

## CHAPTER 6

### THE SEARCH FOR IDENTITY

*After 53 years of loneliness, these people, like a lighthouse in the desert, shone that light through my heart and said 'You have an identity.' My heart was filled with happiness for the first time in my life.<sup>1</sup>*

*The only gripe I really have is 'why didn't they tell me I wasn't an orphan and that I had a family all along?'*

6.1 For many former child migrants the greatest hardship was loss of identity. Many witnesses told the Committee that not knowing who they were was the hardest for them to bear, harder than all the abuses. The sense of dislocation and not belonging, of loss of family and of emptiness has had a profound impact on their lives and on the lives of their partners and children.

...former child migrants have spent their entire lives feeling lost or separated and even abandoned. From my own point of view I have lived my life with a hole at the centre of my being.<sup>2</sup>

6.2 The loss of identity also has practical implications for former child migrants. It has meant difficulties in obtaining passports and other documentation. There were many reports of the humiliation of being unable to obtain a birth certificate before marriage. As well, important family medical histories are unknown.

The simple questionnaires necessary to borrow money, obtain a passport or join the local golf club ask for personal details. Date and place of birth, nationality, mothers maiden name—simple questions that most child migrants cannot answer. And so there is a tendency to avoid any situation that requires this kind of information... We have become invisible citizens.<sup>3</sup>

6.3 The need to know where they came from, why they were sent to Australia, and to contact surviving relatives in the United Kingdom and elsewhere has prompted many to embark on a search for their identity. Unfortunately, for some, that search has not been successful, even after decades of effort. One former child migrant who is still to find his family stated that 'one of the factors that has haunted me all my life is not knowing who I am'.<sup>4</sup> For those who have been able to find family the experience has been truly significant:

---

1 Committee Hansard, (in camera).

2 Submission No.126, p.4.

3 Submission No.126, p.3.

4 Submission (Confidential).

The Child Migrants Trust got my birth certificate for me and that made a difference straight away because for the first time in my life something became certain...I felt for the first time I was a real person, not just pretending or guessing.<sup>5</sup>

The child of a former child migrant recalled her father's reaction to receiving family birth certificates:

Dad was simply blown away by the very fact that he had a family and had done so for his entire life. He looked at me and said 'I have to learn new words now like Mother, Brother, Sister'. I looked at him strangely and he said I have never used those words before, and it made me realise the enormity of the situation and just how much the rest of us take for granted.<sup>6</sup>

6.4 The search is also increasingly urgent as former child migrants are ageing and their parents, if still alive, are now very old. Unfortunately, some former child migrants have found their families, only to discover that their parents had passed away just months before the discovery. One former child migrant told the Committee:

the reunion with my father's sister in Belfast, while it was devastatingly beautiful, it may not have happened, and the urgency is that because it happened to me I want these other boys and girls—now men and women—to enjoy that reunion that I experienced, which was something I thought impossible in my 59th year.<sup>7</sup>

6.5 The Child Migrants Trust (the Trust) also noted:

Child migrants who present to the Trust describe an increase in their desperation to find their families as the years advance, linked to their own ageing and the dwindling possibilities that their parents may yet be found alive.<sup>8</sup>

6.6 The Committee notes that many former child migrants have been helped by the Child Migrant Trust in the search for their families. The Trust has built up significant expertise in tracing. Often tracing is a long and difficult process with Trust officers liaising with sending and receiving agencies to tracking down old records, sifting through birth, deaths and marriage registers and finally locating lost family members. Other agencies also provide tracing services: C-BERS through the Catholic Child Welfare Council UK, NCH, Barnardos UK and the Salvation Army. However, past attitudes to family contact, record keeping practices and the falsification of records has made the tracing of many families enormously difficult.

---

5 Submission (Confidential).

6 Submission (Confidential).

7 *Committee Hansard*, 15.2.01, p.62.

8 Submission No.132, p.16 (CMT).

## Attitudes to family contact

6.7 There is overwhelming evidence that negative and obstructive attitudes toward family contact by those caring for child migrants contributed to the breakdown of contact between the migrant and their families. These attitudes are still contributing to the many problems faced today by child migrants attempting to locate families.

6.8 Many children were told that they were ‘orphans’ and that they did not have any living family when this was not the case. One former child migrant noted ‘we accepted this completely. Many decades later the true facts would emerge despite the contrived silence by the relevant authorities’.<sup>9</sup> In fact, some former child migrants have found that their parents were contributing to their upkeep after being supposedly killed during the war.

6.9 For many child migrants who believed authorities and thought they were orphans, the adverse impact on their ability to find their families has been profound. Thinking that there was no one to be found, they did not commence their search for many years:

Their lies prevented me from searching for my family after I left the home. I had been told I had no family...I was told there was nobody to look for. Their deception cost me my identity and any chance at a family life, I had to invent myself and then live with confusion for decades.<sup>10</sup>

6.10 The Department of Immigration and Multicultural Affairs (DIMA) suggested that the practice of telling those in institutional care that they were orphans, when in fact one or both parents were alive, ‘appears to have been common in institutions in both the United Kingdom and Australia at that time [1940s and 1950s] in relation to children who were illegitimate’. The motive suggested was that this avoided the stigma associated with illegitimacy, ‘it was thought better for the child to be seen as an orphan rather than as illegitimate, while at the same time it protected the privacy of the unmarried mother’.<sup>11</sup>

6.11 The Department also stated that the importance of maintaining contact with family outside the institution was poorly recognised and added that during this era, Australian children in institutions were given little information about their families, including siblings, and contact was not encouraged. The Department pointed to the Forde Inquiry which noted that the *Queensland State Children Act 1911* (repealed in 1965) imposed severe restrictions on a parent attempting to gain access to a child committed to the care of Child Welfare. Similarly, in Britain there were restrictions on

---

9 Submission No.96, p.4.

10 Submission (Confidential).

11 Submission No.42, pp.10, 33 (DIMA); see also *Committee Hansard*, 15.3.01, p.245 (Dr BM Coldrey).

visits by family and there was evidence that a permit from church authorities was required to visit a child in institutional care.<sup>12</sup>

6.12 There was a general view that children removed from families should be given a ‘new start’. A former child migrant provided the Committee with evidence from his own file which contained the comment that ‘it would be better for the boys to emigrate and have a chance to grow up without full knowledge of the reasons why their parents are unable or unwilling to care for them’.<sup>13</sup> The lack of empathy, sympathy and understanding of this very human need for knowing the truth of their circumstances is quite startling. Evidence to the Committee is that when child migrants do find out the truth, although some are condemning of their family, much more often they are forgiving.

6.13 The Catholic Church’s Joint Liaison Group on Child Migration (Joint Liaison Group) supported the Department’s views:

Informing child migrants of the existence or whereabouts of parents or siblings was not a normal part of child care practices in earlier times. The logic of child migration was to give children a new start in life, and to that extent, the system was predicated on children not knowing and not needing to know, about their family origins, which were often seen as ‘shameful’ because of illegitimacy, poverty or abandonment. In the 1940s and 1950s, there was little emphasis in social policy on supporting families in need or keeping families together in such circumstances.<sup>14</sup>

6.14 However, one former child migrant countered this argument, stating that ‘it appears that while maintaining privacy considerations as the requirement for secrecy, the idea that we were going to a “new” life appears to have been an excuse for laziness and in some cases complete negligence [regarding record keeping]. But in the rush to give us a new life – what was our real life has been lost, in some cases forever!’.<sup>15</sup>

6.15 Evidence provided by Western Australian Department for Family and Children’s Services indicated that there were some efforts to provide information about child migrants to their parents. One example provided was a letter written in 1943 in response to an inquiry by a parent in Britain through the Western Australian Agent General in London. The children were at Tardun and the parent complained that there was no response to the letters sent to Australia.<sup>16</sup>

---

12 Submission No.87, p.10.

13 Submission No.87, p.8.

14 Submission No.54, p.14 (JLG).

15 Submission No.126, p.3.

16 Submission No.135, Appendix 23 (Department for Family and Children’s Services WA).

6.16 However, even when parents were being informed about the wellbeing of their children, the children were not always informed of their parents' inquiries. They did not know of their parents' interest and some were appalled to find, many years later, that the institution had kept this from them and that in some cases parents had contributed financially to their upkeep while in institutional care.<sup>17</sup>

6.17 There was evidence that correspondence was not passed on to children in institutions. A former child migrant stated, 'I never received any mail from my grandparents. Because of this I felt abandoned by them. I believe that the Brothers actually intended to sever our ties with our relatives'.<sup>18</sup> In fact, there was evidence that letters from parents and relatives sent during the child migration era were filed and never passed to the children. These letters were subsequently found on the files in the late 1980s and 1990s.<sup>19</sup>

6.18 The Committee received evidence that some child migrants remained in contact with their families in the United Kingdom.<sup>20</sup> The Fairbridge Foundation, for example, stated that correspondence with relatives overseas was encouraged and there is evidence of this on files.<sup>21</sup> The NCH also stated that many children it sent to Australia had remained in contact with family members.<sup>22</sup>

6.19 The Moss Report (1952) indicated that correspondence between child migrants and family was allowed at Catholic institutions, if it was established that this was desirable. Children at Northcote were also expected to write to parents or relatives regularly. The Report noted that 'the whole question as to correspondence between children and their parents requires careful treatment and is a matter on which there must often be consultation between the organisation in Australia and the organisation in Britain'.<sup>23</sup>

6.20 There were also examples of families being reunited when parents migrated to Australia. The Catholic Children's Society also noted that a small number of children were reunited with their parents during the operation of the scheme as a result of parents joining them in Australia; the child not settling in Australia and the authorities considering it appropriate to send the child back; and parents requesting that the child be returned.<sup>24</sup> However, in some cases parents attempting to travel to Australia to be reunited with their children, or having them returned to Britain, were obstructed by authorities at various levels. One mother travelled to Australia and stayed for four

---

17 Submission No.33, p.1.

18 Submission No.87, p.8.

19 See for example, Submission No.4, p.2; Submission No.23, p.2.

20 See for example, Submission No.3, p.1; Submission No.38, Attachment, p.3.

21 Submission No.43, p.3 (Fairbridge Foundation).

22 Submission No.98, p.3 (NCH).

23 Moss, J, *Child Migration to Australia Report*, Her Majesty's Stationary Office, 1953, p.24.

24 Submission No.135, p.10 (WA Department for Family and Children's Services).

years looking for her children. She found one child but not the other. Tragically, after being found by her lost daughter through the Salvation Army, she passed away ten days before her daughter was due to fly to Britain.<sup>25</sup>

6.21 As a result of these attitudes and practices, many former child migrants lost contact with family and many thought that they had no family. They believed that their families had abandoned them or did not want them or that there was no one to be found. As a consequence many did not attempt a search for their families until many years after arriving in Australia.

6.22 The aspect that especially angers the former child migrants is not just that they were deceived as children but that information on family was deliberately withheld for many years. It was not just they who missed knowing their mothers, fathers, brothers, sisters, nieces, nephews, aunts and uncles, but also their children who could have had a grandparent and other family members. The Committee heard at first hand the anguish that this has caused:

What I would like to do first is to show the committee a photograph and the only link I have with my mother, who has passed on. She passed on five months or six months prior to my finding out that she had been alive all these years...It is not very easy to express the mental anguish that I went through when I was told that my mother had been alive all these years. To try and put it into words, to say to you that this is how I felt, is quite devastating. Then I found out that there was no good reason as to why I should not have been told that my mother was alive all these years. Why was I told that she was dead? Why was I told that she had been killed during the war? All I have left is this photograph and a death certificate to say that she died of old age. As a son I feel I had a right to have known my mother.<sup>26</sup>

6.23 When former child migrants did attempt to locate records, what little could be found was often withheld, adding to the anguish of many child migrants.

### **Record keeping practices**

6.24 To the distress of many former child migrants, there is very little information available about their childhoods:

Despite many attempts, all I have been able to obtain of my records is just 2 pages and these are not even close to being accurate.<sup>27</sup>

...to this day, the only paper I have regarding my childhood history is a photocopy of the ships logbook documenting my name, age, religion and an identification No. which I must add my name and religion had been changed as I found out later when I found my family. This only reason I knew where

---

25 Submission (Confidential).

26 *Committee Hansard*, 15.3.01, p.171.

27 Submission No.39, p.1.

I originally came from was because I remembered, not because anyone in authority told me.<sup>28</sup>

6.25 Information about former child migrants may be held by a number of organisations: the institution in which they lived before coming to Australia; the sending agency; the receiving agency; the Commonwealth Government; and, relevant State Governments. The Committee has identified a number of factors which impact on the amount of information available today about an individual: the amount of information originally available; the record keeping practices of individual organisations; and survival of physical records over the years.

6.26 The Committee was told that files sent with child migrants should have included a birth certificate, baptismal certificate, health report and some school reports. However, the details on files were not always complete. One former child migrant noted that her file had lacked the name of her mother or father, did not show a place of birth and the date of birth was incorrect. The former child migrant eventually found these details when she received a copy of her birth certificate.<sup>29</sup>

6.27 The Western Australian Department for Family and Children's Services also noted that family background information was scant and in many cases non-existent. There were gaps in the information accompanying child migrants and inadequate immigration processes. For example, correspondence between 1939 and 1940 illustrated the Department's repeated efforts to gain birth certificates for a group of children at Tardun. The certificates were not sent with the children and it took one year to receive them from Britain.<sup>30</sup>

6.28 The Joint Liaison Group noted that 'rarely did any useful information regarding schooling or social background, even institutional history, arrive with the child'.<sup>31</sup> The 1956 *Report of a Fact Finding Mission* (Ross Report) also reported that some institutions complained about the unsatisfactory selection of children and the failure to furnish information about the children.

6.29 In some cases, that information was not even available from Britain. For example, there were cases of children having been abandoned by their mother, leaving the barest or no information.<sup>32</sup>

6.30 The quantity and quality of information retained to the present time by institutions and government departments in Australia varies. One former child migrant described the record keeping on the part of some organisations as 'almost beyond

---

28 Submission No.74, p.1.

29 Submission No.147, Attachment.

30 Submission No.135, pp. 7-8, Appendix 22 (WA Department for Family and Children's Services); see also *Committee Hansard*, 16.2.01, p.95 (Christian Brothers' Archivist).

31 Submission No.54, p.14 (JLG).

32 Submission No.46, p.4 (ACMF).

belief. There would be more documentation kept on the importation of a case of wine into Australia than in many cases was kept on the migration of a child'.<sup>33</sup> Another former child migrant found that 'the National Children's Home in the UK has supplied to me the records they have held since 1943. On the other hand the Methodist Homes have no records available'.<sup>34</sup>

6.31 The Christian Brothers' Province Archivist, Mrs Mathers, noted that most Catholic institutions in Australia held very few records on former child migrants. School reports and medical information were not retained. Mrs Mathers stated that this was not unusual and noted that the education department in Western Australia currently recommends the destruction of student records seven years after a student turns 21. Mrs Mathers added that the Western Australian Child Welfare Department:

...maintained a card system which tracked where the children were... There should be dates, places and where they were living. There should be information on those cards as to whether there were any medical conditions or major medical treatment that occurred. Under the legislation there is actually quite strictly prescribed the type of records that the guardian, the authority who was delegated the guardianship, had to keep.<sup>35</sup>

6.32 However, the Western Australian Select Committee noted that prior to 1965, a child migrant's personal file was retained for five years after the person turned 21 and then was destroyed.<sup>36</sup>

6.33 The South Australian Department of Human Services stated that the Department's files on individual child migrants contain only minimal information: 'many of those are inspector reports or notes by workers or receipts—that sort of administrative documentation—rather than the sort of documentation we keep these days, which talks about the child's story'.<sup>37</sup>

6.34 The Queensland Department of Families also stated, in relation to the files of former child migrants at Neerkol, 'the information that is available on those files varies significantly from file to file and that relates to the record keeping practices of the time not being uniform and archival practices not being uniform'.<sup>38</sup> In New South Wales, the Department has retained the card index for former child and youth migrants between 1947 and 1961. There are also files relating to pre-war migration.

6.35 Birth certificates and baptismal certificates are of vital importance to the search for family. Mrs Mathers advised that birth certificates for post-war child

---

33 Submission No.126, p.3.

34 Submission No.94, p.3.

35 *Committee Hansard*, 16.2.01, pp. 92-93, 95.

36 Western Australian Legislative Assembly, Select Committee into Child Migration, *Interim Report*, p.44.

37 *Committee Hansard*, 16.3.01, p.292 (SA Department of Human Services).

38 *Committee Hansard*, 21.3.01, p.424 (Qld Department of Families).



migrants should have been included in their immigration selection documents which were sent by the Commonwealth Immigration Department to State Welfare Departments. In Western Australia, Family and Children's Services have originals or copies of most birth certificates for post-war child migrants. However, Mrs Mathers indicated that immigration selection documents for any of the child migrants who went to Tasmania or for the majority who went to Queensland have yet to be located.<sup>39</sup>

6.36 The baptismal certificates of some Catholic children were also included with their immigration documentation. The Joint Liaison Group indicated that the Catholic Migrant Centre in Perth has baptismal information in 40 per cent of its files and Centacare in Adelaide has baptismal information on 72 per cent of former child migrants who were cared for in South Australia.<sup>40</sup>

6.37 Some organisations are able to provide former child migrants with more than just written records. For example, Barnardos has 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. They also have a fairly complete photographic record of children going back to 1867.

6.38 Other factors have also contributed to the difficulties in locating information. For example, in some cases records of children in Catholic institutions were the responsibility of the diocese, not the religious order running the institution, or else the records passed to the diocese once the children left the institution. Records were also not well kept or had not survived the passage of time.<sup>41</sup> Records have been lost when organisations and institutions closed. The Committee was advised that some records held by Salvation Army (UK) were destroyed by bombing during the war.<sup>42</sup> Although Barnardos (UK) has over 300,000 files, some early records were kept in large ledgers which have been destroyed either through fire or by being eaten by mice.<sup>43</sup>

### **Attitudes to the release of information and impact on tracing**

All my life I wanted a mother and a father and a family and never stopped looking.<sup>44</sup>

6.39 Entrenched attitudes to the reunion of children with families and the release of information to former child migrants over the decades have impacted adversely on tracing efforts by many former child migrants.

---

39 *Committee Hansard*, 16.2.01, p.99.

40 Submission No.54, p.14 (JLG).

41 Submission No.54, p.14 (JLG).

42 Submission No.48, p.3 (ISS).

43 *Committee Hansard*, 22.3.01, p.467 (Barnardos).

44 Submission No.37, p.2.

6.40 Although some former child migrants did not lose contact with family, for others there appears to have been very little effort to assist children to know their families or to reunite with families either while in an institution or in the years immediately following their discharge from the institution:

No efforts were ever made, to my knowledge, by the authorities or staff at Northcote to trace any of mine, or anybody else's relatives, whether they be parents, uncles, aunts... In retrospect, I believe they were locked into a mode of thinking towards the maintenance of keeping families apart in order to justify their roles and *raison d'être*.<sup>45</sup>

6.41 The Western Australian Department reported that there is 'scant historical information available to determine efforts made during the operation of the child migration schemes to reunite or assist in the reunification of child migrants with any of their relatives'.<sup>46</sup>

#### *Restricting access to records and information*

6.42 This lack of assistance was outward evidence of the prevailing view regarding migrated children: that they needed to start a new life; and that some had to be 'protected' from what was regarded as traumatic information. There was also a view that third parties had to be protected. This attitude has continued right up until recent years. There was, and still is, the view that records were the property of the organisation and therefore were not available to the child migrants or their descendants. The Committee received many examples of the unwillingness of agencies to release their records:

- 'The files were secreted away, in a manner that suggested that there was something to hide. Creating the impression that the files contained some deep and dark secret to which only they had access'.<sup>47</sup>
- 'I went to England in 1970 to find my parents, or find my mother, who I had not seen since 1946. I went to National Children's Home, because they were my only contact and they were not interested, they brushed me off. Yet I had sold my house, sold everything to go over to find out who I was'.<sup>48</sup>
- 'I do recall there being numerous excuses why his requests were rejected, in particular, that all the records which would have been stored at Somerset House had been destroyed in the blitz of World War two. I was to find out later that this is not the case'.<sup>49</sup>

---

45 Submission No.76, p.2.

46 Submission No.136, p.10 (WA Department for Family and Children's Services).

47 Submission No.92, p.2.

48 *Committee Hansard*, 16.3.01, p.325.

49 Submission No.85, p.1.

- ‘I asked the “powers that be” about my family on many occasions and was always told the same story “there is no one left”...I have since found that had I gone to the home in which I had been born and knocked on the door, my mother would have answered it: She had been in the same home for 50 years’.<sup>50</sup>

6.43 The Committee was also provided with an example of a deliberate attempt to destroy records so that no contact with families could be made. A former child migrant who had lived at St John’s Anglican Home in Melbourne stated:

I did not even know my real name until I was 32 years of age...This Birth Certificate I found by coincidence among heaps of personal papers on the floor of the Chapel at St John’s Home on a chance visit to Melbourne from Newcastle 14 years after I left there. Mr Willis, the Hostel Superintendent had told us he was going to destroy all our records so no one would be able to pry into our lives. Unfortunately this included us.<sup>51</sup>

6.44 For some, the necessity to contact the sending agency to obtain records was a barrier to access. They had no wish to contact their former carers because of unresolved feelings about their time in institutions.<sup>52</sup> One former child migrant stated:

I have never wanted to go near the orphanage again or to come into contact with the Order of Nuns whose ideas of discipline and rearing were barbaric and ignorant.<sup>53</sup>

The International Association of Former Child Migrants and their Families (the International Association) also stated:

While these agencies that had the care of these children retain those records, these former child migrants have to go back to those agencies. It is a big problem for a child migrant to have to go back to an agency that perpetrated a lot of the misdeeds on them. It is very difficult, and when you do go back you want to get out of there as quickly as possible.<sup>54</sup>

6.45 Former child migrants also found that their records were not kept in one place, they had to go from agency to agency, with varying degrees of success. Often success appears to have depended on the attitude of the individuals controlling access to records. Many also found that key records were held in the United Kingdom. Many former child migrants did not have the means to travel to Britain to continue their search or to try channels such as private investigators to help in their search for family. There appears to have been more disappointments than successes for those

---

50 Submission No.65, p.1.

51 Submission No.82, p.2

52 Submission No.48, p.5 (ISS).

53 Submission No.124, p.3.

54 *Committee Hansard*, 26.3.01, p.564.

searching for family and many former child migrants gave up their attempts to access records.

*Changing attitudes to information release*

6.46 By the mid 1980s, attitudes to re-establishing family ties began to change. Legislative and policy changes of Governments around Australia reflected the community's acknowledgment of the importance of family. Children who had been adopted received the right to obtain information about their adoption and Freedom of Information legislation opened access to personal information.

6.47 Some former child migrants were able to at last access more information.<sup>55</sup> Unfortunately, a number of organisations continued to maintain the entrenched view of earlier years for some time:

Some years later I contacted the Catholic Migrant Centre in Perth. I telephoned them every month for two years. My hopes were raised. They did nothing...No files, brick walls, platitudes but the situation remains the same. I'm not talking about Australia or Britain in the 60s – I'm talking about Perth in the late 80s. And the cover up goes on and on.<sup>56</sup>

In 1987 I was informed by the Perth Catholic Migrant Centre...that I had a mother...They refused to give the name and address of my mother.<sup>57</sup>

6.48 The Committee was also provided with details of one case where the Uniting Church denied that there were any records and then, in 1995, attempted to tie the release of records with a requirement to sign an indemnity freeing the Church from any liability.<sup>58</sup>

6.49 The Committee was told that problems with access were not confined to Australia. Many seeking information about their births or time in institutional care in the United Kingdom were greatly disappointed at receiving no assistance:

I have been to Ireland twice. I went last year to Ireland and I went to the hospital I was born in and I said to the man at the hospital, 'I want to see the original records.' He said, 'I'm not going to show you anything.' How can you win? You have no hope; you cannot win...I went back to Derry. The nun said, 'You couldn't have been here because your name's not in the book.' You know, I am a nobody.<sup>59</sup>

6.50 The impact of privacy legislation was also raised as a restriction on the ability to access information. It was stated that there is an increasing pre-occupation with

---

55 See for example, Submission No.68, p.2; Submission No.92, p.2; Submission No.114, p.1.

56 Submission No.123, p.3.

57 Submission No.96, p.4.

58 Submission No.77, p.1.

59 *Committee Hansard*, 15.2.01, p.58.

considerations of personal privacy which is being increasingly formalised in ‘data protection’. A further problem identified was that there is a marked difference in the application of privacy considerations in Britain and Australia:

What is seen as appropriate disclosure in one country is seen as inappropriate and therefore obstructed or even proscribed in the other... These problems operate most viciously against children (including former child migrants) who through no choice of their own were born ex-nuptial, and who in consequence experience much difficulty in obtaining identifying information and subsequently tracing their birth fathers, whose names by law in the great majority of cases cannot even appear on their original birth certificates due to the legal presumptions of an evidentiary nature concerning birth certificates.<sup>60</sup>

6.51 Many organisations are now providing greater assistance to former child migrants. The Committee notes that the NCH is particularly helpful in assisting former child migrants and child migrants have praised the work of NCH’s Child Migrants Adviser in tracing families.<sup>61</sup> Migrants have also sought the assistance of organisations such as the Child Migrants Trust. The Trust has built up an enviable reputation for its ability to search out family and re-unite former child relatives with lost relatives and many sought out its help. Other organisations also recognised that there was a need to provide services to former child migrants. Barnardos children, for example, had the right from the mid 1970s to look at their files. A specific officer was appointed in 1983 to work with former child migrants. Other organisations also began to assist former child migrants with tracing. The Catholic Child Welfare Council (UK) and Barnardos (UK) all provide tracing services for former child migrants. These services are discussed below. Private individuals are also more aware of what is available and how to access information.<sup>62</sup>

6.52 Unfortunately, the practices of the past have lead many former child migrants to doubt that all information in the hands of organisations is being provided. Many only received information following the intervention of another party, such as the Child Migrants Trust, and in one case provided to the Committee, by threat of legal action:

I was in England in 1976 when my father died, I did not know where to contact him. I was there again in 1981 when my mother died, and I did not know where to go for contacts. I went to the orphanage in England in 1970 and said, ‘I’d like to see where I came from,’ and they said, ‘There are no files here.’ That was not true, they had our files there and they would not

---

60 Submission No.121, p.6.

61 Submission No.103, p.2.

62 See for example, Submission No.150 which provides a succinct account of the tracing process.

give them. It was not until I threatened them with a legal suit in 1995 that they gave me my file from the orphanage in England.<sup>63</sup>

...[my files] were sent to me by mail in 1988... firstly I received a file which was photocopied material some of which was illegible, so I applied to have my original files sent to me, much procrastinating and reason for this not being allowed, Barnardo's Australia saw fit to release my original file... this file contained so much more information than the first one... I am still not sure that my file is complete, they can tell me it is but after being lied to so many times one's trust in people diminishes.<sup>64</sup>

6.53 Many former child migrants are also angry that after being told initially that there were no records, they have found years later that this had not been the case:

Over a period of 45 years I failed to penetrate the code of silence regarding the two McFadden children. I was denied access to my documentation re my migration. Deceit, denial and cover ups it would appear were the policy. Lies galore. Numerous requests for my birth certificate after reaching age 21 were turned down. All efforts to access my files failed... Only in 1991... was I handed a yellowing birth certificate which had deteriorated in some Govt. records office in WA. WHY?<sup>65</sup>

After many, many requests between the years 1962 and 1982 and continued denials that any family existed, I was finally handed a small packet of 4 documents one of which clearly showed the names of four older sisters and a younger brother... In 1999, I was contacted by the Child Migrants Trust and handed a file of some 50 documents (copies) some of which have been in the hands of Catholic Church officials either at Neerkol or Rockhampton years before.<sup>66</sup>

6.54 Former child migrants also feel that although there is now much greater access to records, information should have been provided earlier and that it is too late for some to make full use to find families and to re-establish a relationship with them:

It is my view that access to the individual records at the time of the releases of inmates out of the care of Barnardos and into the community would have enabled many to make the effort at that time, had they wished, to contact their relatives. As it transpired, many were given their files only recently and in most cases far too late for them to make contact with close relatives.<sup>67</sup>

---

63 *Committee Hansard*, (in camera).

64 Submission No.4, p.2.

65 Submission No.90, p.2.

66 Submission No.29, pp.2-3.

67 Submission No.92, p.2.

I also learnt that had the British Government released their National Insurance Data to the Child Migrant Trust earlier, I surely would have found my mother whilst she was still living. This information was only released too late for a reunion!!!<sup>68</sup>

6.55 Unfortunately, for some former child migrants even long-term effort in searching for families has resulted in little success. One former child migrant stated that she had been looking for her family for over forty years.<sup>69</sup> Another stated: ‘I have not found my family. I first tried in 1965 and the Child Migrants Trust have been trying for the last 11 years. I have been to Ireland twice’.<sup>70</sup> The son of a former child migrant wrote ‘sadly twenty seven years later I am no closer to identifying [my father’s] parents than he was at the time of his death. I have managed to access a meagre few documents which only add to the despair of receiving no co-operation or assistance in the search’.<sup>71</sup>

### **Falsification of information**

Trying to trace records is impossible, you need a surname. The passenger list shows me with two surnames and my brother with two other surnames. Our dates of birth have been changed and we are told all the records were destroyed in a fire.<sup>72</sup>

6.56 Some former child migrants not only pointed to the lack of information, but also to information that was inaccurate or indeed false. Evidence was received that revealed that names and dates of birth of some former child migrants had been deliberately changed. One former child migrant stated that he found out his real name when he was 16 years old, while another indicated that he did not know his real name until he was 32 years of age, ‘our names were changed to create confusion and obstacles’.<sup>73</sup>

6.57 Names were often changed for quite arbitrary reasons: “‘We’ve got a Margaret, you can be a Hazel’”, and that is what you had to answer to because you had hazel eyes or whatever’.<sup>74</sup> The International Association stated that at Clontarf, Western Australia, during the 1950s, boys inquiring about their age and their family backgrounds were lined up against the fence and given birthdays from consecutive

---

68 Submission No.114, p.1.

69 Submission No.62, p.2.

70 *Committee Hansard*, 15.2.01, p.58.

71 Submission No.85, p.2.

72 Submission (Confidential).

73 Submission No.39, p.1; Submission No.82, p.2.

74 *Committee Hansard*, 22.3.01, p.465 (CLAN).

days of the month. Many of its members learned later in life that they were up to three years older than they had been told.<sup>75</sup>

6.58 The impact of changes to names and birth dates can be devastating to the search for relatives and the accessing of birth certificates. One former child migrant told the Committee that he had written letters to Somerset House to get a birth certificate but because of his incorrect birth date ‘the reply was the same all the time, no you were not born in England’.<sup>76</sup>

6.59 The Child Migrant Friendship Society told the Committee:

That very fact...has made it incredibly difficult for this group of people to trace family, because they can’t, for a start, get a birth certificate...[a former child migrant] went over and her name was ‘Edna Mary’; she came back ‘Mary Elizabeth’. Now, a reporter happened to find her mother, and they reunited—she didn’t know anything about it. She had had a detective working on it, but there was no ‘Edna Mary’, because she was in fact registered as ‘Mary Elizabeth’. And that is not just one isolated case; that’s everywhere—and false birth dates.<sup>77</sup>

6.60 Other examples of falsification of records were provided to the Committee. One former child migrant provided the Committee with copies of two pre-immigration medical examination reports. They show not only an incorrectly spelt surname, but also that as a child of six he had been allowed to sign on himself. The child migrant also signed a second report one year later. However, he did not have any memory of signing the documents and wryly noted his vastly improved handwriting and that at six and seven he could spell his name while at 14 years he was illiterate.

6.61 The Western Australian Department of Family and Community Services commented that it was not aware of any misleading information from the British Government or sending agencies adding very few records came with the children.<sup>78</sup> The Department also responded to a 1989 report by Margaret Humphreys of the Child Migrants Trust to the UK Social Services Committee which talked of ‘the calculated deception’ undertaken by Australian and British organisations in withholding and/or giving incorrect information to child migrants about their antecedents and to families abroad about their children. The Department indicated that:

The only documentation found on departmental records referring to the withholding of information is a letter from the Commonwealth Immigration Department referring to ‘long’ and ‘short’ birth certificates, the latter giving the child’s name and date of birth only. If the ‘long’ certificate showed that

---

75 Submission No.129, p.28 (IAFCM&F).

76 Submission No.107, p.2.

77 *Committee Hansard*, 16.2.01, p.89 (CMFS).

78 Submission No.135, Additional Information, 7.6.01, p.3 (WA Department for Family and Children’s Services).



the child was adopted or had only one parent's name, the issue of the certificate was to be deferred and the matter referred to that office.<sup>79</sup>

6.62 In response to the question of falsification, the Department of Immigration and Multicultural Affairs stated:

It comes to the fact that, as I said before, many of these children were already in institutions. From the point of view of Australian immigration, a child was identified by what I might call the sending agency. Whatever that sending agency said the child was called, and whatever details were provided, were accepted for immigration purposes...They probably travelled on a document of identity that allowed them to travel from Britain to Australia without the need for passports to be issued at all. So we are dealing with the kind of documentation that would turn into a kind of manifest or a list of passengers on a particular ship, received in Australia by someone who was expecting that list of people. The hard part of your question is how to get beneath those flaws in the documented system and reunite people. Again I would have to say that is an area in which the Child Migrants Trust claims, and deserves to claim, some successful expertise. Exactly how, I cannot say.<sup>80</sup>

6.63 The Department noted that the Commonwealth had taken steps to ensure that children were correctly identified and that the age of children could be proven. For example, when Western Australian officials raised concerns in 1948 about lack of birth certificates and incorrect information, a request was made through London that birth certificates be forwarded to migration officers in the States.<sup>81</sup> The Department concluded 'It appears that whenever documents provided for the child migrants were discovered to be inadequate or incorrect, and the matter was brought to the Commonwealth's attention, the Secretary for Immigration took the matter up with relevant authorities in the UK'.<sup>82</sup>

### Access to records

They talk about record access and tracing, but we are not aware of any records available...They talk about records, but we cannot find any. We have tried all the different sources and we are told that we can go to the state government, only to be told, 'All your records have been burnt, there are none available.' We visit our home country to pursue records and are told by

---

79 Submission No.135, p.10 (WA Department for Family and Children's Services).

80 *Committee Hansard*, 6.2.01, p.21 (DIMA).

81 The Committee notes that in approving payments for equipment allowance introduced post-war, Commonwealth officials appear to have sighted some birth certificates of child migrants to ensure that they were eligible for the allowance, eg under 14 years of age on date of embarkation. In some records viewed by the Committee, Immigration officials queried the names and dates of birth supplied by receiving agencies. It appears in some cases that early in the post war migration period, information from baptismal certificates was provided, rather than birth certificates. See National Archives of Australia, RecordsSearch, files K403/3 W59/89; PP6/1 1948/H/1826.

82 Submission No.45, Additional Information, pp.4-5 (DIMA).

the sisters, 'There are no records here, we don't have any records.' It has become very frustrating for us when people say, 'Look, there are records there, you have access to them', but we can't find them.<sup>83</sup>

### *Records held in Britain*

6.64 The following is an outline of some of the sources of information available to child migrants in Britain. A comprehensive guide to sources of records, including current contact details, is provided in Appendix 5 of this Report.

6.65 Both the British Government and sending agencies now recognise the need for former child migrants to have access to their records. As a result of the House of Commons Health Committee Report, the British Government requested that the National Council of Voluntary Child Care Organisations (NCVCCO) establish and manage the Child Migrant Central Information Index.

6.66 The computerised Index comprises details of 17,136 child migrants who went to Canada, Australia and New Zealand. The details were provided by Barnardos, Middlemore Homes, The Children's Society, NCH and Catholic Child Welfare Council (CCWC). The Salvation Army did not contribute to the Index as it informed NCVCCO that it no longer held child migrant records. Details from the Western Australian Referral Index are also included. The Committee was advised in London of the difficulties in compiling the index due to the disbandment of some smaller agencies and the problems of locating their records if they still existed, and that much information required for the fields in the index had not been included in the original hand-written records of many agencies.

6.67 The Index is a signposting service; that is, it indicates what records may be available, who holds those records and how to access them. It does not hold the actual records. Only former child migrants, their parents, siblings and nominated representatives of child migrants are eligible to use the Index.

6.68 NCVCCO suggested that the Index had the following limitations:

- eligibility criteria for those who are permitted to use the Index are restrictive and do not allow descendants to access the Index;
- the data is not complete, for example, there is no information from the Salvation Army or other examples of child, youth or family migration;
- it does not contain details of child migrants prior to 1920 although sending agencies have indicated that they do have records for this period;
- it is restricted to government assisted schemes;
- the inclusion of information from other Australian States would improve the Index;
- funding was only provided to maintain the Index for three years, from April 1999 to March 2002.<sup>84</sup>

---

83 *Committee Hansard* (in camera).

6.69 The Committee was advised during discussions in London that the narrow focus of the Index with its limited number of fields of information was the result of the original brief being too specific. As a consequence of the limitations, especially the restrictive access criteria, usage of the Index has been limited primarily because former child migrants already know the information it contains. It was suggested to the Committee that if the information in and access to the Index remain in their current form, then the Index will have much greater use for the next generation. The NCVCCO noted that inquiry trends were illustrating this with many general inquiries from libraries and second generation Canadians.

6.70 The Committee was told that there is a need to determine if the current format and sole purpose to be used as a list was the appropriate future direction for the Index or whether its information fields should be expanded and the Index developed so as to enable its greater use as a research tool with wider eligibility for access.



*Committee members meet with representatives of the NCVCCO and its Steering Group in London*

6.71 The British Government indicated in its response to the UK Health Committee report that all policy files in the UK are already available publicly or to bona fide agencies assisting in family reunification. The British Government also indicated that it did not intend to change legislation regarding privacy and believed that sensitive personal information should be divulged only with consent.

6.72 The Catholic Child Welfare Council (CCWC) holds records for many, but not all, Catholic child migrants. CCWC stated that individual agencies or religious orders, which looked after child migrants, may hold some records. Many of these records contain 'very scanty' information. A database containing both historical information and details of recent contacts has been compiled. In 1992, CCWC set up a central service with funding from the Poor Sisters of Nazareth and the Christian Brothers.

Child migrants are provided assistance with accessing their own and other records; tracing of living relatives; and support and counselling. The Joint Liaison Group stated that this service has continued to be supported by church funds up until the present and the tracing service is extensively accessed by the Child Migrants Trust on behalf of its clients.<sup>85</sup>

6.73 Barnardos UK has a vast and complex system of some 370,00 records dating back to 1867. Barnardos also holds 20,000 additional records of children emigrated by other agencies which are no longer in existence. Barnardos UK spends £1 million per year on its after care services. The service provides information on family background and help with tracing relatives. Since 1985, the After Care section has dealt with some 4,000 requests for personal information and access to files from former child migrants or their relatives in Canada and Australia.<sup>86</sup>

6.74 NCH provides a comprehensive service for former child migrants who had been in its care. It provides original documentation from care files, photographs and school reports. As well, tracing and counselling services both in Australia and in Britain are provided through its Child Migrants Adviser. NCH has made contact with 82 of the 129 people it sent to Australia.<sup>87</sup>

#### *Australian records*

6.75 The following is an outline of some of the sources of information available to child migrants in Australia. A comprehensive guide to sources of records, including contact details, is provided in Appendix 5 of this Report.

6.76 Australian Government records pertaining to child migrants are held by the National Archives of Australia (NAA). The Archives holds information about government policy and administrative practice on child migration, including the activities of services organisations and churches that sponsored children. The Archives also holds records that contain personal information about some child migrants and the families they left behind.

6.77 In 1999, the Archives published a comprehensive research guide to assist former child migrants access relevant records. The guide, *Good British Stock: Child and Youth Migration to Australia*, authored by Dr Barry Coldrey provides an overview of child migration, outlines sources of information in the Archives and provides references to other material in State archives and the organisations sponsoring child migration. Former child migrants are not charged by the Archives for consulting material held in the Archives in order to clarify their identity and origins.

---

85 Submission No.51, pp.2-4, (CCWC); Submission No.54, p.15 (JLG).

86 Submission No.50, Attachment (Barnardos).

87 Submission No.98, p.4 (NCH).

6.78 The Archives has also provided the Child Migrants Trust with access to all nominal rolls for ships or flights that carried child migrants and to the lists of all organisations that looked after child migrants during this period.

6.79 During the inquiry, a number of matters concerning the records held by the Archives were raised. The first involved various ‘documents of identity’, including birth and baptismal certificates, that form part of the immigration documentation for individuals that may be held by the Archives. Photocopies of these are available to former child migrants but the originals are retained by the Archives. It was suggested that the originals should be made available to former child migrants as these were ‘personal property’.<sup>88</sup>

6.80 The Archives advised that the records have formed an integral part of the administrative record of the Government and Archives considers it appropriate to treat them as Commonwealth records. The Archives advised that the transfer of ownership of Commonwealth records to private individuals involved a number of policy issues which ‘have the potential to set precedents that may be difficult for the Archives or individual controlling agencies to sustain across a broad range of cases’. Firstly, records held could be either national archives which are ‘held in trust for all Australians’ or temporary value records. The Archives stated that it would consider authorising the transfer of records of temporary value but in doing so the Archives would have to consider two further policy matters: identifying parties with legitimate interests; and, setting precedents for the transfer of other Commonwealth records. The Archives concluded:

In outlining these issues concerning the transfer of records it is not the Archives intention to thwart the legitimate desires of former child migrants to know their history. Nonetheless it is essential to indicate some of the complexities associated with transferring ownership of records to private individuals, whether child migrants or other legitimate interest groups. Such a policy could be pursued under the Archives’ existing legislation but it would significantly compromise the integrity and purpose of the Commonwealth’s archival collection.

The Archives considers that its existing access policy can satisfy both the individual and collective need for information relating to child migration. This policy includes making photocopies, high quality photographic images or digital images of records available to any member of the public who requests them.<sup>89</sup>

6.81 The other major area of concern was access to records held by the Archives. It was noted in evidence that many records of interest to former child migrants are not held in the State in which the institution was situated. For example, files held by the Archives in Canberra relating to Catholic homes in Western Australia contain items

---

88 *Committee Hansard*, 16.2.01, p.99.

89 National Archives of Australia, letter to the Committee, dated 11 April 2001, p.4.

such as inspection reports which are of interest to former child migrants. Records may only be accessed through the Archives' reading rooms in the capital city where the record is located in order to safeguard the record. Photocopies of records may be purchased for 50 cents per page. It was argued that records may be inaccessible because of distance and because of cost. It was suggested that photocopy charges could be reduced or waived for all former residents of institutions, including child migrants, requesting copies of records or that records relating to child migration and homes be digitalised.<sup>90</sup>

6.82 The Archives stated that to reduce or waive the photocopy charges 'may lead to further requests from other persons documented in records in the Archives collection. This would have significant resource implications for the Archives'. In regard to digital copying, the Archives noted that it was trialing a digitisation on demand service whereby a researcher can request that a digital copy of a specified record be loaded to the Archives [RecordSearch](#) database allowing that record to be viewed on the Archives website. The Archives indicated it would:

- examine the 34 key files listed in the Personal History Index guide and those not already available for public access would be examined to determine whether they are suitable for public release, the Archives will then make a digital copy of those suitable for release. The Archives would aim to finalise this task by June 2001; and
- when preparing work programs for the coming financial year, consider whether further records about child migration, particularly those listed in *Good British Stock: child and youth migration to Australia* can be programmed for digitisation.

6.83 The Committee notes that the Archives has already examined and digitised some of the key files listed in the Personal History Index guide. These are now available through the Archives RecordSearch database and provide a valuable source of information. However, these records relate only to Catholic institutions. The Committee considers that all records relating to the child migration scheme should be digitised.

#### *State Government Records*

6.84 State governments have also responded to the need to provide information under their control to former child migrants and other children in their institutional care.

6.85 In Western Australia, the Department for Family and Children's Services, with support from nine receiving agencies, has developed an index, the WA Former Child Migrant Referral Index, to identify all former child migrants who came to Western Australia from Britain and Malta from 1913 to 1968. The Department stated

---

90 Submission No.47, pp.1-2 (Trustees of the Christian Brothers in WA).

that when it made its submission to the UK Health Committee inquiry it did not have accurate figures for the number of children who came to Western Australia as child migrants. However, Departmental files contained information on post World War II child migration and church and other agencies also held information. The Department sought and received the co-operation of the receiving agencies to establish the Index and protocols for use of the Index by agencies and to whom it is made available.<sup>91</sup>

6.86 The Index lists 2,941 former child migrants. The Index acts as a signposting service and contains the following information: name; alias; date of birth; date of arrival; ship; placement; and location of records. The Department used internal resources to establish the database at a total cost of \$20,000. Since its launch in October 1999, there have been 720 requests for information.

6.87 The Department also noted that, following protracted discussions with representatives of the British Government, ‘front end’ information providing the name of the sending agency and the location of records currently held in the UK has been received by the Department.

6.88 A special unit in the Department has been established to assist former child migrants to access information and trace families, and to provide support and referral to other services for independent advice, practical assistance and counselling. This unit makes all its records available to former child migrants, including the release of original birth certificates.<sup>92</sup>

6.89 The South Australian Department of Human Services waives fees for former child migrants but noted that the information may be decades old and ‘records were not kept in those days with a view to helping people to put their stories together’. In evidence, the Department stated that a departmental officer provided assistance to people adopted in the United Kingdom who are now living in Australia and that the skills and knowledge built up were also used to find the families of former child migrants.<sup>93</sup>

6.90 The South Australian Department also acts as an intermediary between former child migrants and the Catholic Church. On a case by case basis, it has requested and received files from the Church. It has not received all the files that the Church holds.<sup>94</sup>

6.91 The New South Wales Department of Community Services, through its *Connecting Kin* project, has provided details to assist former residents of homes in New South Wales to locate both Government and non-government agency records. The Department is also establishing a database from its records. The New South Wales Immigrants Index will hold the information now held on 3,860 cards of child

---

91 *Committee Hansard*, 16.2.01, pp.152-53 (WA Department for Family and Children’s Services).

92 Submission No.135, p.18 (WA Department for Family and Children’s Services).

93 *Committee Hansard*, 16.3.01, pp.284, 287 (SA Department of Human Services).

94 *Committee Hansard*, 16.3.01, p.314 (SA Department of Human Services).

and youth migrants from 1947 to 1961. This Index will contain information including name, date of arrival, name of ship, sending and receiving agency and name of parent (usually mother). The Department will also appoint a Designated Official in the Adoption Services Branch to assist former child and youth migrants. A Website is planned and the Department hopes to examine further its pre-war files.<sup>95</sup>

6.92 On 20 December 2000, the New South Wales Government also approved funding of \$60,000 for one year to provide counselling and family-tracing services to former child migrants. These services will be provided through International Social Service.

6.93 The Queensland Government has produced a guide, *Missing Pieces*, which provides information about the records of departmental institutions and those operated by church and voluntary groups. *Missing Pieces* provides a description of departmental files and access and contact details. For each institution, both government and non-government, a brief historical summary is provided, with access and contact details.

6.94 Following the Forde Inquiry, the Department of Families, Youth and Community Care established a counselling and support service for former residents of Queensland Institutions. The Aftercare Resource Centre (ARC) provides face to face and toll free telephone counselling. ARC also provides advice regarding access to individual records, documents and archival papers.

6.95 The Victorian Department of Human Services provides the following support to all Victorian former child migrants through its Adoption Information Service:

- information regarding procedures for records searching, both in Victoria and in the United Kingdom;
- short term counselling on grief and separation issues;
- assistance in understanding the information in retrieved, historical records;
- pre and post reunion counselling.

6.96 Victoria's Archival Services has processed all relevant Victorian Government records into sequential order by policy file/client name. All client names have been entered into the Archival Services database to enable quick retrieval and matching to boxed records.

6.97 The Adoption Information Service will help former child migrants apply under the Freedom of Information Act for access to their departmental files. If these records show that a person was placed with a specific non-government organisation, Archival Services can contact that organisation, on behalf of the former child migrant,

---

95 Personal communication with the Committee.



to assist in locating any relevant records held by that organisation. This support is offered on a case by case basis. Freedom of Information fees do not apply.

### *Non-government Organisations*

#### The Child Migrants Trust

6.98 The Child Migrants Trust does not hold original records but has provided tracing and counselling services in Australia since 1988. The Trust employs a family researcher in the UK and has built up considerable expertise in tracing families.

#### Catholic Church Organisations

6.99 The Personal History Index (PHIND) is a computerised index which gives details of the location of records held in Australia for former child migrants who arrived and were placed in Catholic homes between 1938 and 1965. The PHIND was funded and sponsored by religious orders and Diocesan agencies that received children from the United Kingdom and Malta. The index is available through 11 licensees in South Australia, the Australian Capital Territory, Queensland and Western Australia.

6.100 The Christian Brothers' Archives in Perth holds material from the four Christian Brothers institutions in Western Australia. These mainly consist of admissions files. The Catholic Migrant Centre in Perth holds over 900 personal files relating to former child migrants between 1938 and 1965.

6.101 The Australian Catholic Social Welfare Commission has compiled a national directory of records of Catholic organisations caring for children separated from families. The directory, entitled *A Piece of the Story*, lists all known centres run by organisations of the Catholic Church across Australia that provided residential care for children outside the family. The directory provides, for each centre, contact details and information about access and the type of records available.

#### Fairbridge

6.102 The Fairbridge Foundation New South Wales holds all the files for the farm school at Molong. Some records are incomplete, for example, some do not contain birth certificates. Protocols for accessing files have been established. No one other than the Old Fairbridgian has access while the Old Fairbridgian is alive. Access by relatives is then available. A relative is defined as a person who is child, spouse or common law spouse of the Old Fairbridgian.<sup>96</sup>

6.103 Records of the Fairbridge Farm School, Pinjarra, are lodged with the Battye Library in Perth. A member of the Fairbridge Board administers access to records and

---

96 *Committee Hansard*, 22.3.01, p.447 (Fairbridge Foundation).

pertinent documents are made available to the child migrants or the immediate family of the child migrant.<sup>97</sup>

### Barnardos

6.104 Barnardos also holds the files for each of the child migrants it received. Since the mid 1970s copies of the files have been made available to child migrants. Information on the files includes unedited admission histories. Barnardos indicated that the files did not always contain a birth certificate but in such cases it did everything possible to obtain copies from the Records Office in London. Barnardos UK provides tracing services, but it also uses the Child Migrants Trust, International Social Service, the Red Cross and the Salvation Army. Services are provided free of charge.<sup>98</sup>

### **Outstanding access and tracing issues**

The tracing is insufficient and inadequate. Even the fine program which is set up by C-BERS has very little information in it. It is stuff that we already know. There is nothing new. There is nothing that we can go to from there. So we really want to go to the next step and find out exactly whether there are records there, so that these people can find out who they really are. They are trying to put a picture together, but the facts that they have been given from the beginning are wrong, so they are just going on a wild goose chase.<sup>99</sup>

6.105 The evidence indicates that much has been recently achieved in locating and improving access to records. However, a great deal is still required with witnesses pointing to a number of areas where improvements are needed including access to further funding, sharing of information, improvements in record keeping and improving access by former child migrants.

### *Additional funding*

6.106 First and foremost, many witnesses emphasised the need for further funding:

There are so many child migrants like myself, still looking for family. The passing of time makes it worse, not better. We are running out of time. We need **more** help from the Australian Government **now!** Too many mothers, fathers, brothers and sisters are dying before they can be reunited.<sup>100</sup>

6.107 It was noted that undertaking searches in the United Kingdom is of most significance for family tracing. Most former child migrants know their arrival

---

97 Submission No.136, p.2 (Fairbridge WA Inc).

98 *Committee Hansard*, 22.3.01, p.474. Detailed information about the files held by Barnardos UK is provided in briefing papers attached Submission No.50 (Barnardos Australia).

99 *Committee Hansard*, (in camera).

100 Submission No.22, pp.2-3.

information and the sending agency. What is now required is family information. However, it is expensive and time consuming to search out this information, but time is of critical importance in finding family. Former child migrants are ageing and with the British Child Migrant Support Fund due to cease in 2002 tracing needs to be completed so that all eligible former child migrants can access the fund for reunion travel.

6.108 The Child Migrants Trust indicated that the cost of an individual search ranged from £1,000 to £1,500.<sup>101</sup> Barnardos UK spends £1 million per year on after care services, but even so some people have to wait some time to view their files. Barnardos UK stated that the level of funding of tracing services in agencies has to be weighed against serving needs in other areas.<sup>102</sup>

6.109 Other agencies indicated similar concerns with funding. The CCWC's noted that its service is funded by the Sisters of Nazareth and the Christian Brothers 'but we cannot necessarily expect this funding indefinitely'. The Catholic diocesan agencies have no funding for the tracing work and the UK Department of Health has turned down funding for family searches 'on several occasions'. CCWC concluded that some Government funding should be made available both to sending agencies in the UK and receiving agencies in Australia to support and assist their work in family searches and reunions.<sup>103</sup>

6.110 The Joint Liaison Group also called on the Commonwealth Government to make a stronger commitment to funding tracing services. The Liaison Group noted that 'so far the only official Australian involvement has been funding through the Child Migrants Trust. Other agencies are doing equally good work and offering professional services and it is contended that the Commonwealth support for these services is both needed and appropriate'.<sup>104</sup>

6.111 Another problem identified was the magnitude of the task in the UK and that little is held in Australia that can be used to trace families. Tracing is often time consuming and difficult. In the UK, much of the information of interest to child migrants is not centralised. There is also a need for close liaison with the sending agencies and with churches. It was suggested that funds should be made available to bona fide agents to assist family tracing to expedite the work.<sup>105</sup>

6.112 A further area of concern was the physical state of records. Although much work has been done in identifying the location of records, problems still remain in regard to the physical records themselves: records are in poor condition; they are not

---

101 *Committee Hansard*, 26.3.01, p.584 (CMT).

102 Submission No.50, Attachment (Barnardos).

103 Submission No.51, p.5 (CCWC).

104 Submission No.54, p.15 (JLG).

105 Submission No.44, p.6 (CMFS); *Committee Hansard*, 16.2.01, p.149 (C-BERS).

indexed; and they may be scattered across a number of agencies. Time and money is required to rectify these problems.

6.113 C-BERS also identified other gaps including that there is no ‘sending agency’ contact group in Malta and there is no funding that would support professionals to learn from each other.<sup>106</sup>

6.114 C-BERS stressed the importance of the provision of choice of agencies for former child migrants and their families. Some former child migrants will not approach the Christian Brothers and others do not wish to use the Trust:

That is something that we, in Western Australia, and working with the Family and Children’s Services and the other receiving agencies, have been trying to ensure: that there is ample opportunity for choice for people in accessing helpful instruments in tracing, like the personal history index or the child migrant referral index, so that people can take the service that is most appropriate to their needs.<sup>107</sup>

6.115 A matter of deep concern to many former child migrants was that access to records was still restricted and that primary records are still held by agencies. It was argued that there is need for open access to personal records by former child migrants or their nominated professional representatives. The International Association indicated that it wanted ‘the government to remove all records and documents relating to former child migrants, which are currently held by the church and charitable organisations, and place them with the Child Migrants Trust’. It noted that church and charitable organisations ‘have the power to control the release of these records and how the information within these records is provided and interpreted. They have the power to withhold or hide information and records if they are detrimental to the image they are now desperately trying to portray.’<sup>108</sup>

6.116 Members of the CMFS also noted that many former child migrants would never travel back to their country of birth and argued that all records which are the property of former child migrants, held anywhere in Britain, should be copied and sent to appropriate authorities in Australia.<sup>109</sup>

### *Sharing information*

6.117 C-BERS raised two further important points with the Committee, first that there is no mechanism for sharing information with eastern State Government departments; and secondly, there is no integrated network of specialised service providers around the country.

---

106 Submission No.45, p.3 (C-BERS).

107 *Committee Hansard*, 16.2.01, p.139 (C-BERS).

108 Submission No.129, Additional Information 23.4.01 (IAFCM&F).

109 Submission No.44, Additional Information, p.4 (CMFS).

6.118 In evidence, the work carried out in Western Australia was held up as a model of what should be provided by other States. The Western Australian Department for Family and Children's Services has provided a leadership role for non-government agencies and has developed the Child Migrant Referral Index. The Index not only provides information on access to the records of the 2,941 former child migrants who came to Western Australia, but also contains vital information about British sending agency and location of records currently held in Britain thereby providing a comprehensive guide.

6.119 The Western Australian Department suggested to the Committee that there was no reason why there should not be a national index of every child migrant who came to Australia. However, in evidence it was noted that there was a lack of response from some other State Governments:

...I meet with my colleagues, heads of departments in the area that I operate in around Australia on a regular basis. On a regular basis I have the issue of former child migrants put on the agenda and on a regular basis nothing happens. So I do not think that there is the same enthusiasm and commitment in the other states to do something in this area. I think some of them feel that the issue was not as large in their states. I think some of them perhaps have taken advice from lawyers that this could end up costing a fortune so why get involved. I do not know how it can be achieved.

For us, it was not difficult and it was not an expensive exercise. The most difficult thing was making the decision to get the people together. Once that happened...it did not cost a lot of money. In the other states, I think basically the way it could best be achieved would be to get a political commitment to do something in the other jurisdictions.<sup>110</sup>

6.120 The South Australian Department of Human Services supported a national index. The Department suggested that the Community Services Ministers Advisory Committee would be the appropriate agency to take up such an idea.<sup>111</sup> Barnardos also noted the need for a national index.<sup>112</sup> A national index was also supported by former child migrants as it would help co-ordinate tracing. One former child migrant noted that while she was searching for family, her brother, unbeknown to her, was using another agency to do likewise.<sup>113</sup>

6.121 Other initiatives to improve the exchange of information and expertise have been developed. For example, the Receiving Agencies Steering Committee has been established in Western Australia. C-BERS informed the Committee that it had met with the Catholic Migrant Centre and the Child Migrants Trust to develop guidelines to facilitate as rapid as possible access to information and information sharing having

---

110 *Committee Hansard*, 16.2.01, pp.153, 164-65 (WA Department for Family and Children's Services).

111 *Committee Hansard*, 16.3.01, p.290 (SA Department of Human Services).

112 *Committee Hansard*, 22.3.01, p.476 (Barnardos).

113 Submission No.62, p.3.

regard for client confidentiality. As a result of that meeting, draft protocols had been developed for the exchange of information. C-BERS and the Trust also exchange knowledge about the experience before, during and after a reunion trip so that both services can provide better support for their clients.<sup>114</sup>

6.122 In Britain, the Sending Agencies Group was established in 1997 comprising of representatives of Barnardos, CCWC, The Children's Society, NCH, Catholic Children's Society (Westminster), Salvation Army, Fairbridge, Middlemore Homes, Fegan's Child and Family Welfare. This Group's objectives include:

- to provide a forum for the development and professional good practice relating to work with former child migrants and their families;
- to share information on the keeping of records and the use of information technology; and
- to develop working relationships with other agencies and organisations, both in the UK and overseas, currently involved in working with former child migrants and their families.

6.123 Committee members met with representatives of the Sending Agency Group in London. The Group submitted that whilst its agencies had established contact with a number of organisations and agencies, 'we have been very aware that professional work in the field of child migration has seen minimal sharing of professional practice and research'.<sup>115</sup>

6.124 Other examples were provided to the Committee of agencies co-operating in the development of databases and policy and practice. There was also contact with other agencies to discuss individual cases.<sup>116</sup>

### **Access to records by families of child migrants**

6.125 There was recognition by former child migrants that the impact of the child migrant experience would not stop with them:

There are as many effects on former child migrants as there are former child migrants as each is an individual story with its own good and bad; but what is now evident is that there were effects on each of us that will last beyond our days...The ripple on the pond is travelling outwards and amplifying as each person it touches raises questions and issues such as nationality, identity, genetics and even inheritance rights that may shatter some families and widen the effects.<sup>117</sup>

---

114 Submission No.45, p.4 (C-BERS).

115 Submission No.52, p.4 (CMSAG).

116 Submission No.51, p.5 (CCWC); Submission No.98, p.4 (NCH).

117 Submission No.126, p.4.

6.126 The Committee received a number of submissions from the families of former child migrants which highlighted the importance of accessing records and the difficulties that many descendants have experienced. One submitter stated:

...I'm sure I'm not the only first generation child enduring the continuing problems of ascertaining information on behalf of deceased parents. Please be mindful that there is a new generation of secondary effected people coming up and need assistance also.<sup>118</sup>

6.127 The restrictions on the provision of information to only the child migrants themselves, for example the Child Migrant Central Information Index, creates significant difficulties for surviving children of deceased child migrants. Children of former child migrants are unable to access social and medical history information which may be of significant importance in identifying inherited medical problems. Restricted access also hampers their search for surviving relatives. But as one family member stated: 'We have a side that just has been taken from us. We need to be given help to piece together our family.'<sup>119</sup>

6.128 The families of former child migrants provided evidence of the difficulties that they have faced:

...the bureaucracy on many occasions stipulated that details would only be released to the child migrant him or herself. Begrudgingly I have managed to pierce this armour plating a couple of times, but even then I am suspicious that I have received edited versions of documents.<sup>120</sup>

I wrote many letters to organisations in the UK that one of them would lend a hand in my search...But it seems there is a code of silence and as I am only a daughter in Law I have no rights.<sup>121</sup>

### **National Archives of Canada**

6.129 During their visit to the National Archives of Canada, the Committee members met Marie-Louise Perron, Chief of the Genealogy and Personnel Records Section, and her staff who described the initiatives they have taken in relation to the records of Canadian child migrants – the Home Children.

6.130 The Committee was advised that the National Archives maintained regular contact with agencies and individuals interested in issues surrounding Home Children, and has participated with the British Isles Family History Society of Greater Ottawa in the development of the Home Children Database.<sup>122</sup>

---

118 Submission No.85, p.2.

119 Submission No.69, p.2.

120 Submission No.85, p.1.

121 Submission No.69, p.1.

122 See [http://www.archives.ca/02/020110\\_e.html](http://www.archives.ca/02/020110_e.html)

6.131 Information likely to be of interest about Home Children can be found in several types of National Archives records. Government records include the passenger lists for the period 1865 to 1935 that constitute the official record of immigration to Canada in that period. The names of child migrants who arrived in Canada can be searched in some on-line databases in ArchiviaNet.

6.132 The Home Children Database contains fields for data extraction determined by the nature of the records and the details necessary to identify an individual and locate the actual passenger list (eg name, age, sending agency, ship, arrival date and port, microfilm reel). This Database is continually being updated and is the most valuable tool for identifying the arrival information for Canadian Home Children.

6.133 The National Archives also holds a number of other nominal indexes and lists relating to juvenile immigration, with which staff can assist researchers trying to identify the date of arrival and sending agency for a particular home child. Titles of files relating to a particular Home or Agency can be searched in the Federal Government records database. Like the passenger lists, these microfilm reels may be viewed on-site or borrowed through inter-institutional loan.

6.134 The National Archives has received microfilm copies of the records of a few sending agencies, however, access is restricted by the donors due to the sensitive nature of the information they contain. In those cases, National Archives staff refer researchers to the organisation in the United Kingdom. An exception is the microfilm copies of the Middlemore records, which are open to the public in cases where the records are more than sixty-five years old.

6.135 Since most Canadian child migrants already know their arrival information and the sending agency, they do not need to contact the National Archives for a search for those details. However, inquiries that are received from former child migrants themselves (as opposed to inquiries received from descendants or relatives of child migrants) are handled with more extensive research, as such individuals would be quite elderly. Most inquiries are now from descendants and the National Archives receives dozens of inquiries per month from the children, grand-children and other relatives of home children who are working on their genealogy, a search of relevant indexes is made and clients are advised on how to access unindexed records.

6.136 After the discussions, the Committee was able to observe the accessing of detailed information and records from the National Archives databases and was very impressed with the technological capacity and simplicity with which such access could be achieved. As noted in the previous section, access to records by families is becoming increasingly important in Australia so the Committee considers that the Canadian initiatives are particularly relevant for future action in Australia.

## **Conclusion**

6.137 Although some former child migrants were able to maintain contact with family and some were reunited after migration to Australia, for a very large number of former child migrants this was not the case. Agencies either did not know enough



information to provide an accurate identity for the child in their care or, for various reasons, chose to break the links between family and the child migrant. Despite the 1945 Curtis Report and changes to the attitudes of child care and the importance of the role of families in Britain, there was little understanding at the time in Australia, in receiving agencies and government organisations, for the need to maintain links with family.

6.138 There was also a generally held view that it was ‘better’ if child migrants had a new start and didn’t find out about their backgrounds, particularly in the case of illegitimacy. Letters were kept from children and child migrants were told (with malicious intent) that they were orphans. Appalling inaccuracies and discrepancies in record keeping are much evident: names were changed and birth dates were changed. Such practices go far beyond the imperfect record keeping characteristic of the time. The Committee considers that these practices amount to gross incompetence and lack of duty of care.

6.139 These views and practices impacted adversely on child migrants in two fundamental ways: first, because they were told that they had no family or that their families did not care for them they did not try to reunite with them until many years later; secondly, some agencies for many decades clung to the view that child migrants were better off not knowing their backgrounds and therefore offered little or no assistance to former child migrants seeking records, again causing many to give up their search in frustration.

6.140 While some organisations recognised from the mid-1970s the need to assist children who had been in their care, for example, Barnardos, many agencies did not do so until much later and until they were forced to in the 1990s. By this time, child migrants were ageing and their parents, if still living, were of a very advanced age. By this time also, records had been destroyed or were missing or were damaged; institutions were closed; and memories had faded.

6.141 These factors have added to the complexity of searching for family. It is a time consuming and expensive process but there have been successes. Organisations such as the Child Migrant Trust have developed the expertise to find missing documents and to track down families. There are many wonderful stories of reunions, but all too frequently there are stories of sadness and despair of former child migrants having missed the opportunity of reuniting with parents by a year, or only months.

6.142 We cannot overstate the importance of satisfying this human need. The search for family is at the heart of the provision of services for former child migrants. Without the knowledge of family and where they come from, former child migrants have no sense of an identity or where they belong. Without a birth certificate there are the practical difficulties of obtaining a passport and citizenship and of proving identity for other purposes. Without a birth certificate there is little hope of identifying parents or family.

6.143 The Committee considers that much has been done to assist former child migrants to find family, but time is running out and much remains to be done. The expertise built up and the knowledge gained must not be lost. The work already undertaken by NCVCCO in Britain needs to continue and to be expanded so that greater use can be made of the Child Migrant Central Information Index.

**Recommendation 6: That the Commonwealth Government urge the British Government to continue financial resources for the National Council of Voluntary Child Care Organisations (NCVCCO) for the retention and expansion of the Child Migrant Central Information Index.**

6.144 The Committee acknowledges that Victoria has developed a database to help retrieve files and that New South Wales is establishing an index. However, the Committee considers that it is imperative to establish databases with accurate and comprehensive information about all former child migrants who came to this country. The Western Australian Former Child Migrant Referral Index contains information from receiving agencies and more importantly, information from sending agencies. These need to be co-ordinated by the States so that the databases are compatible and to ensure ease of access on a national basis.

**Recommendation 7: That the Commonwealth Government urge all State Governments to establish a comprehensive signposting index similar to that established by the Western Australian Government.**

**Recommendation 8: That the Commonwealth Government urge all State Governments to co-operate to establish a national index of child migrants.**

6.145 The Committee has also noted that both New South Wales and Queensland Governments and the Catholic Church have published directories to assist former residents of children's institutions to locate and access their records. The Committee considers that all children who have been in residential care should be provided with such a valuable resource.

**Recommendation 9: That the Commonwealth Government urge State and Territory Governments to publish directories of information to assist all former residents of children's institutions to access records similar to the directories published by the New South Wales and Queensland Governments.**

6.146 The Committee considers that there needs to be greater co-ordination between Governments and agencies, and between agencies and between State Governments. There is a great need for all organisations holding records relating to former child migrants and all organisations involved in providing services for former child migrants to share information on keeping records and the use of information technology and develop protocols for accessing records and sharing information. The Committee notes the work undertaken in Western Australia by the Receiving Agencies Steering Committee and in Britain by the Sending Agencies Group in the development of services for former child migrants. The Committee considers that a national group should be established to provide a mechanism for the exchange of

ideas, to develop uniform protocols and to ensure as wide as possible access to records. Such a group should also provide a forum for the coordination of services for former child migrants.

**Recommendation 10: The Committee recommends that a national group of all receiving agencies, other relevant bodies and Commonwealth and State Governments be established to develop uniform protocols for accessing records and sharing information relevant to former child migrants, their families and descendants and to coordinate services for former child migrants.**

6.147 While the establishment of indexes is of great benefit, it has to be remembered that these databases are primarily signposting services, they do not contain records, rather they point to the agency where the records are or should be. It is then up to the agency to find the records and to release all information available to the former child migrants, unconditionally and freely.

6.148 The National Archives of Australia has provided a comprehensive guide to the records relating to child migration that it holds. Many of these records are held in Canberra and former child migrants have expressed concern about the difficulties of accessing these documents. The Committee notes that the Archives has improved access by digitising some of the records which relate to Catholic institutions. The Committee considers that the program of digitising should be continued and expanded so that all files relating to former child migrants are available on the Archives RecordSearch service.

**Recommendation 11: That the National Archives of Australia be provided with sufficient funding to ensure continuation of the program of digitising its records relating to child migration.**

6.149 The Committee also considers that the National Archives should liaise with the National Archives of Canada in relation to the procedures implemented in Canada to facilitate access to records for former child migrants and their descendants. During its visit to Canada the Committee was very impressed with the work being undertaken to improve access to records held by the National Archives of Canada.

**Recommendation 12: That the National Archives of Australia liaise with the Genealogy and Personnel Records Section of the National Archives of Canada in relation to the technology, protocols, processes and procedures the Canadians have implemented to facilitate access to their records for former child migrants and their descendants.**

6.150 It appears to the Committee that there are greater problems in accessing information held in Britain than in Australia. The records held in Australia do not always contain the necessary information for a search – they are more likely to only contain information about the child migrant from the time they arrived in Australia rather than family history. On the spot searching in Britain is required, as well as the co-operation of agencies holding records.

**Recommendation 13: That the Commonwealth Government provide at least three year funding to those agencies engaged in dedicated tracing in the United Kingdom to assist former child migrants to locate their families, based on applications by agencies undertaking that work.**

6.151 From the evidence, the Committee is aware that many agencies are now co-operating with both former child migrants and their representatives to provide vital information. However, the Committee is also aware that there are instances where co-operation is not forthcoming and that there is still a reluctance to divulge all information held on files. Sometimes this reluctance comes from a responsibility to a third party and sometimes, unfortunately it is because of a fear that the former child migrant will commence litigation.

6.152 The Committee considers that organisations have an obligation to make all information available to former child migrants. The Committee considers that no organisation has the right to withhold information from former child migrants, or if the child migrant is deceased their direct relatives or descendants, or any person who was in their care because of fear of litigation. Such actions are unacceptable and indeed, morally repugnant.

**Recommendation 14: That all organisations holding records pertaining to former child migrants make these records available to former child migrants or their authorised representative immediately and unconditionally.**

6.153 Many witnesses argued that primary documents such as birth certificates should be returned to former child migrants. The Committee considers that child migrants are entitled to receive these documents and that all agencies that hold such documents should return them.

**Recommendation 15: That where any organisation holds primary documents, including birth certificates, relating to any living former child migrant without their express permission, former child migrants be entitled to recover that document from the holding organisation.**

6.154 The Committee also considers that greater regard should be given to the needs of the descendants of former child migrants so that they can access more information.

**Recommendation 16: That all sending and receiving agencies be required to extend access to their records to descendants of former child migrants.**

### **Citizenship**

6.155 Many witnesses raised questions concerning citizenship. Some former child migrants believed that when they arrived in Australia they automatically became Australian citizens. It was therefore a great shock to find that they were not and that the process of applying for citizenship was less than easy:

It was a very gruelling process for me because it took six months for them to clear me. I was accused of being a criminal and I got no apology whatsoever from the department concerned. I had to pay for the thing myself. This was back in 1993. The way I feel was that to become an Australian citizen should be the happiest day of your life—great, become an Australian citizen—but personally I did not see it that way, the reasons being that I was kicked off the roll because I was not an Australian citizen. As a child migrant I always thought that I was automatically an Australian citizen, and I got the shock of my life. I had just moved houses and the electoral roll people told me, ‘You’re off the roll.’<sup>123</sup>

6.156 The International Association of Former Child Migrants and their Families expressed the view of many members:

We may have served in the Australian military and fought for Australia in Korea or Vietnam, or both; but when we wanted to claim social security benefits, **we were told we were aliens**, and if we couldn’t prove how we arrived in Australia we would be deported!<sup>124</sup>

6.157 Some witnesses were bitter that they now had to apply for Australian citizenship.

It wasn’t the money so much, but I did feel very degraded...I did feel very sick about having to pay for something that I should have been entitled to in any event.<sup>125</sup>

6.158 Others indicated that they did not wish to take out Australian citizenship with the CMFS noting that there was ‘a bit of animosity out there towards the past’.<sup>126</sup>

6.159 The Committee’s attention was drawn to the problems for overseas travel. One former child migrant commented that obtaining a passport had proved to be a ‘nightmare’ for her:

The form I filled out could not provide the information required and was told that a passport couldn’t be issued because I wasn’t an Australian citizen so was sent to the British consulate at another location. More forms to fill out but was told there that I did not have the right information but to contact Canberra...after three weeks and more expense we got a British Passport but could not re-enter Australia as we were required to get a re-entry visa...I was tears in about this experience. This is what happens at most Government Departments when requesting everyday forms, employees just don’t understand that you don’t have the information required.<sup>127</sup>

---

123 *Committee Hansard*, 16.2.01, p.77.

124 Submission No.129, p.20 (IAFCM&F).

125 *Committee Hansard*, in camera

126 *Committee Hansard*, 16.2.01, p.79 (IAFCM&F).

127 Submission No.62, p.2.

6.160 Other witnesses also highlighted the problem of visas:

I cannot understand at the moment why people in their 60s, 70s, 80s and 90s who, for some unknown reason leave Australia and go for a trip or come back, all of a sudden find out they have to ask for a visa because they are not an Australian citizen. How can you tell someone who came here as a kid, a three-year-old, who has been an orphan for 16 years and who has spent the rest of his life in Australia—and probably even fought for Australia—that he is not an Australian citizen?<sup>128</sup>

6.161 The International Association also provided the details of such a problem faced by one former child migrant, who tried to return to Australia from New Zealand. He had served in the Australian military but was told that he was not an Australian citizen and as he had no visa could not re-enter Australia.<sup>129</sup> The then Minister for Immigration responded to the former child migrant that his children living in Australia would have to sponsor him and ‘he could stay in Australia for two years, and the Australian Government would then consider him for citizenship’.<sup>130</sup>

6.162 Some former child migrants may have automatically become Australian citizens. Australian citizenship was created by the *Australian Citizenship Act 1948* on 26 January 1949. Before that date, people living in Australia were either British subjects or aliens. Former British child migrants who had lived in Australia for the five years to 25 January 1949 automatically became Australian citizens on 26 January 1949. It is unlikely that child migrants who came to Australia after 26 January 1944 were Australian citizens unless at least one of their natural parents was an Australian citizen and/or the migrant had formally acquired citizenship.

6.163 In its submission, the Department of Immigration and Multicultural Affairs stated that ‘the acquisition of citizenship is often equated with a sense of identity and those child migrants who have sought Australian citizenship have received the full support of the Australian Government’. Not only does the Government provide information on citizenship and permanent resident issues specifically for former child migrants, from November 1995, no fees were payable for the granting of citizenship for those British child migrants who came to Australia between 22 September 1947 and 31 December 1967 under the British Child Migrant Scheme. There is also no fee for proof of residency in Australia.<sup>131</sup>

6.164 The Department noted that it has produced an information pamphlet in consultation with the Child Migrant Trust to assist former child migrants applying for citizenship. Former child migrants are directed to the Trust for assistance in locating

---

128 *Committee Hansard*, 21.3.01, p.437.

129 Information provided by DIMA indicates that British migrants were eligible to serve in the Australian armed services without being Australian citizens. Submission No.42, p.48 (DIMA).

130 Submission No.129, p.20 (IAFCM&F).

131 Submission No.42, pp.38, 49 (DIMA).

evidence of their sponsorship under the British Child Migration Scheme required with the application for citizenship. The Trust advised the Committee that ‘this significant improvement in the position of former child migrants is appreciated especially by those who argue that neither they nor their parents had any real choice over their status as immigrants’.<sup>132</sup>

6.165 Some witnesses who had applied for citizenship following the changes to procedures in November 1995 reported that the process was now more straightforward.<sup>133</sup> However, the Child Migrant Friendship Society identified the need for more personal care from the Department for those experiencing difficulties with paperwork.<sup>134</sup>

6.166 Some former child migrants suggested that Australian citizenship should be granted automatically to child migrants:

I have been in Australia over 50 years and I have to get a visa to come back to Australia every time I go away. I have not got an Australian passport, I am not an Australian citizen, I have done national service. It is something that should have been given to us, we should not have to apply for it.<sup>135</sup>

May I recommend...a magnanimous gesture, which would cost the Australian taxpayer nothing would be to give all former child migrants automatic Australian citizenship.<sup>136</sup>

6.167 Others, while supporting automatic right to citizenship argued that there should be an opt-out provision for those who did not wish to become Australian citizens.<sup>137</sup>

6.168 The Department of Immigration and Multicultural Affairs responded to these suggestions and noted that:

Generally speaking, there is a principle with citizenship that governments have preferred people to apply for it on the understanding that that is the way an individual indicates that they want it. Generally speaking, Australian citizenship law has not automatically conferred citizenship on any individual, particularly if you do not know the individual’s circumstances. Any operation of law conferral of citizenship could actually adversely affect the interests of a person who did not want it. As a general principle, it is not normal for citizenship law to automatically confer citizenship. The approach that was taken to former child migrants in the 1990s when this was raised

---

132 Submission No.132, p.29 (CMT).

133 *Committee Hansard*, 16.2.01, p.79.

134 *Committee Hansard*, 16.2.01, p.78.

135 *Committee Hansard*, 16.3.01, p.325.

136 Submission No.40, p.2.

137 *Committee Hansard*, 26.3.01, p.565 (IAFCM&F).

was to change the legislation so that there was no fee applicable. So child migrants who wanted it had to indicate their intention to take out citizenship and complete the necessary forms. But, unlike other applicants for citizenship, there would be no fee.<sup>138</sup>

### *Conclusion*

6.169 The Committee considers that for many child migrants the conferring of citizenship is a significant step in regaining lost identity. Former child migrants have lived in Australia for many years and contributed to the community and to society generally. They often believed that they were automatically Australian citizens. Until 1984 those born in the UK or Ireland could enrol and vote without becoming Australian citizens. British migrants were also eligible to serve in Australia's armed services.

6.170 Former child migrants were very shocked and upset when they found that they were not Australian citizens. They were bitter that they had to apply and, before November 1995, had to pay citizenship fees. Many felt that this was extremely unfair, as they did not have any choice in their status as immigrants.

6.171 In the past, lack of documentation, such as birth certificates, has caused problems for former child migrants applying for citizenship, passports and visas. Recognition by the Commonwealth Government that former child migrants are a group who require special assistance with citizenship applications has helped former child migrants. However, the Committee considers that citizenship should be automatically conferred on all former child migrants who so desire. Those who do not wish to become Australian citizens should be able to decline the conferring of citizenship. The Committee also considers that there needs to be special recognition at the time that former child migrants become citizens and that their unique position in the Australian community be should recognised through a special ceremony.

### **Recommendation 17: The Committee recommends that the Commonwealth Government:**

- **confer automatic citizenship on all former child migrants, with provision for those who do not wish to become Australian citizens to decline automatic citizenship; and**
- **that a special ceremony conferring citizenship be conducted for former child migrants.**

---

138 *Committee Hansard*, 6.2.01, p.3 (DIMA).