
SUBMISSION TO THE SENATE INQUIRY RECOMMENDATIONS
FORGOTTEN AUSTRALIANS: REPORTS 1 & 2, 2004

Dear Senators,

Thank you for the opportunity to present the following recommendations, that are both similar and distinct to those presented, from the above reports.

Ideally due compensation to abused past care leavers should be met by legal redress mechanisms via the court systems against past perpetrators.

However this is often simply not possible for past care leavers, due to time limitations operative in the legal system, the lack of resources by applicants to conduct these cases, and the state of their trauma and damage.

For such people, the recommendations from this Inquiry, and measures to redress their current circumstances, is vital and imperative.

As there has been a change of government since 2004, we would like to convey a brief snapshot of many of these people.

To date, many care-leavers are severely financially handicapped, are often existing below the poverty line, and are often unable to work. Many live in rented premises, do not own their own homes, and suffer the frightening prospect of diminishing access to resources, and increased compounding disadvantage with their increasing years.

They often have no assets or superannuation resources as a result of having been denied a fair chance in life and its resources, and they often have no family networks.

Many currently struggle to raise children with minimal resources.

For these reasons, care-leavers a committed government response to service provision and affirmative actions to come to terms with their lives and to create better outcomes.

In support of this I am submitting the following recommendation/s.

Part 1 relates to longitudinal care leavers. Part 2 relates to the Second Report, relating to current care issues for young people.

I thank you for this significant opportunity,

Sincerely,

Caron
5.6.09

NATIONAL REDRESS SCHEME:

REPARATION: ' the making of amends for wrongs or injury done': Macquarie Dictionary

We support the following recommendations, and add the additional measures of a Federal Act, as well as the creation of a new recommendation 41 (Part 2), for the inclusion of recommendations to address Part 2, of the Forgotten Australians Report, that deal exclusively with young peoples current issues.

Recommendation 1:

7.110: That the Commonwealth Government issues a formal statement of apology
..... and apologise for the harm caused to these children.

Recommendation 6:

A national reparation or redress fund

Recommendation 21-33:

Provision of services including counselling, health care, housing, aged care and educational programs & a whole of government approach to service delivery.

Recommendation 20:

On going funding to Clan and other advocacy and support groups .

In order to ensure that provision of these services and compensations are delivered to past care leavers, we would like to propose the creation of:

. a National Act of legislation such as:

'Care Leavers Abuse Reparations Act (2009)'

to legislate4s to recognise and supply specialist redress measures for past care leavers who were subjected to institutional and out-of-home care abuses.

CARE LEAVERS ABUSE REPARATIONS ACT (2009)

Under this Act, specialist provisions could be legislated that are distinctly formulated to assist past abused care leavers to achieve better outcomes in their current lives, than they could do if left unassisted.

The concept of this Act would be to formally recognise and instigate real committed redress measures and services for past injury that formally recognises and responds to past systemic abuses and current care leaver needs, created by their loss of access to

past losses.

This mechanism could ensure and assure past victims of the care system that the government is genuinely committed to provide real service measures distinct to this specific group in recognition of their current trauma and disadvantage.

The burden of funding these services could be shared collaboratively between governments and past providers, and affirmative action measures for the benefit of this group.

The forming of such an act and related services as a legal redress mechanism would raise the status for this group of people as it would be a definitive accountable measure not subject to continual negotiation, bargaining and plea bases for care leavers, which is a constant source of insecurity for them.

Access to these services would be based on the qualification and experiences of sustained suffering which has been presented to this Inquiry, via the Forgotten Australians Report, 2004.

Whilst there are many admirable government services already in place, the creation of a separate entity could be exclusively geared for service provision for this specialist group so that they are not competing with other needy people, as would be the case for example DOH services.

This could also raise the status and esteem for care leavers by outlining these measures as rights of passage, thereby affirming their desire to 'move forward' from the legacy of these shocking times.

Thus specialist assistance could be modelled on the services established for Vietnam Veterans and their families, that recognised them as a distinct group, with specialist needs, in recognition for their valour, courage, endurance, service and suffering.

Similarly, all the biographies of care leavers pain and suffering as innocent children victims presented to the Inquiry are testaments to childrens valour, endurance, pain and suffering that left them with the legacies of dispossession, trauma, loss of kin and a feeling of safety in the world. They have had no childhood as society would expect, and continue to suffer as traumatised adults.

These measures could enable us to really confront this shocking history in a real and tangible way for past care leavers, their families, and our communities which are also affected by the trauma and dispossession and dislocation of this group of people.

Suggested redress measures for inclusion in this Act, parallel recommendations 21` -33 of the Senate Recommendations. They are as follows.

RECOMMENDATIONS: 21 - 33: Specific Measures

HOUSING: Independant Housing Provisions

Though DOH 7 SAAP schemes exist there is currently an undersupply of housing stock and an over suply of need. This means that care leavers currently have to compete with other disadvantaged groups and can wait up to 10yrs for a placemnt.

Quality housing for care leavers has often been an issue of tremendous emotional significance for this group of people, as they have never had the sense of security or safety or belonging that is usually gained by owning ones own home.

Many care leavers currently live in substandard housing,such as caravan parks, lodging houses, isolated areas with poor infrastructure, as evidenced in the report.

Quality housing can also significantly ensure an emotional sense of place, personal belonging and idengtity that has mostly been absent for this spe4cialised group.

Similarly displaced war beterans were given specialised housing in recognition of this displacement from war services. Such housing was well positioned with access to good services and infrastructure for positive advantage, and was not restricted to DOH services that can often be isolating, and sometimes not conducive to good mental health or a feeling of safety. Many care leavers would feel too vulnerable in these conditions with their issues.

Some of the SAAP schemes have individual housing stock, simimilarly designed, but these are usually of a short term duration.

We suggest the creation/sourcing of independant home stock that could be garnished for care leavers as a long term housing option that would be otherwise be unavailable to them without these distinctive measures.

Having reliable, safe and stable homes to call their own could significantly reduce marginalisation, financial burden, anxiety and would offer a secure bases on which to build a reliable future.

Being part of a good neighbourhood could also contribute to a better sense of identity, a supportive network, and reduce isolation and offer opportunity to develop community bonds.

GOVERNMENT LOW COST HOUSING LOAN SCHEME

Care leavers could be assisted to purchase their own housing with the introduction of a government housing loan scheme, and the contribution of a monetary compensation amount....(recommendation 6).

Commercial banks will not lend to people receiving pensions as this is deemed to be too low an 'income', or not deemed as income at all.

A government loan could be designed to equate with the current rental expenditure which people already have to pay. This is often a very high proportion of their pension income.

These measures would really assist people to achieve their own homes that would be otherwise be prohibitive for them.

EDUCATIONAL NEEDS/PROVISIONS

Under this Act, an agency could be established to broker and obtain specific services. ie

- . basic literacy and numeracy schemes

- . the appointment of an advocacy worker to source existing schemes for people eg. Tafe

- . many careleavers wish to advance their education.

For those who wish to attend tertiary education, affirmative actions such as fee waivering

could be sourced thru tertiary organisations in partnership, and as part of a comprehensive reparation package.

- .funding specifically to pay for education needs as grants

- . a wide definition of educational opportunity, to include access to resources that promote growth and learning. i.e community educational groups, foundations, private sector opportunities etc. that can assist people to learn in an appropriate way

- . funding for self-development, living skills programs, interest groups, and life enjoyment programs for people's occupation and positive opportunity.

Affirmative actions such as special financial dispensations for this group, by some providers...eg. some ngos.

- . other concepts and measures to be sourced by bodies established to source the match of needs and provisions for care-leavers.

Sourcing Needs Provisions

We would like to suggest the inclusion of care-leavers in this process, together with established significant ngo service providers, who have a history of trustworthy and reliable service provision eg. Exodus Foundation: re past care-leavers, Father Chris Riley: current care-leavers.

COUNSELLING

- . Specialist therapy/family therapy, counselling to be funded for people to work thru their issues inherited as a legacy of past care abuse (see booklet: Forgotten Australians Alliance).
- . funding for ngo working with this clientele in a specialised way to establish support groups, networks etc. eg. Exodus Foundation
- .funding for past care leavers who may wish to initiate self help workshops
- . grants for private brokering for service providers for clients: eg. personal development classes, inter-personal skills learning, relationships development, communication classes etc.
- . gap funding, for services already existing: eg. specialist psychotherapists, via medicare rebate.
- . same services for children of ex-wards. eg. family counselling, individual counselling, as many care leavers naturally struggle with parenting having had no experience or models of family living. This impacts on the children who often carry their own issues related to their parents issues to struggle with and make sense of.
- . these measures would assist in the reducing the likelihood of inter-generational recidivism.

FAMILY REUNION ASSISTANCE

- . Service provision for accessing and finding kinship members who are being resourced after estrangement during care leaving years. eg. many care leavers are now middle aged, and connecting with 'lost kin'. They have grief and loss issues related to precious lost opportunity for relationship.

This sense of family identity is very important for a sense of identity and family place. It is important to care leavers children who have few extended, or no known extended family members.

- . assistance for search resources, travel etc. There is now a possibility of resourcing these links with more document disclosure and assistance with this thru support groups similar to Vanish Vict., could really help with family reclamation goals.
- . counselling around these issues eg. grief and loss, as some poor people find that their families can be deceased, and they have to resolve more trauma.

Other people struggle to reframe their history of their lost kin which was misrepresented by their 'care-givers'. which has created tension and misconceptions that have created current difficulties for all parties.

HEALTH; PHYSICAL AND DENTAL

. We would gap fee provisions for medicare services for care leavers, in recognition of their limited resources and pension status. This is a source of constant anxiety for people who are ageing with very diminished resources.

Many care leavers were brutalised 'in care' and have sustained related health recidivist problems as a result. We therefore believe that this really needs to be seen as a compensatory measure.

. Dental Funding: Private dental work is often prohibitive for many care leavers subsisting on a meagre pension.

Many people sustained physical violence in institutions, food and nutrition was poor creating health problems in adulthood.

Many people also feel very self-conscious and ashamed of this physicality, and good teeth enhance good health and self esteem.

Recommendation 20:

. ongoing funding for Clan and other advocacy and support groups

CONCLUSION

Currently many care leavers can be consumed and preoccupied with the daily struggle just to survive and 'eke out an existence' only, because....

'... their life's energy is devoted to wrestling with the legacy of the abuse'....
that they received from past 'care' practices....

(ref: P. 170: Forgotten Austns. Report 2004, National Commissioner for Children & Young People).

Therefore we believe that real committed redress measures such as those outlined could provide very welcome practical measures to alleviate this distress and poverty, offering care leavers the sense of security and well being that they have never experienced and would otherwise be precluded from, if these measures were not in place, and their deficit of resources.

It also sends a sustained message to past perpetrators of the financial consequences for systemic abuse.

This damage has hurt everyone, and forms the basis for our tenants of shared damage responsibility.

There has also been a life long cost to care leavers who have had their volition and means of production destroyed by this system. Everyone carries costs and that is a

tragic reflection of this shocking and negligent period of our history that we are struggling to come to terms with in the present moment.

The above suggested measures are only some of the many that need to be researched and offered, and rely only propose a basic tenant as a provisions and redress model.

If the basic premises were accepted, we suggest that past care leavers be also given the opportunity to disclose their needs for the planning and delivery of services formulation.

We believe that such an Act would definitively enable a moving forward for these issues, towards better outcomes and living standards for past damaged care leavers.

In particular, I quote: Sub. 401:

'it is the consequences of failing lives that should concern everyone, taxpayers, economists, academics, the justice system, health and medical professionals, law-enforcement, politicians, because of the inter-gnerational nature of outcomes for many who suffer this fate. It is a problem that has impacted on my own children,an outcome already complicated by separation, and relationship breakdown. It is an outcome tyhat left one reduced toliving in an old caravan for close to 20 years, and surviving on a disability pension. A social out-cast.

Compensation such as the redress Act. and accompanying services change this persons life.

I thankyou for the opportunity of presenting this submission, re Part 1: Forgotten Australians recommendations.

Sincerely,

Caron.
5.6.09

PART 2: SECOND REPORT, FORGOTTEN AUSTRALIANS SENATE INQUIRY, 2004
Protecting Vulnerable Young People in the Current Care System

This second report was produced from the initial Forgotten Australians Report, together with recommendations requiring redress for young people currently in the care and protection system i.e. Docs.

As such, we would like this included as RECOMMENDATION 41, of the report to carry an obligation for service provisions for this current vulnerable group of people. This could be cross-referenced with the outcomes of the current Woods Inquiry, and recommendations to the government.

Many ex care leavers feel a commitment to these people as it is untenable for us to witness further damages to children in the care system.

Ms. Michelle Townsend, from the child foundation Create (formerly Voices) has established many systems deficiencies that are currently negatively impacting on young people in the child protections system, which were heard separately by the Committee on Children & Young people... Sept. 2002 titled:

'Voices: The Education Experience of Children and Young People in Out-of-Home Care

This report gave current witness statements about the paucity of opportunity for care-leavers and their withdrawal of opportunities, tyhat are commonplace for young people within the DocS system. It also contained witness statements from Clan people evidencing similar testimonies.

Young people said that they felt like 2nd class citizens and that they were being denied normal opportunities that are vital and critical to their survival.

This correlates to the findings of the current Woods Inquiry and is unacceptable to us, given the evidence of our very poor outcomes, a we present as the longitudinal evidence of past malpraxctices and practice deficiencies.

We would woke to propose a joint working party between the findings of the Forgotten Australians Senate Inquiry, 2nd report, and the scope for new measures via the Woods Inquiry findings report, to form current practice and policy changes to redress this situation.

The Woods Report identified DcS's role as being almost exclusively limited and focussed oncrisis intervention capacity.

Young Care Leavers in the Voices Report also confirmed this finding, as the recipients of this systems deficiency.

They gave evidence that they were being denied anhy appropriate services to assist them to redress emotional trauma associated with many placement moves, and the

attenuant

loss of schooling, and their ability to maintain themselves within the traditional schooling system that relies on continuity and acceptability. They argued for appropriate and relevant services that were compassionate based to assist them with their specialist needs.

They also talked about how important an education was for them as the gateway to better prospects and a better life path. Without these means they are marginalised with little real prospects for mainstream functionality. They also spoke about how difficult it was to overcome this situation without assistance.

It seems that from these 3 independant forums, that a separate service area needs to be established to assist young peoples needs whilst they are within the DoCs system, and when they leave.

LEAVING CARE ASSISTANCE MEASURES

DoCs appear not to recognise the importance and value of the formative years 15-25 years, as being a time of significant opportunity for transitioning young people to good outcomes, by assisting with service assistance that can often create a 'reversal of fortune' from the misfortune and trauma of original DoCs inception.

We would therefore like to suggest a collaborative restructure to address this situation, between the findings of this 2nd report, and the proposed outcomes of the Woods Inquiry... to create.... "Transitioning to Adulthood" service policy and practices implementations.... that address all of young peoples circumstances and current needs.

eg. affirative educational opportunities, housing resourcing, counselling, support workers, more funding for existing after care services, funding for ngos, that have a trustworthy and proven history of working well with young people. eg. Father Chris Riley, Exodus Foundation Ashfield.

The funding of legal advocates to work with the current wards and caseworkers, for real needs delivery and assurance.

It is simply unacceptable to us as the victims of past systems abuse, not to put these measures in place, and to the Australian community, for the protection and care of vulnerable young people.

We suggest that the findings of this second repoert are therefore cross-referenced with the findings of the Woods Inquiry and that this is put before the government as a national policy review request for sytems address.

Many of us feel a sense of protection and obligation to these young people because we identify with their circumstances, having lived the same pathewys.

Young People say that they are being effectively discriminated against by not being these services that are designed to meet their very real and critical needs.

It is also contrary to the tenants of the Childrens and Young Persons Act.

We also cross-reference to Sub. 401, quoted previously.

If we are all to 'move forward', we must address and redress this situation to prevent 'government poor practice recidivism'.

This is a great moment of opportunity that has been created by the Australian people who want to care for their young people, and we would like to see a separate entity created

to address the needs of young people leaving the care system, between the critical years...15-25..... as well as protective legal measures being in place during their DoCs years, that can prevent systems abuses.

We thank you for your support and presence in this second report findings and outcomes.

Sincerely,

Caron.
6/5/09

References: Keeping Them Safe
A Shared approach to Child well being..... Woods Inquiry, 2009

Committe Affairs Ref. committee: Forgotten Australians Part 2, 2004.

Committee of Children and Young People
'Voices: The Education Experience of Children & Yoiung People in Out-of-Home Care..... Sept. 2002.

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ADDITIONAL PAPER;

PART 2 : FORGOTTEN AUSTRALIANS SENATE INQUIRY 2004

Protecting Vulnerable Young People in the Current Care System: 2nd Report

According to the youth advocacy organisation, as at 2004:

. 50% of young people leaving the care system are unemployed

. 75% with care backgrounds do not complete secondary school

. 35% with care backgrounds enter juvenile justice institutions

. 50% of homeless 14-17 yr. olds have been 'in care'..... Create
Foundation 2004

I am supplying the above statistics of young people in the current care system 2004-2009, as outlined by Create, young persons advocacy group.

These figures illustrate the very poor outcomes for young people that have relied on the care system, and correlate to their very real concerns expressed via their own report: Voices (The Education Experience of Children & Young People in Out-of-Home Care... Sept. 2002).

The report was a testament of witness statements, given directly by young people who had told their own story as evidence of the grave lack of basic service delivery appropriate to their needs, eg. remedial schooling, trauma counselling for their many home dislocations, serious access to advertised case management and case planning, pro-active provisions for leaving care etc.

Many witness testimonies expressed real fear that this lack of provision created insurmountable difficulty for young people, that correlates to these poor outcome statistics.

As previously indicated in this 2nd submission, we ask that the Senators to this Committee Recommendations hearing, subsequently make this information directly available to the Rudd Government with the view to implementing the following measures.

REDRESS MEASURES FOR YOUNG PEOPLE IN THE CURRENT CARE SYSTEM

. Cross referencing of the findings of the Community Affairs Reference Committee 2nd report:

'Protecting Vulnerable Children: A National Challenge Report 2: 2004'

be used in collaboration with the outcomes of the Woods Inquiry and the submission by Voices, for a thorough appraisal of systems changes of the current DoCs system for appropriate service delivery to young people.

.that a separate Reform/Redress or Reparations Unit/Taskforce be established as a forum to establish separate and independent specialist services for young peoples needs, to redress the alarming status quo outcome statistics above, as this provision is currently not seen by DoCs as their role.

. that this taskforce include a forum that is multi-represented to include all groups that have proven successes in working with the needs of this group of young people. Such groups could be sourced from the ngo sector. eg. Youth Off the Streets, Exodus Foundation, Create, to gain a real working knowledge for design and implementation of appropriate needs based services.

. that young people from Create be especially included in such forums together with some older care leavers to source their opinions and knowledge, and to be treated with respect and dignity in this process.

Many historical ex-care leavers feel a duty of care and a commitment to assist young care leavers to achieve these redress measures. Many historical ex-care leavers feel very saddened and disillusioned that young people are suffering in this way.

They often hope that the evidence of their own poor life outcomes, as witnessed in Report 1, serves as notice not to continue to neglect young peoples needs in this way. They argue that due investment at key critical developmental stages in a young persons care time could really provide changed outcomes that can often reverse initial intake disadvantage,

For those of you who have not read the Voices Report, what is so compelling about these young peoples testimonies is the stark gravity of the circumstances that they describe.

They are raw, harrowing accounts delivered in naked honesty, courageously and without sentiment, straight down the line. Stark and shocking.

They leave a resounding reverberation for a reader that are painful to read, and more especially for older care leavers who are often quite disturbed by this knowledge.

Most of these accounts indicate conditions that contravene the fine tenants of the current, Childrens & Young Persons (Care and Protection) Act...1998 No. 157.

CURRENT WOODS INQUIRY OUTCOMES

The Woods Inquiry Report: 'Keeping Them Safe: A shared approach to child Wellbeing' has also identified these areas for systems change, and we therefore ask that the findings of these three reports be combined, and used collaboratively to construct real practical redress measures that guarantee the positive outcomes that young people are so desperately seeking.

These 3 reports, are: Forgotten Austns, Report 2, the Voices report, and the Keeping them Safe report.

As indicated in the illustrate picture attached of an innocent child, young people are looking ot us, as their guardians and protectors, to be responsible to and for them during their time in the care system, and from the years 15-25 when they leave care to construct their lives.

COST OF NOT PROVIDING APPROPRIATE SERVICES TO YOUNG PEOPLE AS REQUESTED

The cost to governments and society of the neglect of this duty of care is often cradle to grave welfare dependancy, as outlined in Submission 401, Report 1: Forgotten Australians.

.....' it is the consequences of failing lives that should concern everyone: taxpayers, economists, academics, the justice system, health and medical professionals, law enforcement, politicians, because of the inter-generational nature of outcomes for many who suffer this fate. It is a problem that has impacted on my own children, an outcome already complicated by sepeartion and relationship breakdwon.

It is an outcome that left one reduced to living in an old caravan for close to 20yrs. and surviving on a disability pension.

A social outcast'.

Many governments in other countries faced with this situation have calculated that services that can intervene to prevent such an outcome, are fiscal savings policies instead.

LEAVING CARE WITHOUT ADEQUATE PROVISION OR ASSISTANCE

Young people leaving care often have no family to rely on for support and assistance, no alternative supportive networks, which threaten their prospects for real survival. Many become youth on the streets.

They are also over represented in the current youth suicide statistics.

In a highly competitive driven world, lack of redress measures to assist these young people, will mean that they can no longer even survive, or 'eke out an existence' as in past eras when life was less pressured and results driven.

SERVICE PROVISION INVESTMENT: Equipping Young People for Positive Outcomes

There are also many heroic cases of young people who have transcended their initial poor outcome prognosis when they have been given the appropriate caring, nurturing, encouragement and responsive provisions that are proactive in creating a positive after-care pathway.

After care organisations are currently poorly funded, and their numbers meagre to cope with demand.

We suggest the establishment of transitioning service providers, that work with young people during these 15-25 yrs to assist them establish themselves in this critical developmental period.

DoCs does not focus on these years as their focus is mainly for crisis intervention and attention to basic care provision.

In working practice, DoCs conveys the message to young people that they are outside their system as at 15,16 when they can live independantly.

We do not beliede that this is realistic, when young people are often so emotionally damaged, and that their incomes cannot possibly provide for their needs.

Not much has changed since we as an older group of care leavers exited welfare. Some would argue that it is even tougher, with a more ferocious economy.

The current status quo therefore sets these young people to fail as a result, and instead of becoming independant are over represented in prisons, mental health facilities & suicide statistics.

CONCLUSION

We therefore urge all Senators to this Inquiry to carry the voice of these young people to the Rudd Govt, as the great opportunity and challenge and momentum, now within our power to effect to accompany the conviction that we have all demonstrated over the last five years of these inquiries.

We thankyou for your unflagging supcollaboration and sincerity for these end goals to create real reversals of misfortune for these young people in the current care system,

and for us as a more functional society.

Sincerely,

Caron.

REFERENCES:

- . Community Affairs References Committee:
Protecting Vulnerable Children: A National Challenge , 2nd report on the Inquiry into
Children in Institutional
or out-of-home care,.....March 2005.

- .Committee on Children & Young People,
Voices: The Education Experience of Children & Young People in the out-of-home
Care.... Sept. 2002

- . NSW Govt: Keep Them Safe: A shared approach to child wellbeing.....2009

- . The Children & Youngs Persons (Care & Protection) Act 1998...no. 157

Community Affairs, Senate: PAR. Ref; Ms. Ingrid Zappe, re Sub.Pt 2:Caron
15-6-09 APH.

.50% of young people leaving care are unemployed
.75% with care backgrounds do not complete secondary school
.35% " " enter juvenile justice institutions
50% of homeless 14-17 yr. Olds have been 'in care'.

CREATE FOUNDATION
.....2004

