victims. We were caught up in it. I am aware of that, but I think the majority of the child migrants who were sent out here to Catholic orphanages were of Irish background. In Ireland, the state and the church were one. There was no such thing as abortion in Ireland. If you got pregnant and you were found out, you were sent into a home. You stayed there for the rest of your life doing industrial laundry, and your baby was taken off you and adopted. So some of the Irish women went to England. They had their babies and some of them, I suppose, tried to cope for a while. When they could not, they put the child in an orphanage until they could get a job or somewhere to live. They were the children who were sent out to Australia. What am I saying? Now I am lost.

**CHAIR**—Actually, it is a very interesting point you raise, Miss Rush, because we have been told that the Irish government was not part of the migration, that these were British children. But what you are telling us is that they—

**Miss Rush**—They were born in England. Their mother went across to England; they still go across to England to have an abortion or a baby if they were not married.

**CHAIR**—These babies were conceived in Ireland?

**Miss Rush**—Yes.

**CHAIR**—They were born in England and many of them finished up being the migrants called British migrants, so they were Irish tackers?

**Miss Rush**—Yes. From my discussions with the Child Migrants Trust, they are constantly going to Ireland to trace the parents. I would also like to say how much I appreciate what the Child Migrants Trust has done for me and for other migrants, but especially for me, because it is a very personal thing. Without them I would never have met my cousins in Ireland last year. I could not turn up there, knock on the door and say, ‘Hi, I’m Peggy Rush. I was in an orphanage all my childhood.’ I needed them as facilitators and they did a wonderful job. They were very caring and they helped me to sort of take my mum home.

**Senator MURRAY**—Miss Rush, could you corroborate some evidence we have had about the Goodwood orphanage. Did you discuss with other girls or do you know whether any other girls there were sexually abused by two gardeners at that institution?



**Miss Rush**—Not that I know of.

**Senator MURRAY**—Do you know whether any girls there were sexually abused in any way?

**Miss Rush**—Yes, I was, when I was 10, during the holidays. I told another girl, she reported it to the nun and the nun questioned me. This was Sister Clare. I was on holidays and we were going for a drive. There was the man I was on holidays with, his friend, a son, myself in the back seat, an uncle and another—I think it was the daughter. We went down to Goolwa. It was very hot and I asked if I could go and rest in the car. I woke up and the uncle was touching me. I feigned being asleep because I was so scared and then I pretended to wake up and I got out of the car. On the way home, I had to sit next to him again. I thought, ‘No way, I’m not sitting,’ and I stood up. He kept grabbing my hand and pushing it against his penis. I kept pulling my hand away and he kept grabbing it and doing that. It sounds silly but in the end I dug my nails into him and he let go.

**Senator MURRAY**—I hope you had long nails!

**Miss Rush**—No, I didn’t; I was only 10. He kept grabbing my hand. When I got back to the orphanage, I told one of the girls. She told Sister Clare. Sister Clare questioned me. I told her what had happened. I do not know how long afterwards it was—it was not that long—on a Saturday afternoon, the man who had taken me for the holidays was in the orphanage grounds. He was standing there talking to Sister Clare with this great big box next to him. When someone takes you for a holiday, you regard that person as yours—that is your person, that is your visitor—so I raced across and Sister Clare told me to go away. I could not understand. I thought the box was a present for me. It was a radiogram that this man had donated to the nuns for the girls. I was told I was never allowed to talk to or go and see him again, if he ever came. He used to come every Saturday afternoon for the rest of the summer and take five of the big girls down to the beach to swim. I was never included. I was never allowed to talk to him again. I did not figure out anything then. I just could not understand why. It was only when I grew up that I thought, ‘I was bought off for a radiogram.’

I met two of the brothers about three years ago in Adelaide. I questioned them. I did not want to let them know what happened. I said to them, ‘Did you have an uncle living with you?’ and they said, ‘Yes.’ I said, ‘Whatever happened to him?’ ‘Grandad kicked him out.’ Then I asked, ‘How is your sister?’ ‘She is a manic-depressive.’ I can only surmise.

**CHAIR**—Miss Rush, I thank you very much. I understand that you have had a fair hand in making a lot of things happen for child migrants. I think many child migrant would appreciate what you have done. This committee will only be as good as the evidence we get. Your submission and the words you have given us today are a great help. We thank you very much.

**Miss Rush**—Thank you for giving me the opportunity.

[3.57 p.m.]

**HENNESSEY, Mr John (Private capacity)**

**CHAIR**—Welcome, Mr Hennessey. We appreciate the addition that you have placed on the table in front of you.

**Mr Hennessey**—There is a reason for that.

**CHAIR**—I will leave it to you to tell us. I understand that you have seen a copy of the Senate procedures for the protection of witnesses and their evidence.

**Mr Hennessey**—Yes.

**CHAIR**—You know our terrible time constraint, Mr Hennessey, so I ask you to move straight to the explanation and what you would like to tell us.

**Mr Hennessey**—I would like to dedicate my session to my 88-year-old mother. I am 65 and I have only been with her for six weeks of my life. I would also like to dedicate it to Margaret Humphreys, on the Child Migrants Trust. Without them I would never have met my mother. What has surprised me with the professionals has been the coldness of their evidence. They say that what happened in the 1940s and what have you was a ‘sign of the times’. Do they mean to tell me that whilst we have been sexually, mentally and physically abused at places like Bindoon, Catholic families in Perth were also sexually abusing their children because that was a ‘sign of the times’? Do they mean to say about the people who went to the gas chambers that that was ‘bad luck’, or ‘a sign of the times’? That is absolutely disgusting. These people have to realise that what happened 40 years ago is still happening today. I am sitting in front of you with a broken heart. I am a former deputy mayor of Campbelltown, and I have done pretty well in public life—but I have done so in spite of it.

The reason why I have done this is that there was a perception at the time of ‘These street urchins will never do any good anyway so why worry about them?’ Something inside me said, ‘John, you owe it to yourself and you owe it to the other child migrants to do something with your life.’ I also owed it to my dear mother. Last Tuesday was my 65th birthday. The first phone call I got—at 7 o’clock in the morning—was from my 88-year-old mother. Compensation becomes very clear in this. I should have been with my mother on Tuesday because it was my birthday.

There are two sides to this story. I have suffered all my life but what about my mother? For 65 years she did not know where her lost child was. She married a man 40 years ago by the name of Patrick—a lovely man. I do not call him my stepdad; I call him my father, because he is my mother’s pride and joy. I said to my mother, ‘Why didn’t you tell Patrick you had this child?’ Mum said, ‘Michael John, when we were courting, a priest made me swear on the Bible that Patrick was not to know that I had this child.’ Little did we know that I would end up being the only child. The reason why she did not have another child was that she did not want to lose another child.

I did not get married as a result of what happened to me at Bindoon. The reason why I did not get married is because I did not want another child to be brought into this world and go through what I went through. But I do dearly regret that I have not got little Hennesseys running around the place but I will go to the grave with that. How dare anybody say that this was 40 years ago and it is not happening today. The coldness of the evidence is unbelievable: ‘That happened 40 years ago,’ and ‘That was the sign of the times.’ That is outrageous.

**CHAIR**—Is that all you would like to say this time, Mr Hennessey?

**Mr Hennessey**—Yes.

**CHAIR**—I would like to assure you that—as I think you heard a number of the senators say—we do not accept that what happened then was ‘a sign of the times’. Much of what happened then was criminal assault or criminal sexual assault and under the law at that time was not acceptable. You have made the point much more poignantly than me.

**Senator KNOWLES**—I would like to know the reason behind you bringing your flags. It is obviously because of your association with both countries but you are about to be in full flight to explain that to us before our procedures cut you off.

**Mr Hennessey**—I must first say that I am delighted with the committee. I think you are all wonderful people. There is no politics involved. I think you are very genuine, lovely people. The reason why I brought these flags is the agreements—and we must not forget this—for the child migrants scheme was between the Australian and British governments. There are no ifs, buts or maybes. It even came down from Buckingham Palace that royalty had to know this scheme was on.

I was in the House of Commons three years ago. The British members of parliament gave me the royal treatment. I also went to 10 Downing Street and met the British Prime Minister he also was wonderful. Tony Blair said to me, ‘Michael John, where is your mother today?’ and I said, ‘Had I been here ten years earlier, my mother would be here today but she is so frail.’ He was going to send a government car around to pick her up but I said that was not on.

My mother has told me that she never signed any papers. I have never really told her the whole story about Bindoon and what have you because why would you be so cruel as to tell a lady of 88—bad enough to lose her child for 65 bloody years—that I was sexually, mentally and physically abused? That would be outrageous.

**Senator KNOWLES**—Are you now an Australian citizen?

**Mr Hennessey**—Yes.

**Senator KNOWLES**—When did you take out citizenship?

**Mr Hennessey**—I am a proud Australian citizen. I will tell you how I got away with blue murder, to be quite honest: I was the former Deputy Mayor of Campbelltown—as a British subject. Nobody questioned had I been an Australian citizen. The staff of Campbelltown, who were always marvellous, said to me after my term, ‘John, why didn’t you tell us this story about

you when you were on council?’ And I said, ‘The last thing I wanted was sympathy. I wanted you to treat me as I am, not perceived.’

Seven years ago, Margaret Humphreys found my original birth certificate. Until then I did not know who I was. I had no identity. It was only by finding this that Margaret and her team found the signature of my mother. The birth certificate that the brothers had was doctored. My place of birth was changed and my name was changed. They always told me I was born in Belfast, so Margaret, 10 years ago, went looking for my mother in Belfast. But every time they went around they hit a brick wall. We found that I was born in Cheltenham, in England. The Child Migrants Trust came up with 145 May Mary Hennesseys. How the devil could you strike that? They whittled that down, and Margaret has since told me that as soon as she saw my mother, she said, ‘That’s Michael John.’

**Senator KNOWLES**—Were you previously known by another name for all those years?

**Mr Hennessey**—Yes. I was John Hennessey. My real name is Michael Hennessey.

**Senator KNOWLES**—You have still, obviously, kept the ‘John’.

**Mr Hennessey**—Because it is too late in the season. Everybody knew me by that.

**Senator KNOWLES**—It’s too late in the season to change the team, isn’t it?

**Mr Hennessey**—An interesting thing as well: I got this card on Tuesday. This is from my mum and dad, and they have put there, ‘Dear Michael John.’ That is the second card I have had in my life, in 65 years, from my mother. For anybody to say that was a sign of the times, they don’t know.

I was a painter and decorator for years, and what used to often amaze me was to go into people’s lounge rooms to get the place ready, and there were always these pictures of their grandchildren, their mums and dads and what have you, and I used to come home and I used to think about it: my wall was blank. I had nothing there. Why? That was the deception.

This stutter I got, that was done through a flogging by Brother Keaney. I heard you earlier, Senator Murray, listing the brothers that have been questioned as paedophiles. Well, I am going to tell you a first: Brother Keaney, I was one of his pets. At half past nine at night time, for two years—because Brother Keaney was a big man, a proud man, big white hair—I used to have to run oil in his hair. He loved his hair to be there. Whilst I would be rubbing his hair, he would be playing with my genitals. So if anybody tells you Brother Keaney is a saint, mark my words: I am an eyewitness that he wasn’t.

**Senator MURRAY**—I must tell you that, on the public record in Melbourne, one of the witnesses said that he had been raped by Brother Keaney.

**Mr Hennessey**—We are not complainers or whingers or what have you; it is just human to want to have your own family. What is wrong with that? Is there something wrong with that? But because distance is tyranny and money is the question, I cannot be with my mother. I believe that on justice alone we should be compensated. Nothing will compensate for 65 years

without your mother. But at least give us a chance—in her dying days I could be with her. For God's sake, she is 88; she will not be around for very long. Is it too much?

I worked at Bindoon since I was 10 years old, with the blood coming out of my hands, putting the rocks on those massive buildings. I never got a cent for that. There was no pay, no dignity, no nothing. I was building a monument for somebody else. It was child slave labour.

You say some people have done well—of course, they have done well. I have done well. But that does not mean to say we are not hurting, we are not suffering or we have not missed opportunities. And this coldness of the officials: 'Oh? That was in those days'. We are still alive, we are still living, we are still suffering—today, not 40 years ago. Today.

**CHAIR**—Mr Hennessey, if ever there was an example—we have had plenty, but yours is up there with the best—of why it is important to speak to people and not just read their words, you have just given it to us. I have learnt a lot about things in this inquiry, and certain lines will blow other people away. But the idea of being a painter and decorator and discovering that everybody else has family pictures in their house but you have not got one in yours is a very powerful metaphor, a very powerful message. Mr Hennessey, thank you so much.

**Senator TCHEN**—Mr Hennessey, can I refer to a part of your evidence that you gave us confidentially—I hope you do not mind me referring to it?

**Mr Hennessey**—No.

**Senator TCHEN**—You were talking about your life in Bindoon, and you said that some children died from falling from the scaffolding. Can you recall what year that was and how many times that happened?

**Mr Hennessey**—We are lucky a lot more kids did not die—I'll tell you that. We used to disrupt the building schedule so that we could get off. We used to pull the planks on the scaffold and put them on the edge, and you would walk there and the plank would go and away you would go. There were two to my knowledge—and there was talk about Father Stinson. Father Stinson was the priest that conducted the funeral service.

**Senator TCHEN**—Can you recall what year it was?

**Mr Hennessey**—I was there from 1947 to 1955. It would be in 1948 or 1949 or somewhere around that time. What was hard to believe for a funeral of a child was that the coffin was put in the back of a ute, and we went up in the hills and the kids were buried up in the hills. Brother Keaney—you will see if you go to Bindoon—is in a \$4,000 marble grave, whilst these little kids that had died, little flowers of the empire, have just got blocks around them.

**Senator TCHEN**—Yes. I know it might be difficult for you, but can you recall the names of the children who died?

**Mr Hennessey**—No, I am too upset at this stage.

**Senator TCHEN**—Were they British migrants?

**Mr Hennessey**—British migrants.

**Senator TCHEN**—If you have a chance to recall those names, perhaps you could give them to us. It has been bothering me that a number of witnesses have told us that children died there; yet on official records only five died. I was wondering whether more people died, unrecorded.

**Mr Hennessey**—There was no coronial inquest.

**Senator TCHEN**—Yes, that bothers me.

**Mr Hennessey**—I would like to say one thing before I leave. A lot of officials have asked why we did not complain. You have to remember that in those days the bishop, the priests and the nuns were above the law, and who would believe us ungrateful children? ‘We have given you a home; we have given you a life; you ungrateful people talking about these men of the cloth like that.’ I will go to the grave having been abused by two of them.

**CHAIR**—Thank you, Mr Hennessey, yet again. I say again that no words written on a page conveyed what you have just conveyed in your evidence here today, and the committee thanks you very much. Ladies and gentlemen, thank you very much for your attendance and for your empathy, which you showed by clapping. Your empathy was coming over in big waves. The committee is very appreciative of you all being here. You may not have said anything, but we got a lot of messages. Thank you.

[4.19 p.m.]

**GRANT, Mr Ronald, (Private capacity)**

**CHAIR**—Welcome, Mr Grant. I just want to make it clear, Mr Grant, that this session will be recorded by *Hansard*, but because it is an in camera or a confidential hearing, that *Hansard* record will be available only to you and to the committee. You can show it to other people if you wish but it is not going to any of the other witnesses who are here today or other days.

**Mr Grant**—I do not mind if it does. The reason I have asked to speak to you privately is not because I have got any embarrassing episodes to tell you about; it is because I find it extremely painful and extremely difficult to talk about and I am likely to finish up in tears.

**CHAIR**—Take your time, Mr Grant. That has happened before. Please don't let it worry you.

**Mr Grant**—If I dissolve into tears, please ignore it and let us just carry on.

**CHAIR**—I need to check that you have seen a copy of the Senate procedures for the protection of witnesses.

**Mr Grant**—Yes, I have.

**CHAIR**—Why don't you tell us what you would like to tell us, Mr Grant.

**Mr Grant**—I guess my crime that started all this was when I selected my mother. I selected a mum who had the bad manners to die when I was two years of age. My dad was a serving soldier and I had three siblings who were older than I. I do not have a memory of my mum. My dad had to return to active service. Two days after he returned to active service, as I found out recently, I was put into care with the National Children's Home.

I would like to say that I have nothing but the fondest memories of my time with the National Children's Home. At that time it was probably one of the roughest types of institutions that you could imagine. In my early days—and strangely I have very clear and full memories—I lived in a house of 30 boys. Food was pretty rough and ready. My breakfast used to consist of—and I choose my words carefully—a lump of porridge and a lump of bread. It was pretty rugged in those days. The favourite punishment was what they used to call toes, knees and nose. That consisted of standing against a wall with your toes, knees and nose touching the wall. However, over the years, the NCH developed into what I consider to be, at the time I left NCH—I was 13 years of age—the most advanced and enlightened institutional place imaginable. We lived in small family groups of both boys and girls. Our ages ranged anywhere from three up to 16 years. It was a family.

**CHAIR**—Were your siblings in the institution too, Mr Grant?

**Mr Grant**—No. At this time I was not aware that I had any siblings. I will not bore you with details of life in the home; suffice to say that it was, as institutions go, probably the best. The only reason I mention it is by way of comparison to what I came to. I came to Australia to a better life—or so I was told. Actually, the way I came to say that I would go to Australia was that I thought I had been asked, ‘Would you like to go horse training?’

I was 12 years of age at the time—a young Yorkshireman. I was gutsy. If you know anything about Yorkshiremen, you would know that they do not take a backward step. I said, ‘Yes, bloody oath.’ I probably did not say ‘bloody oath’ but I probably said something similar. I can remember the governor said to me, ‘Whoa, you cannot make a decision like that.’ I really had no idea what horse training was. I thought it sounded like cowboys and indians and messing around with horses. He was a rather pucker type of bloke, and it was not until some time afterwards that I learnt what he had said was, ‘Would you like to go to Australia?’ However, having said yes, I was not going to back down.

One of the conditions that I did put on going to Australia was, ‘Tell me about me. Where did I come from? Who am I? Are there any more of me?’ The information I got was, ‘Yes, you have two brothers and a sister somewhere. Your mum is dead. We do not know where your dad is, and we do not know where they are.’ As recently as last October, I found out that at that exact time—not somewhere near, but at that exact time—my mum’s sister, who had adopted my own sister, and my sister were at Highbury, which was the head office of the home, looking for young Ron. They told them they did not know where I was. As I say, I learned this just last October when I was able to get hold of my history off high up.

But I came here to Dalmar, which was the Methodist children’s home at Carlingford. We had gone out to see the immigration people and been sprayed and they did whatever they did to us—gave us a medical. We got off the bus at Dalmar at Carlingford, and we walked across to the two different homes—the boys home and the girls home. As I walked in, the place was crawling with cockroaches. I turned to one of the guys that came with me, Billy Cunningham, and I said, ‘Bill, I have come halfway round the world for this.’

I was not a stupid kid; I was attending grammar school. I had won a scholarship to grammar school in England and, within two days of arriving here, I started milking cows. I had never milked a cow in my life before, but we had 50 cows at Dalmar. One of the Aussie lads, Pete Looby, and I hand milked 50 cows before and after school. Within about, I think, a week after we arrived, we were taken into the Central Methodist Mission’s head office and, much to my discomfort, we were paraded on the stage basically as exhibits of these poor unfortunate kids that had been brought out from England. We were not poor unfortunate kids that had been brought out from England. Contrary to what a lot of people would believe, during the war I was better off than most kids living with their mum and dad. I never went hungry. I always had new shoes when I needed new shoes. I always had a good uniform to go to school in. I was assured of an education that could go as far as I was capable of taking it.

I came to Dalmar, and on the day that we were paraded in the lyceum Bayer Haywood, who was at that time the head of the Methodist Mission, asked, ‘What would you like to do, son?’ I said, ‘I want an agricultural science degree. I want to study breeding and feeding of livestock, particularly beef cattle.’ His reply was, ‘If you are good enough, you can get it.’ I worked bloody hard at school. I covered a three-year agricultural science course before I left school—bear in mind I was 13½—and I achieved my intermediate certificate. My ag science teacher told



ar in mind I was 13½—and I achieved my intermediate certificate. My ag science teacher told me that I was good enough to go on to Hurlstone Agricultural College. I had the abilities and I had got the passes. I left school, after having achieved the intermediate certificate, fully expecting that I would go on. I was naïve. I had had these promises that if I was good enough I could get there, just to be told, ‘We can’t afford to keep you at school any longer.’ So nothing happened. I just did not go to school any more. I worked around the place.

I was let out a builder, and I virtually built a cottage frame at Lottie Stewart Hospital, without pay, while working with an elderly builder. I do not even remember his name. I know it was an Italian name—Benetti or something of that nature. I got jack of that, and one day I said to my Sunday school teacher, Frank Honey, ‘Mr Honey, how do I go about getting a job?’ He said, ‘What do you want to do? I told him what I wanted to do, and he said, ‘Ron, I can’t do anything about getting you to Hurlstone Agricultural College. Why don’t you take an apprenticeship and see what you can do with that?’ I said, ‘Okay, that sounds fine.’ Unbeknown to Dalmar, Mr Honey, who worked for the railway department—I do not know where; somewhere in administration—talked to me about getting an apprenticeship and arranged for me to do an entrance examination. I cleared out from Dalmar without permission to do just that. I passed my entrance examination, and I started as an engineering apprenticeship. I was 14½. I had faked Don Stewart’s signature, Don Stewart being the superintendent of Dalmar. The situation was subsequently sorted out, and I started work. Again, on the first day I started work I just left Dalmar and went to work. Muck hit the fan a bit and I copped a bit of a hiding. I never ever took another hiding, though, because I had discovered a scientific fact that the power of punches is totally lost when the testicles become crushed.

**Senator MURRAY**—The professional term is ‘the squirrel grip’.

**CHAIR**—You were not punished for doing that?

**Mr Grant**—Never again. I have a good pair of strong arms and a good pair of broad shoulders, as you can see, and I had them as a 14-year-old too. I made Don Stewart a promise—and I think I would have kept it—that if he ever laid another hand on me I would kill him. It frightens me to think that I probably would have kept that promise.

**Senator TCHEN**—It obviously frightened him!

**CHAIR**—Was this because you actually went out to work to a job that you had set up for yourself?

**Mr Grant**—Yes. I have never been so lonely in my life as I was at Dalmar. But that is not strictly true. At 14½ I was convinced I was better qualified to run a children’s home than he was. What is even more frightening is that I am still convinced of it today. The man is dead. He was a bully. There is nothing that anybody can do about that and there is nothing I want to do about it.

The sister in charge of our boys’ home—we called them sisters; they were not sisters at all—the lady in charge was almost illiterate. She was a lovely person—Elva Watson—but she was illiterate and in charge of a group of kids from the age of probably 10 to 14. I was interested to hear that Alan Gill quoted today this act. It has been said here and in other places that he

delegated his authority. You cannot delegate authority. Well, you can delegate authority; what you cannot delegate is responsibility. He had a responsibility to me to ensure that the people at Dalmar were fit to run Dalmar. He did not live up to that responsibility.

My wife and I have been married 41 years this year. We have got three lovely kids, and throughout our lifetime we have fostered a number of kids. If I had fulfilled my responsibilities as a foster parent the way the Australian government—I have to say ‘the Australian government’, because I do not know who else to lay the fault to—fulfilled their responsibility to me, the children I had been fostering would have been taken away. From the day I arrived in Australia, nobody has ever sat down with me—with the possible exception of Frank Honey, who was my Sunday School teacher—and said, ‘Ron, how do you feel about coming to Australia? What do you want to do about your life? Where do you want to be? Where do you want to go? What do you want to achieve? Have you got any worries?’ I have never, ever in all the time I have been in Australia, with the exception of with my wife and family, sat down and had a heart-to-heart talk, and that makes me weep.

**CHAIR**—Mr Grant, did you finish your agricultural science course?

**Mr Grant**—No.

**CHAIR**—What did you do after that job?

**Mr Grant**—I became an engineering tradesman. I went on and took an engineering diploma. I subsequently went on and took money from training. I have made it my business to be involved with scouting, with kids in general, because I just could not bear to think that any kid that I had been in contact with, or had anything to do with, or had an opportunity to prevent it happening, would feel the loneliness that I felt and still feel.

My wife is not here today for the simple reason that we talked long and hard about it and she decided that it would be better for me to be able to talk to you without any fear of misunderstandings from her point of view. We both, with a lot of pain, remember the situation that occurred with our youngest daughter in the car one day. We had been up to Dalmar to a reunion, one of three times, and we were talking about my experiences, my feelings of regrets about coming to Australia et cetera. My youngest daughter, Heather, said to me, ‘Dad, does that mean you don’t really want Mum and us kids?’ I have tried never to put myself or my kids in the situation of hearing me express anything quite like that again.

I asked my wife’s father, nine months after we had been running around together, for his blessing. Bear in mind we had a good relationship. We met at a church fellowship and we had knocked around as part of the church fellowship group. Although they were different churches, we got together on a fairly regular basis for dances et cetera and I had known Helen long before I really started to notice her. I thought I had a real good relationship with her Dad. I had built boats with him; I had sailed boats with him, but when I asked him for his daughter’s hand in marriage, he sent his daughter to Tasmania because, in his words, ‘We don’t know anything about him. Who is he?’ God bless my wife, she said to her Dad, ‘You know about as much about him as he does about himself.’ I eventually tracked down my brothers and sister.

**CHAIR**—Yes, when did you do that, Mr Grant?

**Mr Grant**—In 1955, originally. This was something that the authorities did not seem to be able to do. I do not know how it occurred. While I was serving my apprenticeship one of the tradesmen I was working under in the Australian railway department here, a fellow called Jack, did quite a lot of work with Legacy. I said to Jack one day, ‘Jack, tell me—do you think if I contacted the Australian Army they would dig into British Army records for me and see if they could find out anything about my dad?’ He asked why, and I told him. He never replied. About three days later he said to me, ‘I want you to come home and meet the wife and have tea with us.’ That was all he said to me. I came home and met Mrs Fleming. We sat and had tea and nothing was said. We cleared away afterwards, then we sat down and had a cup of tea. Jack said, ‘Tell my wife what you told me.’ I told her and she said, ‘I’m going to England in two or three weeks time. You give me what information you have and I’ll see what I can do.’ Less than a month later I got a letter to say, ‘I’m by way of being your sister.’

**CHAIR**—Mr Grant, I appreciate from your letter that you have not had many opportunities to tell your story or be listened to. It is just appalling that we have now come to a time when we have to go. It has been a very pungent message that you have given us, Mr Grant. We have listened, and we have heard. Is there something more you would particularly like to say?

**Mr Grant**—Yes. All my life people have known what is better for me than me, and they make no bones about telling me. I know what I need. I went back to my family in England and spent five years there. I was there between 1974 and 1979. I am 65 years of age this year. At that time I had a young family. So did my brothers and so did my sister. We went without assistance from anybody. I now know that, had I had assistance, the reunion would probably have been more successful than it was. When I say ‘successful’, it was very successful. We are very similar in nature, very interested in one another and get on extremely well, but we had to feed our kids. By virtue of the fact that you work four, five, six or seven days a week, you do not get together. When he is working I am not; when I am working he is not working.

I still find it extremely difficult to write. If you want to understand why, think about your own family situation and then take one word out of your vocabulary—‘remember’. Take that word out of your vocabulary when you are referring to and thinking about your family and you may just begin to understand what I am talking about. I would like nothing better than to go and sit on the garden wall and talk to my brother. I would like to play a game of bowls with my brother. I would like to go fishing with John, my eldest brother. I would like to go and see my sister’s grave. Amongst the information that I got last October was the location of my mother’s grave—fantastic—except that it has been used twice since. I always hoped that one day I would be able to go and sit there and be quiet with my mum. But it’s not going to be there, is it?

**CHAIR**—Mr Grant, I hate having to finish this. Would you excuse those of us who must leave and would you mind if we left—it is really awful; I hate doing this—but Senator Murray and Senator Tchen are able to stay a little longer, so we will not have to completely interrupt you. Would you please excuse us? That is a terribly big ask. But I would also like to say, Mr Grant, thank you very much. Did I understand you to say that you would not mind if this *Hansard* record was public?

**Mr Grant**—Not at all.

**CHAIR**—So it can be made public?

**Mr Grant**—By all means.

**CHAIR**—I just wanted to be clear about that, because you said you did not mind it being public, but then I thought I just needed to check that.

**Mr Grant**—No, I do not mind it being public. Christine McDonald will tell you—we had some discussion as to whether I would speak publicly or otherwise, and the only reason I eventually decided that I would like to speak privately was that I do not like being embarrassed in public.

**CHAIR**—You have done yourself proud, Mr Grant, and, I would have thought, the kids who come in your ken.

**Mr Grant**—Before you do go, can I say this to you all? Please concentrate on remedial measures rather than punitive measures. There is never going to be a useful purpose in putting old men and old women in gaol so to speak. Punishing old people, irrespective of what their crimes are, does not really serve any purpose except to make those old people bloody uncomfortable. That does not help their victims one iota.

**CHAIR**—You keep talking, Mr Grant, and please accept the apologies of those of us who must leave, but Senators Murray and Tchen will continue. Senator Knowles is also staying.

**Mr Grant**—One other thing I would say to you is that my opinion of the British inquiry is that it became the inquiry that the British government needed to have had, rather than the inquiry that child migrants needed to have had. I think if you consider what I am saying you will understand the subtlety. Before you do go, let me give you just one small example. I have a very bright young grandson, Shaun. Shaun is 14 years old.'

**Senator TCHEN**—Mr Grant, although some of the members have left, the committee is still here, so don't rush.

**Mr Grant**—Okay.

**CHAIR**—I will hear about Sean.

**Mr Grant**—Sean is 14. He is a bright kid and he came to me. He has always been extremely interested to understand, probably because his mother, my second daughter Heather, has been a moving force behind a lot of the things that we have done. He said, 'I've done a portrait of you, Pop.' I said, 'I'd better have a look at it.' He is a very talented young kid and he produced a drawing about that size—a coloured drawing and it was a tennis court with a tennis player serving the ball over the net and there was nobody on the other side. The bloke who had just served the tennis ball had a small union jack on his pocket and I did not understand it.

I said, 'How come this is a portrait of me?' and he said, 'Well, it is not exactly a portrait, pop, but it is a little bit of your history the way I see it.' I said, 'Am I in there?' He said, 'Yes, you are that tennis ball. And that is the English government. The Aussie team did not turn up.' This was from a 14-year-old kid. What he was trying to say was that the Australian government had a responsibility but they did not turn up to play the game. Having said that, I love Australia. Why

wouldn't I? I have met the best girl in the world and married her. I have three great kids. I have a comfortable home. I have not got much money, but we are well off.

Recently I had occasion to contact my local member on a matter. One of my brothers' children has asked me to sponsor her to come out here to Australia. I am delighted to do so. I went and saw Jill Hull, who is my local member. Among other things, she said to me, 'Ron, have you got Australian citizenship?' I said, 'No, and that is the reason I am here to talk to you.' Among the papers that I was required to sign was the date, whether I had Australian citizenship or not, and, if I was not born in Australia, the date on which I acquired citizenship.' She said to me, 'Why haven't you got Australian citizenship?' I said to her, 'Jill, I don't know.'

That act says there that, when I came to Australia, in effect the government became my father. Well I am buggered if I am going to ask my father for citizenship. I refuse to turn around and say to the people who were my guardians, 'Please, sir, may I have citizenship?' Australia was prepared to accept me as a 14-year-old kid. They did not argue about whether I was a citizen or not when my national service came due. I had to do that, and I did it gladly.

**ACTING CHAIR (Senator Knowles)**—Mr Grant, are you wishing to continue, because I now have to go as well, because we have reached our scheduled time of conclusion. If you would like to continue, Senator Murray and Senator Tchen are happy to stay. Thank you, Mr Grant.

**Senator MURRAY**— I am glad you have let this be put on the public record. Unfortunately, they will never get your tone of voice, which has been very powerful—and we have had a lot of powerful moments in this hearing, as you can imagine. A couple of things come through; it is very helpful. There is one that nobody has expressed in quite your way. I will quote from your submission:

It is my belief that the UK House of Commons inquiry failed to understand one of the most fundamental and far-reaching effects of the Child Migration Scheme.

I actually wrote down two words, not one. One was 'loneliness', that inner loneliness which stays with you. I do not think anybody has quite expressed it in that way. I understand that. It is something that never leaves you. The other one is 'remember', which I have not heard expressed in that way either. Which of those two did you mean in your paragraph?

**Mr Grant**—Both. Coming to Australia created in my mind almost a feeling of— Combine, if you will, the fact that the British government gave me away. This might help you to understand. This is a little bit that was included in a book that accompanied a video which we made recently, the NCH in England, with interviews of child migrants from the NCH. There was a little booklet, and it said:

Legally, NCH ceased to have responsibility for care and control of the child on his or her migration. This was in accordance with Australian law and the responsibility for children was an issue that the principal of the NCH explored fully with the Federal Department of Immigration of the Australian government for any child that was sent to Australia. The Commonwealth of Australia Immigration (Guardianship of Children) Act 1946 states that all migrant children are wards of the state on their arrival.

It then goes on to quote that portion of the act which declares that the minister for immigration, whoever he is—let us just call him the government—is the guardian.

The Poms served the ball. The Aussies did not pick it up. They took away my feeling of belonging. They took away my identity. I do not know who ‘they’ are, but this is how it feels in here: ‘they’. I am 65 years of age. I arrived here when I was 13 and nobody from Australia with any authority—nobody, which is a big word, never, not once—has ever sat Ron Grant down and asked him anything about what Ron Grant feels, what he thinks. Never. I can tell you that seven, other than my wife, is the number of people that I can remember putting their arms around me—seven, in my life. My sister, in the period of my first meeting, said, ‘Ron, hold me properly.’ I said, ‘I don’t know how’—to my sister. It hurts to this day.

**ACTING CHAIR (Senator Murray)**—Yes, it does.

**Mr Grant**—Does that answer your question?

**ACTING CHAIR**—Ian Thwaites will tell you later why I understand, but I know that Tsebin does as well.

**Mr Grant**—I cannot with any comfort cuddle my kids.

**ACTING CHAIR**—I need something else on the record—citizenship. The problem that you have expressed has also been expressed by others. One thing I have been toying with, which my colleagues have started to debate is this: a possible recommendation to the government that they give automatic citizenship, with a ceremony, to all child migrants, but allow them, or give them the opportunity, to opt out if they wish, because there are some who do not want to become Australian citizens, who have said they are British when they were sent here and they want to remain British. But that grant of citizenship would have to be done by legislation, and the opt-out provision would have to be incorporated. If we were to recommend such a scheme, and if the government were to accept it, and they granted you citizenship on that basis, would that satisfy your view of their fulfilling the obligations of guardianship taken so long ago?

**Mr Grant**—It is a start. Would I accept it? Yes. When I spoke to Canberra, relative to filling out these papers, one of the questions I asked was this: ‘Why do I not have citizenship? I was given to Australia.’ England said they no longer had a responsibility, and they said—and I do not remember the exact date; I think it might have been 1947, 1948 or 1949, somewhere about that—had I arrived in Australia before whatever that date was they mentioned, I would have automatically got citizenship. How true that is, I do not know. That is what I was told by people in the immigration department.

**Senator TCHEN**—That is when the Australian Citizenship Act came into being.

**ACTING CHAIR**—In 1937, or somewhere around there.

**Senator TCHEN**—No, it was a bit earlier than that.

**Mr Grant**—Was I obliged to fulfil national service obligations without citizenship? Can you answer that?

**ACTING CHAIR**—You probably were, as were many others.

**Mr Grant**—I do not object. I might tell you that I served my national service with those. The day we walked in, they selected a boxing squad. I happened to knock the bloke down whom I was picked against. I never once fired a rifle—I fired a Bren and an Owen. I boxed for my national service for three months.

**ACTING CHAIR**—I will do the honours on behalf of the chair and the deputy chair, who have gone. You know you have had an impact on us. You have had an impact on yourself, frankly, because the expression of these things, or telling the story and saying how it is for each individual, either in writing or, as you have, with tone, meaning and full expression, is part of the inquiry.

The inquiry is not just about matters of law, remedy, money or culpability; it is about understanding how people feel and how their particular pain or need has to be addressed. When you speak to us like that, we end up understanding much better, and the Australian parliament, through us, and the Australian people, through the words that are recorded in *Hansard*, understand. That is a permanent record of Ronald Grant's personal pain and personal story. Thank you, Mr Grant.

**Mr Grant**—Thank you for the opportunity. I believe that just having the opportunity to tell it will help me.

**Committee adjourned at 5.11 p.m.**