

4/31 East Street
FREMANTLE WA 6160

The Secretary
Senate Community Affairs Reference Committee
Suite S1 59
Parliament House
CANBERRA ACT 2600

Dear Sir,

I attach a submission to the inquiry into child migration. I have already sent a submission to the WA Parliamentary Inquiry into Child Migration and to the UK Health Committee Inquiry into Child Migration in which I pointed out personal details of my experiences as a child migrant in Christian Brothers institutions. I have a hard copy of that submission and if asked I will send it to you.

This submission concentrates on various parliamentary questions concerning child migrants. It was my intention to indicate to the Committee that the State Government and Federal Government authorities concerned with child migrants knew about the conditions that prevailed in childcare institutions in Western Australia and did not do anything about them. I submit that the two governments were 'captured' by the Christian Brothers institutions, not wanting to know about the institutions and therefore be compelled to take charge of the migrants' care.

Doctor Barry Coldrey, a Christian Brother historian, has written about child migration and has submitted to the Supreme Court of NSW a secret document entitled "Reaping the Whirlwind" outlining the knowledge held by Christian Brothers Executives of sexual abuse of boys by Christian Brothers.

Yours sincerely,

OLIVER COSGROVE

SUBMISSION TO THE SENATE INQUIRY INTO CHILD MIGRATION
BY
OLIVER COSGROVE

Part (a) Unsafe treatment of children in institutions

1. At Christian Brothers in Western Australia children - including child migrants - were involved in the building of the very institutions in which they were being held. In some of those institutions accidents occurred. In one accident involving 19 Clontarf orphanage boys been loaded onto a truck and the boys were sitting on the logs. Upon turning a corner the logs fell off and children were crushed beneath the logs. This was reported on page 1 of *The West Australian* 9 October 1950. The report indicated that this kind of trip - the delivery of pine logs to a State sawmill - was a weekly occurrence, had been going on for a long period of time, and that the boys had always ridden on the trucks in the same way. On another occasion a boy from Clontarf was injured while working with other boys to demolish a burnt-out shell of Aherns furniture factory at 1 Temple Street Victoria Park. That boy was made an in-patient at Royal Perth Hospital. Parliamentary Question 1316 of 1995 refers.
2. On 17 April 1946 a ward of the State in the care of Clontarf Orphanage was taken to the Child Welfare Department to make a signed statement to an officer claiming that he had been severely beaten. Details of the event are contained in Question 1568 of 29 March 1994 in the Western Australian Hansard.
3. On 29 October 1940 the Secretary of the Child Welfare Department wrote to the Minister for Child Welfare to report two cases of over severe punishment upon two wards at Clontarf. The Secretary said that he had seen the boys on 16 October and that he was so struck by the severity of the punishment that he had seen the Archbishop of Perth on 17 October to tell him that he felt that the Manager was unfit to continue as Manager and that charges of assault were being considered. The boys had each been struck twelve times with a strap on the buttocks. Details of this event

are contained in a parliamentary question asked in the Legislative Council of WA on 22 August 1995.

4. On 25 February 1926 a letter was sent to the Child Welfare Department complaining that the same Manager of Clontarf mentioned above had thrown a boy from the balcony of Clontarf thus breaking the boy's arm. This is mentioned in Parliamentary Question 3522 of 17 October 1995.
5. On 27 May 1940 an inspector from the Child Welfare Department visited Clontarf and noted that there had been no entries in the punishment book as required by Child Welfare Department Regulations 19-22 and Regulation 34(c). This is mentioned in Parliamentary Question 3522 of 17 October 1995
6. The same inspector noted that in January and February of that year two boys had suffered sprained arms; that on 1 March another boy required attention for a sprained arm; that on 15 March of that year another boy had an injured arm and had attended the Children's Hospital; that on 10 April another boy had an injured arm.
7. On 19 June 1940 the Secretary of the Child Welfare Department was written to by the Clerk in Charge of the Department noting that the number of accidents at Clontarf required attention. This is referred to in Parliament Question 3523 of 17 October 1995.
8. The same question refers to the fact that the diet of the children required investigation saying that they did not receive meat and vegetables as such: that the food diet of just soups and soft sweets appeared to be all wrong; that medical practitioners recommended a diet for children which included food to chew.
9. The same question refers to a letter dated 8 June 1937 from the Secretary of the Child Welfare Department to the same Manager of Clontarf mentioned above requiring that he comply with the Child Welfare regulations relating to corporal punishment, saying that such punishment may only be inflicted on the hands and not on the buttocks, and also that such punishment should be inflicted with a cane and not a strap.
10. Parliamentary Question 1474 of 16 December 1993 refers to the refusal of the Manager of Clontarf to show visiting members of the Children's court the punishment book required to be kept by Child Welfare regulations.
11. Parliamentary Question 1881 of 7 April 1994 refers to investigation of an accident and alleged ill-treatment by the Manager of Clontarf on 18 August 1954. The same manager was rebuked by the Director of the Child Welfare Department for ill treatment of a boy on 14 June 1956.

12. Parliamentary Question 1882 indicates that Brother Keaney - former manager of Clontarf - when a staff member at St Joseph's Farm School Bindoon was reported by his Superior to the Christian Brothers for belting a boy with his fists, nearly choking him and striking another boy over the head with a piece of wood so that the boy was in bed with an injury for several days.

13. Four child migrants died as a result of fractured skulls said variously to have been occasioned by falling from orphanage balconies (one while sleepwalking), or by being crushed by overturning farm vehicles that the children were on. The Chief of Staff to the Western Australian Attorney General and Minister for Justice in a letter dated 6 November 2000 noted that the deaths of Charles Brunard on 17 October 1943, Kevin Glasheen on 23 May 1949, Brian Duncan and Anthony Sullivan from fractured skulls were subject to a Coroner's investigation at the time of death. The records relating to those deaths had been destroyed. There had not been any record of any request for the Coroner at the time to conduct an inquest. Child migrants were guardians of the Minister for Immigration and that guardianship had been delegated to a State officer under the Immigration (Guardianship of Children) Act 1946. There is no evidence that the guardians of these child migrants had at any time made any attempt to inquire into the violent deaths of child migrants.

14. Senate Question 2587 of 1995 referred to the fingerprinting by the Western Australian Police of child migrants as they arrived in Fremantle or, in the case of 17 girl child migrants who arrived in Australia on 10 December 1947 in the ship *Asturias*, at Geraldton.

15. Parliamentary Question 1354 of 18 May 1995 asked in the WA Legislative Council refers to a report sent through the Prime Minister's Department to the United Nations by the Premier of Western Australia on 30 June 1952. The report indicated that children - including child migrants - in WA childcare institutions were not working for those institutions when in fact they were. The report indicated that discipline in those institutions - including those which held child migrants - was generally maintained by the granting or cancelling of privileges or entertainments. The report indicated that corporal punishment was only administered in accordance with child welfare regulations. These assertions were not true for Christian Brothers childcare institutions: the child welfare authorities knew that they were not true and yet they allowed this untrue report to go to the United Nations.

16. Parliamentary Question 114 of 1996 in the WA Legislative Council refers to the visit to WA by Mr John Moss of the UK Home Office Children's Branch. Mr Moss was holidaying in Australia with his wife and asked the Home Office if it would be all right for him to visit homes containing child migrants. Question 114 of 1996 notes that representatives of all the WA homes containing child migrants held a meeting in Perth so that "uniform answers could be given to various questions asked in a questionnaire prepared for the visit". Father Cyril Stinson, Director of the Catholic Episcopal Migration and Welfare Association (Inc) indicated that "the general environment of all these homes is an extremely happy one. Discipline is enforced by deprivation of privileges". This was not true. Question 158 of 1996 also refers to

this.

17. In 1953 the Premier of WA, Hon A Hawke commissioned Mr Hicks of the NSW child welfare government department to investigate child welfare institutions in WA. The report was destroyed, but only after some parts relating to a Salvation Army home were released to the press. A file containing recommendations of Hicks lies in the Public Record Office of WA and from those recommendations it can be inferred that Hicks was not happy about the power relationship that existed between the Child Welfare Department and the religious authorities that conducted the homes. Parliamentary Question 1069 of 22 November 1994 refers.

18. In 1955 a Fact Finding Mission was sent to Australia by the UK Oversea Settlement Board. The Mission was produced two reports: one for publication and the other confidential to the Commonwealth Relations Office and the Home Office. When the Mission visited the Christian Brothers farm school at Bindoon the chairman had an altercation with the Manager, Brother Quilligan, saying of Bindoon that "It is hard to find anything good to say about this place." A file exists in the Public Records Office of WA concerning this Mission: *Visit of the United Kingdom Mission - Fact-Finding Mission*, ACC 1031; AN 46/56. Batty Library, Perth WA 600. A Command Paper exists in Her Majesty's Stationery Office as Cmd Paper 9832 August 1956 relating to this mission. Another file exists in the Public Records Office, Kew London. *Child Migration. Extract from 1956 Inter-Departmental Committee Report, DO 35/10254.*

19. The confidential report on the Ross Mission has not been released. I have written to the Prime Minister of the UK asking him for its release but he has not responded to my request. The file is called *Action taken on a Report and Confidential Notes of the Fact-Finding Mission on Child Migration to Australia*, DO 35/6382, PRO Kew.

20. The ultimate result of the Ross Mission was that, apart from a few quibbles about towel hangings in the showers, Bindoon - along with all other Christian Brothers institutions in WA were well-run establishments. Clearly bureaucratic and political whitewashes were occurring.

21. The British Federation of Social Workers was aware that some Australian institutions were receiving child migrants into standards of care that were not sufficiently high. The Federation's minutes record delegations to the Home Secretary for an inquiry into the institutions, and also record a delegation to the Home Secretary to have the Empire Settlement Act amended to require the Home Secretary's permission to be granted before emigration of unaccompanied children. This did not occur.

22. The Curtis Report (Care of Children Committee, Comd 6922 London, HMSO 1946) recommended in paragraph 515 that children should not be sent to conditions that were not the equal or better than those from which they came.

23. On 18 October 1947 the Home Office sent through the Office of the High Commissioner for the United Kingdom in Canberra a four page document entitled *Emigration of Children who have been Deprived of a Normal Life*. In it the Home Office stressed what a substitute home for such a child should have:

affection and personal interest; understanding of his defects; care for his future; respect for his personality and regard for his self-esteem.

stability; the feeling that the child could expect to remain with those who will continue to care for him till he goes out into the world on his own feet.

opportunity of making the best of his ability and aptitudes, whatever they may be, as such opportunity is made available to the child in the normal home.

a share in the common life of a small group of people in a homely environment.

24. Other paragraphs in the document dealt with:

- Standards of care
- Continuing responsibility of the “parent” society
- Liaison Officer
- Staff
- Selection of children
- Life within the home
- Education and training for careers
- Provision of hostels
- Contact with the outside community
- Records

25. The reader of these documents will note that the Christian Brothers institutions did not conform with any one of these Home Office requirements.

26. The UK High Commissioner sent a copy of the document to the Department of Immigration on 18 October 1947. The Secretary of the Department of Immigration sent 20 copies to the Under Secretary for Lands and Immigration in WA on 3rd December 1947. The Under Secretary sent copies of the document to the Secretary of the Catholic Episcopal Migrant and Welfare Association on 24th December 1947. State Microfilm *Department of Community Development Administrative Files Roll No 1 Start AO 53 Vol 1* refers.

27. Parliamentary Question 1566 of 1994 refers to a newspaper report in *The West Australian* (page 6) of 4 March 1949 in which the Chairman of the Board of Governors of the Fairbridge Farm School said that “unless the conditions to which they (child migrants) were going were equal to those in Britain” child migration to Australia would probably decline.

28. The same Question refers to an explanation in 1949 by the Secretary of the National Children’s Homes of Great Britain (Mr J.A. Litten) that he had investigated the position in Australia for child migrants and had urged the improvements of inadequate conditions in many cases, and that this explanation appears on the same page 6 of *The West Australian* for 4 March 1949.

29. Senate question 2215 of 22 August 1995 refers to children in Bindoon working upon reaching the age of 14 years. The same question refers to the unsatisfactory nature of the buildings at Bindoon and to the fact that children were working in a purported apprentice scheme that did not have the approval of the Arbitration Commission of the day.
30. Parliamentary Question 1475 of 14 December 1993 refers to unsanitary and unhygienic sleeping and cooking conditions at Clontarf - in which child migrants were held. The question refers to raw sewage being pumped onto the school's oval; broken toilets, enuresis-sufferers' conditions, ablution blocks being defective and dirty, food preparation and consumption facilities being most unhygienic and unsatisfactory. The question quotes a health inspector saying that at Clontarf "Many aspects of essential sanitation are neglected ..."
31. Parliamentary Question 11304 of 1993-94 refers to an inspection visit to Castledare Orphanage in which complaints were made about the condition of bedwetters' mattresses, the food preparation and consumption areas and the school facilities.
32. Senate question 2215 of 22 August 1995, Question 1640 in the Legislative Council, Question 854 in the Legislative Council, and Question 484 in the Legislative Council of 1994 all refer to deficient educational standards and reports from Christian Brothers institutions.
33. Question 1536 in the Legislative Council refers to a letter from the WA Minister for Police writing in letter HMCL VAT 3553/55 dated 4 November 1955 replying to the Director Child Welfare Division Child Welfare Department about the screening of staff in childcare institutions. The Director had written outlining his concerns that staff in childcare institutions be screened for suitability. He had written to all childcare institutions seeking their cooperation in this, and all institutions responded except Catholic institutions.
34. Child Welfare Regulation 24 required that any correspondence that was withheld from wards was to be sent to the Secretary of the Child Welfare Department. No such correspondence was forwarded by any Manager of Christian Brothers institutions yet Father Cyril Stinson, the Director of the Catholic Episcopal Migration and Welfare Association (Inc) asserted that there was such correspondence withheld. This assertion lies in Public Record Office of WA file ACC 1031 AN 145/2 662/52 *Children's Migration, Visit by Mr John Moss, folios 26 - 28.*
35. The Child Welfare Act Regulations required that the institutions provide for the education of wards. Of all the institutions holding child migrants only those conducted by the Christian Brothers attracted any complaints from the Education Department about schooling. Between 1957 and 1959 Mr Lloyd Pond, an Education Department guidance officer, and later Principal of the Claremont Teachers' College in Western Australia, conducted psychological testing of children in Christian Brothers institutions and of children in Fairbridge Farm School and noted that the number of defective and borderline defective children in Christian Brothers institutions was alarmingly high. The comparison was:

| Institution\IQ points | (<80) | Below Av (80-90) | Av (90-109) | Ab Av | Bright |
|-----------------------|-------|------------------|-------------|-------|--------|
| Normal distribution | 11% | 16% | 46% | 16% | 11% |
| Clontarf | 44% | 17% | 33% | 3% | 3% |
| Tardun | 43% | 32% | 25% | 3% | 0% |
| Bindoon | 35% | 23% | 35% | 5% | 2% |
| Fairbridge | 3% | 19% | 57% | 16% | 5% |

36. Report after report exists noting that children in Christian Brothers schools were not in classrooms but working outside on farm-related or building-related activities that purported to be apprenticeship schemes. Father Cyril Stinson of the Catholic Episcopal Migration & Welfare Association (Inc) reported in a letter to the Under Secretary of Lands and Immigration, the delegated guardian, (PROWA ACC 1193 AN 228/1, Lands and Survey file 1664/48 Vol 1 *Child Migrants in Institutions: Maintenance and Medical Treatment and other costs*, folios 31-33) that the children in these schools were lazy and only good for manual work around the school. On another occasion the Association wrote to the Child Welfare Department requiring the boys to be kept at the schools until they turned 18. The Minister for Child Welfare of the day sought a 3-month moratorium on action on this request until the Child Welfare Department formulated a response. Eventually the Department's policy was formulated so that children were not to be kept beyond the age of 16 years. On another occasion Superintendent Jeanes of the Education Department wrote (28 July 1949, PRO WA ACC 1497 77/50) that there had been and were continuing to be severe problems in these schools leading to educational retardation. He noted that there had been no especial effort by the Christian Brothers to address these problems. He also noted that there was no similar problem in the institutions holding child migrant girls, nor was there a similar problem in other Catholic schools in his district. He identified only Christian Brothers institutions as having these problems. The Catholic Episcopal Migration and Welfare Association (Inc) received an additional shilling per week per migrant child in an institution that had an on-site school. Despite this, there was no especial drive to address the problems of retardation. The Education Department also noted that the language problems being faced by children at Christian Brothers schools (especially problems faced by Maltese migrant children) could be addressed by using the experience gained at the schools for children of displaced persons at Northam and Cunderdin. (PROWA ACC 541 AN 3/3 4186/46, Vol 2, Folio 199 *Catholic Episcopal Migration and Welfare Association of WA, Child Migration - Nominations WG 3*, Letter from Deputy Director of Education to Under Secretary for Lands and Immigration 6 February 1950)

37. Before the post-World War II scheme resumed the Under Secretary Lands and Immigration and the Secretary of the Child Welfare Department each wrote to their respective Ministers outlining their fears about the quality of monitoring of child migrants in institutions. They both feared that exploitation of child migrants had occurred before the war and feared that it would continue after the war. (Parliamentary Question 6 1994, Letter dated 22 April 1949 from Secretary Child Welfare Department to Minister for Child Welfare, and PROWA ACC 1417 A56 CWD 607/46, Letter from Under Secretary for Lands and Immigration, folio 142)

38. Parliamentary Question 3904 of 31 October 1995 refers to a letter from the Chief Clerk of the Child Welfare Department to the Secretary of that Department on 3 February 1995 concerning the proposal by the Catholic immigration authorities to bring European youths between 14 and 16 years of age to institutions such as Tardun

or Bindoon. The Chief Clerk noted that some months previously a group of specially selected Maltese boys over 14 years of age came to Western Australia and that he thought practically all of them had by February 1955 returned to Malta. The Chief Clerk noted that if the proposed nomination of European youths was accepted they would go into the institutions, receive little education, and would only provide a work force.

39. Parliamentary Question 3903 of Tuesday 31 October 1995 refers to a folio 142 on PROWA file ACC 1417 Child Welfare Department 320/3 A56 dated 27 April 1949 from the Acting Under Secretary for Lands and Immigration about the difference of opinion between the Child Welfare Department and of the Catholic Episcopal Migration and Welfare Association concerning administration of the child migrants in the Child Welfare institutions. The Acting Under Secretary claimed that there was a wedge of pressure being applied between his department and the Child Welfare Department concerning keeping boys at institutions until they are 18. He claimed that the pressure could split the harmonious relations of the two departments. He also claimed that the subtle and real purpose of keeping the boys at the institutions until that age was the development of the institutions property. He also claimed that revelations existed that showed a flimsy facade erected by the institutions of claiming that the boys kept there were being trained as apprentices.

40. Parliamentary Question 1556 of Tuesday 5 April 1994 referred to a letter from the Secretary for the Child Welfare Department dated 2 October 1947 instructing the Welfare Officer of the Department to visit the child migrant children placed at Clontarf, Castledare, Bindoon, Tardun, and Nazareth House Geraldton every two months and be reported on. He required that particular attention was to be paid to the condition of their health, their accommodation, and their attendance at school. The Secretary indicated that reports of child migrants would be forwarded to the State Minister for Immigration, and would also be forwarded to Canberra. He also indicated to the Welfare Officer that indentures entered into by the religious authorities in respect to the welfare of the child migrants in child care institutions - indentures required by the Commonwealth Immigration (Guardianship of Children) Act - be rigidly adhered to.

41. The same Parliamentary Question 1556 notes that on 10 October 1958 the Director of the Child Welfare Department indicated to the Superintendent of the Welfare Branch of that Department that Clontarf had not been inspected since 4 August 1955. The file containing this letter records the Director's inference that the other institutions had not been inspected since that time either. The same file records the response to the Director that the Department did not have sufficient staff to regularly inspect the institutions.

42. On 13 August 1998 the Leader of the House in the WA Parliament moved:

“That so much of the sessional orders be suspended as would enable consideration forthwith of private members' business motion No 1 in relation to former child migrants.

43. On the same day the Leader of the Opposition moved the motion in amended form - for which leave was granted:

“That this House apologise to the former child migrants on behalf of all Western Australians for the past policies that led to their forced migration and the subsequent maltreatment so many experienced, and express deep regret at the hurt and distress this caused. The motion passed.