

3.6 Secure care

| | |
|---|------------|
| History | 300 |
| Summary of secure care allegations | 302 |
| Secure care for boys | 303 |
| Boys Reformatory, Magill, 1869–1967 | 303 |
| McNally Training Centre, 1967–79 | 308 |
| South Australian Youth Training Centre (SAYTC), 1979–93 | 313 |
| Magill Training Centre, 1993–present | 316 |
| Brookway Park, 1965–78 | 318 |
| Secure care for girls | 325 |
| Vaughan House, 1947–79 | 325 |
| Secure care for boys and girls | 333 |
| Windana Remand Home, 1965–75 | 333 |
| South Australian Youth Remand and Assessment Centre (SAYRAC), 1979–93 | 339 |
| Secure care for adults | 341 |
| Adelaide Gaol (1841–1988) and Yatala Labour Prison (1854–present) | 341 |

3

Chapter 3 Allegations of sexual abuse

History

The remand and detention of young offenders in secure care—reformatories and training centres—has been an integral part of State care in South Australia since the 19th century. During the first half of the 20th century, secure care reflected attitudes towards children as ‘delinquents’ requiring ‘reformation’. This approach changed during the second half of the 20th century to one of training and rehabilitation of young offenders.

Children were sent to reformatories for a variety of reasons, mainly for committing criminal offences.¹ They could also be transferred from another institution for misconduct.² Children placed in foster care might be transferred to a reformatory if regarded as ‘vicious, incorrigible or not amenable to the influences of foster parents’.³ They could also be sent for absconding from other placements.⁴

Reformatory schools were established under the *Destitute Persons Relief Act 1866–67*, which gave the government the power to establish reformatory schools for children convicted of offences. When the Industrial School for neglected and destitute children opened at Magill in 1869, the boys reformatory was moved from temporary accommodation to the new site.⁵ The government reformatory for girls was moved to the Magill site in 1880, at which time boys were moved to a ship at Largs Bay fitted out as a reformatory.⁶

In 1891 the State Children’s Council (SCC) established a new reformatory for girls at Edwardstown and boys

returned to the reformatory at Magill.⁷ In 1898, the Industrial School and reformatory were separated to different sites to protect children at the Industrial School from exposure to older boys with ‘knowledge of crime and vice’ and to separate teenage boys and girls.⁸ The SCC also sought to separate children of different religious faiths and accepted the Catholic Church’s offer to manage a Catholic reformatory under State control, the Roman Catholic Boys Reformatory at Brooklyn Park.⁹ The reformatory in Brooklyn Park accepted the Catholic boys from Magill¹⁰, which operated as a reformatory for Protestant boys. Girls were also separated according to religious faith; Catholic girls were sent to a reformatory run by the Sisters of St Joseph at Kapunda and non-Catholic girls were moved to a government reformatory near Burra.¹¹ Concerns about the cost of operating the Burra reformatory prompted the SCC to make arrangements with the Salvation Army to establish the Barton Vale School at Enfield in 1921.¹²

In the late 1930s, the ‘Delinquent’ inquiry reported that secure care institutions used ‘regimes of discipline, impressed by force and inflicting mental and physical distress’.¹³ It likened the Boys Reformatory at Magill to an adult prison operated by untrained, poorly paid staff and criticised conditions at private reformatories such as Brooklyn Park.¹⁴ In the 1940s the SCC successor, the Children’s Welfare and Public Relief Board (CWPRB), severed most ties with the Catholic Church and the Salvation Army. For example, children in State care at

¹ Before 1890, children were arraigned in public court alongside adult offenders. *State Children Act 1895*, ss. 36(a) and 40; State Children’s Council (SCC) annual report, 1897, p 3; *Maintenance Act 1926*, ss. 113(1)(a) and 111; *Juvenile Court Act 1941*, s. 18.

² With the approval of the Governor: see *State Children Act 1895*, s. 41; *Maintenance Act 1926–1937*, s. 112; or with the approval of the chief secretary: see *Maintenance Act Amendment Act 1950*, s. 9 amending s. 112; or with the approval of the Minister: see *Social Welfare Act 1965*, s. 112.

³ SCC annual report 1888, p. 4.

⁴ *State Children Act 1895*, s. 48; *Maintenance Act 1926–1937*, s. 123; *Maintenance Act Amendment Act 1950*, s. 10 amending s. 123; *Social Welfare Act 1926–1965*, s. 123; *Community Welfare Act 1972*, s. 76.

⁵ Ilfracombe at Burnside.

⁶ Brian Dickey, *Rations, residence, resources: A history of social welfare in South Australia since 1836*, Wakefield Press, Adelaide, 1986, pp. 61–2.

⁷ SCC annual report 1891, p. 7.

⁸ *ibid.*, 1896, p. 3, and 1897, p. 3.

⁹ *State Children Act 1895*, s. 79. Council may pay maintenance of child in private reformatory.

¹⁰ *South Australian Government Gazette*, 13 Jan. 1898, p. 41.

¹¹ After about 10 years, the reformatory at Kapunda closed and all girls lived at Redruth. SCC annual reports 1910, p. 9; and 1898, p. 4.

¹² SCC annual report 1921, p. 6.

¹³ Government of South Australia, *Report of the committee appointed by the government to inquire into delinquent and other children in the care of the State*, Sep. 1939, p. 7, (Delinquent report).

¹⁴ *ibid.*, pp. 17–8.

Brooklyn Park were transferred to the Boys Reformatory at Magill in 1941.¹⁵ The CWPRB also established a government reformatory for girls, Vaughan House, in 1947 on the site of the former Barton Vale School, which had closed earlier the same year.¹⁶ From 1948 the CWPRB allowed probation officers to visit children in institutions as soon as they had been committed. The idea was to foster goodwill in the hope of preventing future offending.¹⁷

From historical records, it is evident that sexual abuse was a known problem in secure care. For example, in the late 1940s and early 1950s the CWPRB was aware of several incidents of sexual 'misconduct' among boys at the Magill reformatory.¹⁸ The board handled these cases in institutions such as the Industrial School by transferring offenders to reformatories; these boys often continued to abuse in secure care. The board also transferred boys involved in what was described as 'subnormal sexual misconduct' at the Industrial School to the reformatory.¹⁹

During the 1950s and 1960s, larger numbers of children were being committed for offences.²⁰ The need to protect younger children from older offenders prompted the planning of a separate wing for small boys at Magill.²¹ Crowding became such an issue that in 1961 temporary facilities were established at Bedford Park for girls from Vaughan House and boys from Magill.²² In early 1965, a new facility at Glandore called Windana accommodated young male and female offenders on remand; the facility

also functioned as a receiving home for non-offenders who were being transferred among institutions. In 1973, girls were transferred out of Windana, which continued as a remand home for boys until its closure in 1975.²³

From the 1960s, the focus shifted towards the training and rehabilitation of juvenile offenders rather than punishment. In 1965, a new facility, Brookway Park, was established in Campbelltown to provide 'reformatory training' for younger 'delinquent' boys who were transferred there from the Magill reformatory.²⁴ In 1967, the Magill reformatory was re-named the McNally Training Centre.²⁵ Institutions such as Brookway Park and Windana provided education, guidance in 'everyday living', 'character building,' 'meaningful activities and close personal attention' to residents.²⁶

In the 1970s, there was increasing emphasis on prevention of juvenile crime. Training centres introduced 'differential treatment techniques' based on a 'careful assessment of each youth's personality and maturity' to devise suitable training and treatment programs.²⁷ Superintendents of remand and training centres were required to reward positive behaviour.²⁸ Other changes included the conversion of large-scale congregate institutions to smaller group living facilities. Additionally, a greater effort was made to avoid placing children in secure care, with larger numbers of children convicted of offences placed out on probation. This practice reflected concerns at the

¹⁵ The Catholic Church requested closures due to small number of boys; the Salvation Army's Eden Park home was closed due to sexual abuse. Delinquent report, pp.16–21; SRSa GRG 29/124, vol. 13, Children's Welfare and Public Relief Board (CWPRB) minutes, 6 Feb. 1941 and 3 Apr. 1941.

¹⁶ SRSa GRG 29/124, vol. 15, CWPRB minutes (minute 1002), 26 Sep. 1946.

¹⁷ CWPRB annual report 1946, p. 2, and regulations under the *Offenders Probation Act 1913–1934 Amended*, *South Australian Government Gazette*, 7 Feb. 1946, p. 235; SRSa GRG 29/6/1942/328, CWPRB chairman to various recipients, 16 Dec. 1948.

¹⁸ CWPRB annual report 1949, p. 6.

¹⁹ In January 1948 a boy was transferred because he was 'sexually inclined and his behaviour ha[d] a detrimental effect on the other children at the institution'. SRSa GRG 29/6/1948/21, *Transfers of wards of the department*; SRSa GRG 29/124, vol. 15, CWPRB minutes (minute 1095), 30 Sep. 1948 and (minute 1096), 7 Oct. 1948.

²⁰ CWPRB annual report 1952, p. 2; 1955, p. 3; 1956, p. 3.

²¹ *ibid.*, 1956, p. 4.

²² Girls and boys were transferred for one and four years respectively. Most of the boys were transferred from the Magill Reformatory but boys from other institutions who required 'discipline and training' and boys on remand were also placed there. CWPRB annual report 1961, p. 4; 1962, p. 12.

²³ CWPRB annual report 1966, p. 13; SRSa GRG 29/6, file no. 12/1/28, Transfer of girls from Windana to Vaughan House; Department of Social Welfare (DSW) annual report 1966, p. 13; Department of Social Welfare and Aboriginal Affairs (DSWAA), Methods Committee, 'Methods and procedures for the operation of Windana Remand Home', 1971.

²⁴ Methods Committee, 'Recommended methods and procedures for the operation of Brookway Park, the Junior Boys' Reformatory at Campbelltown', p. 1; DSW annual report 1966, p. 15.

²⁵ On 23 Nov. 1967.

²⁶ 'Recommended methods and procedures for Brookway Park', p. 1; 'Methods and procedures for the operation of Windana', p. 1.

²⁷ DSWAA annual report 1972, p. 12.

²⁸ SRSa GRG 29/6, file no. 12/1/20, 20 Nov. 1972; DCW annual report 1972, p. 3.

3

Chapter 3 Allegations of sexual abuse

increased absconding and violence at Vaughan House and McNally and a desire to avoid high operational costs as much as a shift in philosophy.²⁹ There was more use of community service orders, and placement of children on probation to their families or in the community under the Intensive Neighbourhood Care (INC) scheme.³⁰

By the 1980s the focus was on keeping young offenders with their parents, using secure care for temporary therapeutic intervention and training.³¹ New approaches to the assessment and treatment of young offenders were reflected in the renaming in 1979 of Vaughan House as the South Australian Youth Remand and Assessment Centre (SAYRAC) and McNally as the South Australian Youth Training Centre (SAYTC). SAYRAC accommodated girls and boys in separate units, while SAYTC continued to accommodate boys aged between 15 and 18.³²

Despite such efforts, problems in secure care remained. Historical records from the 1980s show that punitive measures were still used to control residents in SAYTC, a facility ill-equipped to accommodate high-needs children.³³ One senior care worker observed in 1985: 'There has been a certain overuse of punishment as the main tool to improve the situation concerning residents' behaviour'.³⁴ A 1985 departmental report suggested that secure care facilities 'seriously contravene[d] established standards and guidelines for custodial care'. SAYTC and SAYRAC were deemed 'unacceptable buildings that were an inefficient drain on Government resources'.³⁵ A 1986 report to the Minister of Community Welfare concluded that the system

for dealing with young offenders was 'a system designed for lawyers and social workers, but not necessarily for children'.³⁶

In the early 1990s the numbers of children being held at SAYTC, particularly those serving longer detention orders, increased.³⁷ A new 36-bed purpose-built secure care centre, the Cavan Training Centre, was opened in September 1993 for older offenders and SAYTC was renamed the Magill Training Centre to cater for younger children.³⁸

Today, Cavan Training Centre is a secure custody centre for males aged 15–18 on detention or remand and the Magill Training Centre is an admission and assessment centre for male and female offenders aged 10–18 entering custody. Magill accommodates males aged 10–18 on remand and aged 10–14 on detention orders; and females aged 10–18 on detention orders.

Summary of secure care allegations

Sixty-two people gave evidence to the Inquiry that they were sexually abused while in secure care institutions. All of them were in State care at the time. Nine of those people said they were victims of sexual abuse in more than one secure care institution. The allegations included indecent assault, gross indecency, and anal, digital, vaginal and oral rape.

²⁹ DCW annual report 1972, p. 3; SRSR GRG 29/6, file 12/4/1, 'Report on absconders – request for Mr ——— SM'.

³⁰ In 1963, for example, only half the children convicted of offences were placed in institutions; the rest were placed out on probation. The Intensive Neighbourhood Care (INC) scheme was introduced in Jan. 1979 to provide 'family' style care for young offenders. CWPRB annual report 1963, p. 4; DCW annual report 1979, p. 34, and 1982, p. 6.

³¹ For Residential Child Care Advisory Committee (RCCAC) support of this strategy, see RCCAC minutes, 31 Oct. 1985.

³² DCW annual report 1979, p. 38.

³³ SRSR GRS 6641/1, unit 67 observation log 1/6/85 to 5/7/85, see various entries in 'Duty logbooks – South Australian Youth Training Centre'.

³⁴ *ibid.*, p. 5.

³⁵ DCW, *Small Secure Centres*, Sep. 1985, p. 2.

³⁶ DCW 1986, *Review of procedures for children in need of care*, report prepared by I Bidmeade, p. 3.

³⁷ Department for Family and Community Services (DFACS) annual report 1990–91, p. 26.

³⁸ *ibid.*, 1993–94, p. 15.

Secure care for boys

Boys Reformatory, Magill, 1869–1967

History

The government established a reformatory for boys at Magill in 1869. In 1880 the Magill site was used as a girls reformatory and the boys were moved to temporary accommodation on a moored hulk at Largs Bay. Boys returned to the reformatory in 1891 when a new reformatory for girls was established at Edwardstown.³⁹

Criticisms of the Boys Reformatory at Magill were raised in the 1930s. A former police superintendent characterised the reformatory in 1933 as ‘an institution for bad boys to make others bad’.⁴⁰ Members of the 1939 inquiry into delinquent children inspected the reformatory and found the buildings to be outdated, there was ‘undesirable mixing’ between older and younger boys, staff were untrained and supervision was ‘more like that of a prison’.⁴¹ The inquiry’s report argued that ‘the welfare of the child, not the vindication of the majesty of the law, must be the primary object’ in dealing with children in State care.⁴²

Concerns were also raised at the reformatory itself. The superintendent stated in the late 1930s that it was ill-equipped to deal with the older offenders; ‘the limited staff necessitates the whole school being in the care of one man all night’.⁴³ In the early 1940s, several incidents of absconding exacerbated concerns about separating ‘the bad boys from the reasonably good boys’ and staff shortages created a ‘grave danger of the position getting out of hand’.⁴⁴ Writing in 1945, the superintendent reported that his ‘biggest worry is keeping track of the boys who are

inclined to sexual perversion, which for some reason seems to be more in evidence now’.⁴⁵ Despite such concerns, the CWPRB continued to transfer boys involved in ‘subnormal sexual misconduct’ at the Magill Industrial School to the reformatory.⁴⁶ For example, one boy was transferred because he was ‘sexually inclined’. His transfer record notes, ‘his behaviour has a detrimental effect on the other children’ at the Industrial School; there is no comment about how the reformatory managed him.⁴⁷ Despite the CWPRB’s concerns about deteriorating ‘general discipline’, it transferred boys from the Industrial School to the reformatory for ‘sexual misconduct’ in the 1950s.⁴⁸

A press report of ‘alleged misconduct’ among boys at the reformatory prompted a CWPRB investigation in 1952. The superintendent reported he undertook:

*... to warn all Officers, as they were employed at the Reformatory, and to instruct them to keep a close watch on the boys at all times in regard to sexual matters and that everything possible was done by the Staff to avoid any misconduct.*⁴⁹

The CWPRB sought ‘detailed particulars and numbers of all boys who had been involved in unusual sexual misbehaviour’ at all institutions and undertook research into methods of dealing with sexual activity in institutions.⁵⁰

In 1956, a new dormitory was provided to separate older and younger boys.⁵¹ The opening of Brookway Park for junior boys in 1965 left about 150 older boys at Magill. In 1967, the original Magill reformatory building was demolished and a purpose-built institution erected on the site. The new facility was renamed McNally Training Centre.

³⁹ SCC annual report 1891, p. 7.

⁴⁰ SRSA GRG 29/6/1933/58, *The News*, ‘Magill Reformatory re condemnatory statements by Mr Duncan Fraser’, 20 Feb. 1933.

⁴¹ Delinquent report, p. 17.

⁴² *ibid.*, p 7.

⁴³ SRSA GRG 29/6/1939/267, CWPRB superintendent to chairman, ‘Control of difficult types of boys at the Boys Reformatory, Magill, re suggesting alteration to building and the appointment of two additional attendants’, 27 Sep. 1939.

⁴⁴ SRSA GRG 29/124, vol. 14, CWPRB minutes (minute 830), 14 Jan. 1943; SRSA GRG 29/6/1945/14, CWPRB acting chairman to public service commissioner, ‘Boys Reformatory Magill – manpower’, 16 May 1944.

⁴⁵ SRSA GRG 29/6/1945/239/, CWPRB superintendent to secretary, ‘Monthly reports from heads of institutions’, 3 Oct. 1945.

⁴⁶ SRSA GRG 29/124, vol. 15, CWPRB minutes (minute 1095), 30 Sep. 1948, and (minute 1096), 7 Oct. 1948.

⁴⁷ SRSA GRG 29/6/1948/21, ‘Transfers of wards of the department’.

⁴⁸ SRSA GRG 29/124, vol. 17, CWPRB minutes, (minute 1244), 4 Oct. 1951.

⁴⁹ *ibid.*, (minute 1267), 27 Mar. 1952.

⁵⁰ *ibid.*, (minute 1283), 10 July 1952, and (minute 1285), 24 July 1952.

⁵¹ CWPRB annual report 1956, p. 4.

3

Chapter 3 Allegations of sexual abuse

Allegations of sexual abuse

Ten PICs told the Inquiry that they were sexually abused when placed at the Magill reformatory in the 1950s and 1960s. From available records, all had been placed at Magill as a result of criminal charges.

The PICs alleged sexual abuse was perpetrated by staff and older boys and included indecent assault and oral, anal and digital rape.

The evidence from the 10 PICs is indicative of a culture of sexual abuse perpetrated by staff and older boys and brutal physical punishment. Another man made a written submission to the Inquiry about sexual abuse at the Magill reformatory, although he was not sexually abused himself. He was placed in State care when he was 15 for a criminal offence and sent to the Magill reformatory. His submission supported the evidence of the 10 PICs who had been sexually abused. He said that the boys regularly talked among themselves about other boys 'going down on different screws', referring to oral sex. He recalled that boys were taken into the annexe individually and it was well-known among the boys that this was for the boy to perform oral sex on the officers. He believed another boy was taken to hospital to have his bowel repaired as a result of anal rape by an officer.

Abuse by staff

An 11-year-old boy was sentenced to the reformatory for criminal offences in the early 1960s and told the Inquiry he spent 12–15 months there. Electronic police records show the PIC was convicted of charges in the Adelaide Children's Court in the late 1950s and early 1960s, however the penalty is not recorded. The department was unable to locate any files relating to him.

The PIC said that his home life had been unhappy. His father had a gambling problem that caused severe poverty for the family. He recalls that the electricity was disconnected regularly and there was no heating. From the age of eight he started stealing small amounts of money and truanting from school to go to the movies.

The PIC told the Inquiry he was sexually abused by a carer working at the reformatory, who befriended young boys and gave them gifts before assaulting them. The carer targeted young boys who had limited contact with their families, telling them stories about his war experiences. The PIC said that once the boys trusted the carer, he would begin playing with their genitals, and would proceed to anal penetration with his finger. He told the Inquiry the carer played with his genitals, but did not anally penetrate him. He said he liked the man, who showed him affection and was the only person who took an interest in him as a child '... just friendship, storytelling, from time to time he'd bring in bags of lollies'. He said the carer was arrested and charged, and that he had to give evidence against him in court. The PIC said he felt 'embarrassed, disgusted and ashamed' at having to give evidence about the abuse.

A PIC who was committed to the reformatory in the early 1960s told the Inquiry his home life had been marred by extreme violence from his father until he was about eight. His father then left the family, and his mother was forced to work seven days a week to support the children. As a result, the PIC had little parental supervision and regularly truanted from school, mixing from an early age with older boys who were involved in petty crime. He was placed in State care by court order as a result of criminal charges when he was 14. The reformatory was his main placement for the next five years.

He told the Inquiry that during his first stay he was placed in the section for younger boys. He was aware that staff selected boys to be taken out of the dormitory each night, and they were returned, crying, soon after. He was not selected during that stay, but was constantly fearful.

During his second placement he was put in the section for older boys and told the Inquiry he was woken one night by one of the officers grabbing his penis. The officer told him to get out of bed and meet him in another part of the dormitory.

He didn't have to tell me why. He grabbed me on the penis and half touched me up. I decided right there and then that wasn't going to happen.

The PIC said he hid in another dormitory until morning. Once it was empty, he took a pillow and jumped through the window, landing two storeys below and breaking bones. He told the Inquiry he spent months in the Royal Adelaide Hospital, and his injuries continue to plague him as an adult. His SWIC (State ward index card) shows he was admitted to the RAH from the reformatory for three months. Departmental files record his hospital admission, noting that he is 'progressing satisfactorily' with his leg in plaster.

This PIC also described physical punishment at the reformatory. He said that as a result of an attempted break-out, he was stripped naked and placed in a room referred to as the 'dungeon' for three days:

... it's something you don't forget. It had about six inches of water in it—on the floor, of course—and it had one large, thick slab for a bed and it had half a crate type of stool with a toilet bucket and two rolls of toilet paper, so it wouldn't get wet, up a little bit higher, and I had to use the toilet paper for a blanket because I didn't have a blanket.

A PIC spent three years from the age of 15 at the reformatory in the early 1960s when he was charged by a court with criminal offences and placed in State care.

He told the Inquiry that staff required all boys to run for long periods in the gym and also encouraged him to fight Aboriginal boys:

We were openly promoted to inflict as much pain as we could on the Aborigines. I had never heard it—you know, I had never, ever met an Aboriginal boy until I went to reform school. I didn't hate anyone. The situation was where [the staff member] would say, 'Right, they're boongs and you're whites. You've got to do better than those boongs. You've got to run faster, you've got to do more. You're going to run those niggers into the ground.' This is

from a man, telling 14-year-old boys and 15-year-old boys what we had to do.

The PIC said an officer who came to his bed one night and invited him down to the showers sexually abused him. He thought he was being taken there for cigarettes. Instead, the officer asked the PIC to masturbate him, and he was raped when he refused:

He then pulled me towards him, pushed me over on the bench and—we didn't have cords in our pyjamas because kids hang themselves—pulled my pants down and raped me. When I stop and think about it, I think of all this trauma for 40 years for such a short amount of time, but I don't know whether I passed out or not, because I was just gasping for breath. I thought I was going to die.

After telling another boy the next day that the 'screw wanted him to wank him', he was told that all the boys did that with him in return for cigarettes. The boy did not say the officer had raped the boys, and the PIC said he did not reveal he had been raped because of the culture of shame among the boys and the fear that to reveal sexual abuse would make them appear weak and lead to them being targeted by others. He did not understand why he was targeted for sexual abuse:

I don't know whether it was just because I always in the back of my mind wondered whether I was homosexual or whether I expressed myself a little different to the rest of the boys, because I didn't swear and carry on. My mother taught me good manners.

He told the Inquiry his doubt about his masculinity has led him to ruin relationships with women who he should have treated with more respect:

This is a strange thing, it has plagued me all my life. The first time I spoke to [the Inquiry] I got quite emotional. You know, I've burnt out ... beautiful relationships with women because ... I always had to prove myself, that I wasn't homosexual.

3

Chapter 3 Allegations of sexual abuse

The PIC also said Magill had a culture of sexual abuse by older boys against younger boys, who were preyed on at night and in the shower block.

A PIC lived at the reformatory in the early 1960s when he was about 14. He was placed in State care at 10 when a court found him to be in need of discipline. Soon after, he was sent to Glandore Children's Home, where he alleged he was sexually abused. After absconding from various placements, he was transferred to the reformatory, where he also alleged he was sexually abused. He absconded from the reformatory when he was 17, and was charged with criminal offences and remanded to the institution until he was 19.

He said he had been aware that Aboriginal boys from the Point Pearce region had been sexually abused at the reformatory: 'They got the brunt of it'.

He also described a physically brutal regime that involved boys being forced to run around the gym for long periods. He said an officer would beat them with a cane for disobedience and seemed to enjoy his role. He said he was regularly beaten with the cane for absconding:

The usual cuts across the backside with the cane from escaping every time—that's after you've been to court, of course—and other officers making other boys' and making your life bloody hard.

He said a night officer, who sat at the far end of the dormitory, sexually abused him. As soon as the boys had gone to sleep the night officer would 'have his selected little boy for the night'. The officer selected him one night and when he attempted to sexually abuse him, touching him on the genitals, he (the PIC) 'bashed him'. The PIC said there were no repercussions as a result of his attack. Many years later, the PIC contacted police about his allegations and was advised there was insufficient material for charges to proceed.

One PIC was at the reformatory in the mid 1960s after being charged with criminal offences at 16. He absconded several times and was charged with other offences. He was eventually released from State care at 18.

The PIC alleged he was sexually abused by relatives before being taken into State care, and had experienced domestic violence and alcoholism in the family home.

He described the reformatory as '... an extremely daunting place and extremely abusive, extremely violent and just not a nice place to be'. He recalls that the guards forced the boys to run for long periods. If they couldn't run they were punished by having to run a lap holding a long wooden bench. 'We used to put the benches above our heads and run a lap with them, then pass them back to the next bloke, so everybody wore the punishment.'

He recalled other forms of punishment, including frequent canings and violence by officers. 'You were stripped naked and bent over a table—usually [caned] across the backside, but up the back, down the legs.' He said boys to be punished were placed in a loft containing three cells or in a separate security block.

He told the Inquiry that night staff would take him from his bed to an office and anally rape him. He said one or more of three different officers sexually abused him 'about half a dozen times'. He did not report the abuse as he 'just felt that I couldn't trust any of them'.

Looking back on the sexual abuse, the PIC said:

Those people took away any chance I had of believing in people, caring about people or loving people for a long, long time, and it's something I've had to work very, very hard at.

Abuse by other residents

A 12-year-old boy spent about six years at the Magill reformatory in the late 1950s, after a court placed him in State care for committing a criminal offence. He occasionally was permitted to go 'on holiday' with his parents, but sometimes he committed more criminal offences during these breaks.

The PIC told the Inquiry of reformatory officers grabbing him by the ears and forcing him to do push-ups or run. He described the 'scrubbing line' of boys, who would have to scrub the wooden floors all morning and run for the rest of the day

... inside a big annexe. Some of those officers, I'll call them, were really sadistic. They would make you run around all day. If the guy in front of you started going slow—well, half the time we'd knock him out of the road to make him go faster. Half of them couldn't keep up. It was sadistic, you know?

He said that if he wanted to go to the toilet, he would have to wait until an officer granted him permission.

The PIC said he was forced to masturbate an older boy at the reformatory: 'When I first went in there as a young kid there was [an older boy] ... he used to stand over me and make me masturbate him.'

The PIC spent a short time in prison as a young adult but then stopped associating with the older friends who had encouraged him to offend.

A PIC told the Inquiry that in the 1950s, as a 12-year-old, he was committed by court order to Magill until he turned 18. He said he spent a lot of time away from home to avoid his father, who gambled and was violent towards his mother. No departmental records have been found in relation to the PIC, although police computer records indicate that as a child he was detained in several institutions after committing offences.

The PIC said the reformatory's practice of placing all boys under 16 in a dormitory overnight, with only one officer seated at the far end of the room, allowed the older boys to prey on the younger ones:

Most of the time [the officers] would go to sleep or read a book, and be right down the other end. But if you were up this end, that's where things happened, in the back row. People would slide out of bed and go underneath the beds ...

He said it was common for the older boys to force younger children to perform oral sex or masturbate them in the shower block. Officers supervised the showers from the corridor outside. He said the younger boys had a culture of silence and did not report the abuse: 'These sort of things people don't talk about. They hide it'.

The PIC said an older Aboriginal boy had sexual intercourse with him about three times. 'I tried to [object] ... He was bigger than me ... he forced me.' He also said he was forced to perform oral sex on another older boy and masturbate two older boys in the exercise yard.

The PIC did not tell anyone about the abuse as he was threatened with violence by the perpetrators: 'You would have had to have been there to see what went on to know that people don't talk about it'.

The PIC said he regularly absconded from the reformatory to try to escape from the sexual abuse.

Another PIC told the Inquiry he committed a criminal offence at 16 in response to his father leaving the family; his father had been violent towards his mother and had beaten the boy. A court remanded the PIC to the reformatory in the late 1950s for a few weeks while he waited for sentencing. He was then released to live with his mother. Months later he was charged with another offence and a court placed him in State care until he turned 18.

He told the Inquiry that three other boys raped him at knifepoint during his second placement at the reformatory. A few days earlier he had seen the same boys raping a younger boy in the toilet block but he felt helpless and too afraid to intervene. The PIC said the boys were waiting for him in the toilet block and anally raped him on three separate occasions. They warned him not to say anything and he was afraid to do so.

He said he had several good friends during his time in the reformatory but could not tell them about the abuse. He had only recently been able to tell his wife and struggles to talk about the effect the abuse had on his life:

It's always been on my mind. Every time something was mentioned—you know, on the wireless or TV or newspaper, or what have you—I would get bloody angrier and angrier.

3

Chapter 3 Allegations of sexual abuse

After being charged with larceny in the early 1950s, a nine-year-old boy was placed in State care until he turned 18, and returned to the care of his mother. He was again convicted of criminal offending at 16 and sentenced to the reformatory until he turned 18.

The PIC told the Inquiry his mother raised him and his siblings in extreme poverty. Before he was placed in State care he became extremely disturbed when he witnessed a teacher sexually abusing a young girl at his primary school, and said the teacher victimised him as a result.

The PIC said he was sexually abused when placed at his family home, and again at the reformatory. The night before his release from Magill in 1959, he was beaten up by a group of boys who, for the previous couple of days, had threatened to rape him. About 11pm, five boys attacked him in bed, punching him about a dozen times. He said this was a practice known as ‘musclies’, where boys would punch the boy who was to be released. ‘But I had to fight here. I was threatened all day that they’re going to rape me.’ The PIC said he believed he would have been raped if a staff member had not responded to the noise.

APIC born in the mid 1950s alleged he was sexually abused during a placement at the reformatory in the mid 1960s. Departmental records suggest the PIC’s parents separated when he was four, and they placed him in several non-government homes for significant periods until he reached 10. At nine, the PIC was charged as destitute and remanded to the care of his father, who was ordered to find a suitable placement for the boy. While in his father’s care he was charged with a criminal offence, placed in State care by a court and sent to a government institution until he turned 18. The PIC alleged he was also sexually abused during placements at Brookway Park, Kumanka Boys Hostel and McNally Training Centre.

Departmental records show the PIC absconded from his first government institution 26 times in a few weeks. While a runaway, he committed offences and faced charges.

Records show that in one court appearance the magistrate asked the PIC why he was absconding and he replied that other boys at the home were bullying him. As a result of his offending, the PIC was transferred to the Magill reformatory for six days just before his 12th birthday.

The PIC alleged he was sexually abused on his second day at Magill:

... an officer come and got me out of bed and he told me to go and clean up the ablution area, and he locked the door, and then he opened it and let four blokes in and then he locked the door and went away.

He said the group held him down and raped him. He did not tell anyone about the incident.

McNally Training Centre, 1967–79

History

The McNally Training Centre, named after a former chairman of the CWPRB, was opened on the site of the former Boys Reformatory, Magill, in November 1967. The new centre could accommodate 164 boys, but by 1969 174 boys were resident.⁵² The boys, aged between 15 and 18, attended a school in the institution run by two Education Department teachers.

After 10 boys absconded from McNally in December 1969, the secretary of the Department of Social Welfare and the superintendent at McNally discussed the reintroduction of corporal punishment for absconders.⁵³ The superintendent advocated ‘the reintroduction of caning’ and the Minister approved the policy over the objection of the acting director of Social Welfare, who held that caning was ‘degrading’ and ‘contrary to modern methods of treatment of offenders’.⁵⁴

After the absconding, additional security measures were taken, such as installing grilles on dormitory windows.⁵⁵ Absconders, if not publicly caned, were placed in the

⁵² DSW annual report 1968, p. 14, and 1969, pp. 15–6.

⁵³ SRSA GRG 29/6/1969/105, see correspondence on ‘Corporal punishment of absconders’.

⁵⁴ The policy was abolished at the end of 1970. SRSA GRG 29/6/1969/105, see correspondence on ‘Corporal punishment of absconders’, DSW a/director to Minister Social Welfare, 5 Mar. 1969, and handwritten reply from Minister, 6 Mar. 1969.

⁵⁵ *ibid.*, *The News*, ‘Corporal punishment of absconders’, 9 Dec. 1969.

'cabin', a solitary confinement cell, for up to 48 hours.⁵⁶ Some boys were placed in the cabin if they were distressed and regarded as potential absconders.

A 1973 report by a consulting psychiatrist who studied the centre for six months provides an insight into conditions at McNally. The Department of Community Welfare held the philosophy that 'treatment is paramount rather than punishment of the offender' and that McNally was supposed to provide a 'therapeutic community'.⁵⁷ However the report noted that 'hostility and anger' permeated the centre.⁵⁸ Accommodation was described as 'locked units of incarceration', while punishments reinforced 'anti-authority attitudes' among residents.⁵⁹ Boys on remand were locked up, 'bewildered and bored', feeling 'anxiety and apprehension due to ignorance about their fate'. Residents in the security section were 'locked up' under 'grossly anti-therapeutic' conditions.⁶⁰ The report noted that probation officers were 'not well integrated into the McNally structure,' which was problematic because

*... they are part of the treatment programme—perhaps a vital part as they are often the link between family and institution, which by both parent and child is seen as punitive.*⁶¹

A 1976 government investigation prompted by abscondings from the centre's security section found that residents were not supervised to the degree stipulated in the department's procedures. Instead of providing 'constant supervision', as the procedures required, staff permitted some residents to move about the facility and checked on them only if they were absent 'for any unreasonable length of time'.⁶²

The supervisor of the report on absconding from McNally alluded to operational problems. Of principal concern were

divisions among staff, some of whom 'were openly hostile towards other care workers and critical of their methods, even in front of boys'. The supervisor stated that the treatment of residents in secure care at McNally was

*... very little changed from that of many years ago ... the prevailing ethic is still one which speaks of 'if you do the right thing by me, I will do the right thing by you'.*⁶³

In the mid 1970s departmental annual reports described McNally as a secure residential centre for youths aged between 15 and 18 who were committed for offences, those on remand or requiring assessment. The centre was divided into six units, each with a maximum of 16 residents. Three units provided shorter-term accommodation for residents on remand and in short-term secure care, while the other three provided 'longer-term programs for boys committed for a period of treatment'.⁶⁴ The centre also had a 'maximum security unit for disturbed boys'.⁶⁵

General records obtained by the Inquiry⁶⁶ show that the mother of a boy held at McNally in the late 1970s applied to the Youth Court for bail for her son after he disclosed to her that he was forced to perform a sexual act on three other residents under the threat of violence. The senior judge referred the matter to the department and sought an assessment report by a review panel consisting of social workers and centre staff. The documents indicate that McNally staff failed to complete a critical incident report and did not refer the matter to police, as staff noted that the boy '... does not wish to lay charges in relation to the incident'. The senior judge told the department that the matter should have been referred to police.

⁵⁶ SRSA GRG 29/112, Magill Reformatory punishment book, 1958–75.

⁵⁷ GRG 29/6 file 6/275/80, McNally Training Centre report from consultant psychiatrist, psychiatrist to DCW director, Metropolitan Services, 14 Mar. 1973, p. 1.

⁵⁸ *ibid.*, p. 2.

⁵⁹ *ibid.*

⁶⁰ *ibid.*, p. 3.

⁶¹ *ibid.*, p. 4.

⁶² GRS 4164/1 file 20/010/2, 'Reports on abscondings at SAYTC', Standing committee report, 29 Oct. 1976.

⁶³ *ibid.*, supervisor report re 'Abscondings from security section on 1/10/76', 20 Oct. 1976, p. 1–2.

⁶⁴ DCW annual report 1976, p. 31.

⁶⁵ *ibid.*, 1975, p. 18.

⁶⁶ SRSA GRG 29/6 file 12/10/3, 'Incidents involving staff and youths at McNally Training Centre and Brookway Park'.

3

Chapter 3 Allegations of sexual abuse

Allegations of sexual abuse

Nine people gave evidence to the Inquiry that they were sexually abused when placed at the McNally Training Centre. They alleged sexual abuse perpetrated by staff, other boys and outsiders. The allegations included indecent assault and oral and anal rape.

All people giving evidence referred to the institution as Magill, however records obtained by the Inquiry indicate it was named McNally at the time.

One man gave evidence regarding sexual abuse of boys by staff members but said he was not sexually abused himself. He confirmed the evidence of some of the nine PICs when he told the Inquiry that a night staff member woke other boys and took them to the office, where the staff member had sex with them before returning them to bed.

Abuse by staff

A PIC born in the mid 1950s was charged as being destitute and remanded to his father's care when aged nine. He was charged with larceny while on remand and placed in State care by a court until the age of 18. The PIC alleged he was sexually abused during placements at the Boys Reformatory, Magill, Brookway Park and Kumanka Boys Hostel, as well as McNally Training Centre.

After absconding from Kumanka in the 1960s the PIC was sentenced to spend two years at McNally in his mid teens for committing criminal offences. He told the Inquiry he had previously absconded from other homes because of sexual and physical abuse and that at McNally he was 'touched' by a staff member in a sexual way in his bed. He said he did not report the incident.

Records show the PIC was at McNally for nearly two years, a period punctuated by further absconding. He said that after leaving McNally he went to live with a relative and also lived on the streets. He told the Inquiry a man who '... used to cruise the streets of Adelaide and pick up street kids and that' abused him. He went with the man in his car

to a place near the river and masturbated him for 'about 20 bucks or so'.

The PIC was released from State care on probation at 17.

A PIC told the Inquiry he was sentenced to two years in McNally for criminal offences in the mid 1970s. According to his departmental file, although he was nearly 18 when convicted and could have been sent to an adult prison, it was considered he would benefit from the psychological and psychiatric support that McNally could provide. His SWIC indicates he spent 16 months there.

The PIC said a female staff member sexually abused him when she took him on day leave:

Once we got to [her house], we both went inside. I walked into the lounge room and she walked into the bedroom. She came out of the bedroom with some papers. Then [the staff member] walked over to me and said, 'You haven't had sex for a long time'. She placed one hand on my groin. She fondled for a couple of minutes. Then she used her other hand to pull out my penis. She then proceeded to fondle my penis. I grew alarmed to this and decided to pull away. I said, 'This is not right, and I would like to go now'. She said, 'Don't tell anyone what I did to you'. I said, 'No, I won't'.

He told the Inquiry he did not report the abuse and the staff member twice told him not to tell anyone; the first time was at her home when the abuse occurred and then again on returning to the institution.

A PIC who alleged sexual abuse at McNally was placed in State care by a court for criminal offences when he was 11. He told the Inquiry he had been sexually abused by family members before the court order. He was regularly sentenced for criminal offences between the ages of 13 and 19, when he was released from State care. He told the Inquiry he was also sexually abused at Windana Remand Home, Adelaide Jail and Yatala Labour Prison.

The PIC was sent to McNally in the early 1970s, aged 17, as a result of criminal offending but regularly absconded. He was sent to the Block for punishment:

That's where the bad boys like me—bad boy, right. There's no bloody schooling. All you do is you go into the big hall ... or go in that other part and smoke your cigarettes or sit down on the floor, on the wooden floor, and just be bored and just talk or kick a soccer ball around or what, you know.

He told the Inquiry he was raped by officers at McNally in the Block and also in a staff office: 'I got raped in the Block. I got raped in Magill in the cells, and in the screw's office'. He said that when he returned after absconding he was never asked why he had left.

One Aboriginal PIC with an extensive criminal history told the Inquiry that '... this sort of offending started happening after what was happening to me in McNally'. He was remanded for short periods in the mid 1970s on criminal charges. Later in the 1970s, he was in State care when he was remanded to McNally for a few weeks when he was 15 and then for three weeks a year later on criminal charges.

He described the McNally regime as tough with harsh punishments, such as being made to stand in one place or run for long periods, and sleep on bare mats on the floor. He said an officer often put him in a separate room from the dormitory 'where sometimes they forced kids to sleep ... they segregated a kid in that room at any time they wanted, for any reason'.

He alleged the officer forced him to have sexual intercourse—'I lost count of the number of times'. He also alleged that another officer would take him into a storage area and force him to have sex. He recalled that this happened about a dozen different times, 'usually around seven o'clock at night, dark and nobody else around'.

The PIC told the Inquiry there was no-one to talk to because 'you couldn't trust any of the other staff'. On one

occasion when he did complain about the sexual abuse to an officer, he said he 'got a lecture about making allegations, and all that sort of stuff, and nothing ever happened about it'. The alleged disclosure of abuse to staff does not appear to have been recorded in the departmental files or the Department for Correctional Services files that were provided to the Inquiry.

The PIC expressed a sentiment that was voiced by many who spoke of being sexually abused in State care: that those in authority 'need to start listening to kids'.

Abuse by staff and other residents

One of the PICs who spent time at McNally in the early 1970s was placed in State care in the mid 1960s when he was 12 for being destitute. He told the Inquiry he had been sexually abused and physically beaten by his father before being placed in State care. He said he was sexually abused while in State care at Windana Remand Home, Glandore Children's Home, Kumanka Boys Hostel, McNally Training Centre and in the family home.

According to departmental records, he was placed at McNally in the early 1970s for seven months when he was 16 and, later, for six months after he committed a criminal offence while living with a family member.

The PIC alleged he was violently raped by a group of boys at McNally, suffering injuries and bleeding from the anus. He said he was threatened that if he told anyone he would be killed. A staff member had discovered him bleeding and crying in his bed that night and had helped him to get cleaned up and changed into clean pyjamas. He alleged the staff member said to him, '... the best advice I can give you is to forget all about what happened tonight'.

The PIC also said that several McNally staff members sexually abused him. The abuse included rape and forcing him to perform oral sex on individual staff at different times. He recalled a staff member demanding that he perform oral sex each time they were in a vehicle together. On returning to McNally, the staff member would tell him: 'You know the fucking rules; one word and you're dead'.

3

Chapter 3 Allegations of sexual abuse

He said he did not tell anyone about the abuse. Previously he had told his social worker about sexual abuse at the family home, but said he had been disbelieved and accused of lying so often that he did not see any point in complaining about the McNally incidents.

The PIC described his time in State care as 'just one big nightmare which will not end. I missed out on my childhood.' He said he had attempted suicide numerous times and also self-mutilated in an attempt to stop having nightmares:

[It] was getting rid of all of the horror that had happened to me. But it was still in my head, and so I still had the nightmares, I still had the horror.

Abuse by staff and outsiders

A 14-year-old boy was placed in State care by a court as a result of criminal offending in the late 1960s. The PIC told the Inquiry he had been sexually abused by a family member and a schoolteacher before being placed in State care and that he was sexually abused at Windana Remand Home, McNally, Struan Farm School and, later, in foster care.

The PIC said that when he left Windana his mother was 'not interested' in having him return home, and he was transferred to McNally in the early 1970s on a safekeeping order. He described the brutality of punishments at McNally, which lasted from 7am until 10pm every day for up to a month. Residents were forced to 'duck-walk' (walk bent over, holding ankles with opposite hands), scrub the ablution block and stand to attention or run for hours at a time, stopping only for meals.

He recalled telling one of the officers at McNally he had been sexually abused at Windana, and said the officer used that information against him by threatening that if he 'did not come across he'd tell the rest of the kids' about what had happened to him. He said he was placed in the

cabins and that the officer sexually abused him anally and orally repeatedly. He said the officer threatened that if he told anyone about what was happening he would be sent to the Block, which the PIC described as a place 'you just didn't want to go'.

The PIC told the Inquiry that at McNally a man regularly visited the boys and took them out to various activities. He said he formed an attachment to the man, who often took him out for weekends. On one occasion, while staying at the man's home, he was given alcohol and next remembered waking up in bed in a bedroom with three or four men:

I woke up with nothing on ... next day sometime ... I knew I'd been abused ... anally. I had love bites around my neck. ... obviously I was conscious but in and out of sleep.

The PIC told the Inquiry he was again warned not to disclose the sexual abuse: 'I've been threatened that many times by that many different people, I forget who's who'.

The PIC's departmental files confirm that he stayed regularly with the man. Notations include that the PIC was accused of 'stealing money from [the man's] home', that he had 'prospects of a job with [the man]' ... and could 'possibly live with this man', although it is also noted that '[the man] had made a pass at him'. The file does not indicate where that information came from or what, if any, action the department took.

Abuse by other residents

A PIC recalled his stepfather's violence at home before he was placed in State care aged 10 in the 1970s, after committing a criminal offence. He was ordered to stay in State care until he turned 18. He was placed with his mother but then committed further criminal offences and was sent to various institutions. He alleged he was sexually abused at Brookway Park and McNally.

The PIC told the Inquiry that when he was 14, a boy attempted to sexually abuse him on his first day at McNally:

I got bashed up a few times in the shower room, and then the dormitory; he was trying to force sex on me and then I just made a big fuss, screamed, and then he punched me for screaming.

He said he believed that the same boy had earlier sexually abused him at Brookway Park. He did not report the McNally incident. He told the Inquiry he hid on the McNally grounds for up to three days at a time in an attempt to avoid the perpetrator, rejoining the other boys when he was hungry. 'I'd stay there because I was in fear, and they couldn't find me.' As a result, he said, he was often punished for absconding, despite the fact he never left the home.

The PIC said of the sexual abuse at the two institutions: 'I reckon it stole my emotions, you know; it stole a lot of things. That's why I can't hold a girlfriend long.'

A PIC who was aged 15 at McNally in the early 1970s alleged another resident sexually abused him. He had been placed in State care at nine after a court found he was uncontrolled. The PIC told the Inquiry he also had been sexually abused by staff at Windana Remand Home and then by staff and other boys at Brookway Park. The PIC was too embarrassed to give further details of the alleged sexual abuse. He said he did not report the abuse at the time.

A PIC born in the late 1950s was placed in State care by a court when he was 14 as a result of criminal offending. The PIC told the Inquiry that a stranger sexually abused him when he was about 10, which changed his life for the worse and he started to get into trouble with the law. He told the Inquiry he was sexually abused at Stuart House Boys Hostel, Windana Remand Home and McNally. In the mid 1970s, aged 15, the PIC was charged with illegal use of a motor vehicle and as a result spent a week at McNally on remand. He described his short time there

as 'the worst eight days of my life', alleging he was sexually abused by other boys at the home:

The first night I woke up in the dormitory, my head—whole face—was covered in semen and there was boys all around my bed except they were much older than me, and I jumped out of bed, bashed on the windows and went out into the dining area and the officer basically told me to go back to bed and I screamed and told him what was happening. He said, "Go back to bed. I don't want to hear tales, this sort of stuff".

The PIC alleged that sexual abuse of this nature continued:

After about the third night of this sort of crap, including waking up with a dick in my mouth and stuff like that, and more screaming and bashing on the windows, then I'm sure they put me into a cell.

He told the Inquiry that after his release from State care at 16, he worked as a child prostitute interstate and became involved in drugs and violence. He has spent time in prison as an adult on several occasions. He believes the abuse has affected his ability to have any lasting relationships and contributed to the breakdown of his marriage: 'I was totally unclear on my sexuality, who I was, what I was'.

South Australian Youth Training Centre (SAYTC), 1979–93

History

In 1979, as part of a redevelopment of its programs for the 'treatment and management of young offenders', the McNally Training Centre was renamed the South Australian Youth Training Centre (SAYTC).⁶⁷ It was organised into five units: three for short-term accommodation and two for long-term. Greater emphasis was placed on dealing with offenders through community-based initiatives rather than committing children to secure care.⁶⁸

⁶⁷ DCW annual report 1979, pp. 9, 37–8.

⁶⁸ Senate Standing Committee on Social Welfare, 'Children and youth under institution care', DCW submission, Sep. 1982, p. 9.

3

Chapter 3 Allegations of sexual abuse

During the 1980s SAYTC provided accommodation for up to 90 young offenders on court orders in a 'living environment that is safe for staff and residents'.⁶⁹ A 1982 report on children in institutional care described the centre as providing a 'closely supervised developmental training and support program' run by welfare and educational staff. This program consisted of remedial education and activities that developed 'social, vocational and recreational skills'. The concept behind the training was to provide an 'individual program with specific behavioural goals' for each resident to increase their ability to cope in the community:

*Residents are taught to take responsibility for their behaviour, to accept consequences for inappropriate actions and to seek rewards for achievements ... Inappropriate behaviour is confronted and dealt with. Appropriate behaviour is encouraged and rewarded.*⁷⁰

Records from the centre reveal a focus on punishment. The most common forms of discipline were issuing residents with work programs or placing them in 'isolation'.⁷¹ In 1985, a senior care worker commented that staff resorted to punitive measures 'in an effort to sort out those not doing the right thing'. The worker writes in the observation log that in addition to punishment, 'constructive programming ... and discussions (not lectures) is also required'.⁷² In the same period another care worker stated: 'The staff here are employed to change behaviour — this requires more than just punishing'.⁷³

In 1983, punishment at SAYTC was governed by regulations under the Community Welfare Act and by

departmental standard procedures for secure care. Corporal punishment was prohibited. Deprivation of privileges and detention of children over 15 in a detention room for up to eight hours was permitted. Children were required to be strip-searched before being placed in detention and then checked at regular intervals. If not searched, they needed to be under constant surveillance.⁷⁴

In 1985 SAYTC operated with four living units: two providing care and assessment for residents on remand and two for young offenders in detention for two to 24 months. In that year the department reported that the 'downward trend in the numbers of young people detained at SAYTC continued'; the average number of residents a day was 43.⁷⁵

The following year the department reported on renovations to the interior of the SAYTC buildings 'to provide more privacy for residents and a more relaxed and appropriate physical environment within the constraints of the stark architecture of the centre'.⁷⁶ It also reported on plans to replace SAYTC and SAYRAC with smaller secure care centres.⁷⁷ By 1986–87 one of the units was closed due to low numbers, leaving three units operating: one for short-term care and two for longer detention.⁷⁸

During 1988–90, in response to the suicide of an Aboriginal boy at SAYTC and the findings of the interim report of the Royal Commission into Aboriginal Deaths in Custody, building alterations were made to the interior and exterior of the centre to 'reduce the risk of self-damaging behaviour and to improve the quality of living conditions'.⁷⁹ Exterior additions included an outdoor living area with a pergola.⁸⁰

⁶⁹ *ibid.*, p. 23.

⁷⁰ *ibid.*, appendix 1, 'Services for young offenders in SA', pp. 9–10.

⁷¹ SRSA GRS 6641/1 unit 67 unit 2, Observation log 1/6/85 to 5/7/85, various entries.

⁷² *ibid.*, p. 5.

⁷³ *ibid.*, p. 132.

⁷⁴ Department for Families and Communities (DFC), *An overview of past and current practice: a brief history of State involvement in the care of children and young people in South Australia*, a report prepared by consultant historian, Dr Susan Marsden, Sep. 2006, pp. 41–2, see description of and quotes from Standard Procedure 609.

⁷⁵ DCW annual report 1984–85, p. 36.

⁷⁶ *ibid.*, 1985–86, p. 30.

⁷⁷ *ibid.*, p. 30, also mentioned in 1986–87, p. 29 and 1987–88, p. 95.

⁷⁸ *ibid.*, 1987–88, p. 95.

⁷⁹ *ibid.*, 1988–89, p. 75.

⁸⁰ *ibid.*, 1989–90, p. 28.

Additional procedures were implemented to ‘better deal with people trying to harm themselves while in their sleeping quarters’ and ‘greater effort’ was aimed at reducing the number of Aboriginal children in custody.⁸¹

The numbers of children being held at SAYTC, particularly those serving longer detention orders, increased in the 1990s.⁸² In 1993 a new purpose-built secure care centre was opened at Cavan for older offenders and SAYTC was renamed the Magill Training Centre.

General evidence

A former worker at SAYTC told the Inquiry she was disturbed by the attitude of some of her co-workers:

There was a lot of abuse happening there; physical abuse. The workers would lock the kids into the staff room and you could hear them belt them; belt the crap out of them ... because they just couldn't—they didn't know how to deal with them effectively. They felt that the only way—and I have to tell you, the attitude of a lot of these men was ‘... get over it; all we're doing is getting these kids ready for Yatala’ and that was the ethos that I was working in. They'd given up on these kids, literally given up on these kids. All they had to do was get them ready for Yatala, and part of that getting them ready for Yatala was to toughen them up and part of that toughening up process was some quite awful physical abuse. It's just terrible.

Allegations of sexual abuse

Four PICs gave evidence to the Inquiry about being sexually abused while they were in State care and placed at SAYTC. One alleged he was sexually abused by older boys and after absconding, one after he absconded from SAYTC and two by older boys in the shower blocks.

Abuse by multiple perpetrators

A PIC was first placed in State care on a short-term care and control order in the late 1970s when he was 11. He then committed a criminal offence and was placed in State care for 12 months. He spent time at Slade Cottage and SAYRAC and alleged he was sexually abused

at both. In the early 1980s, he was placed twice at SAYTC for criminal offending, spending more than six months there.

The PIC described SAYTC as a place where ‘they’d treat you like an animal’. He recalled the various punishments meted out to residents, notably deprivation of privileges and a regime of ‘mental games’ to exacerbate punishments.

While in SAYTC, the PIC said two older boys sexually assaulted him repeatedly in a toilet block. He described being held down and having a toothbrush inserted into his anus, and being digitally penetrated by the boys, who also attempted anal intercourse with him. The PIC alleged a staff member witnessed one instance of abuse but took no action.

The PIC said he absconded from SAYTC when he was 16 and lived on the streets with another boy. He said they went to a city hotel where the other boy introduced him to a man. The two boys accompanied the man to his home in an inner Adelaide suburb. On the way, the man asked the PIC if he had any identification: ‘I remember that. He wanted to know my proper name for a reason’ and, the PIC believed, ‘he was a bit concerned about my age then as well ... he wanted to check all that out’. The PIC alleged the three had a drink at the man’s home and then he and the man went into another room. They watched a pornographic movie, after which the man touched the PIC’s genitals and attempted to perform oral sex on him. The PIC told the Inquiry he ‘pushed away’ from the man and left the house. He said he saw this man in the central city area several times; the man approached him but the PIC made an effort to ‘show that I wasn’t interested’.

Abuse by other residents

When he was seven years old, this PIC’s parents separated. Neither parent was able to provide stable care and the PIC was exposed to the effects of alcohol abuse, severe family dysfunction and suffered breakdowns in home and schooling. The department supervised the PIC from the age of 11 and placed him under a temporary guardianship order when he was 12.

⁸¹ *ibid.*

⁸² DFACS annual report 1990–91, p. 26.

3

Chapter 3 Allegations of sexual abuse

He was then placed on a series of supervised bonds due to his truancy and offending. The PIC alleged he was sexually abused at Gilles Plains Community Unit, SAYTC and in one foster placement.

The PIC had a short placement at SAYTC in the early 1980s when he was a teenager. He told the Inquiry he was raped by another inmate in the shower block. He did not report the abuse as there was a culture of bullying at SAYTC and other boys had bashed him on several occasions. He said boys would demand cigarettes, and if he couldn't provide them they would insist on sexual favours.

A PIC was placed in State care when he was 14 in the early 1990s, the court finding that he was in need of care. After various placements he was sent to SAYTC in the mid 1990s after committing criminal offences. He told the Inquiry he was pinned down and anally raped by a group of three to four other residents in the shower block. He believes he may have blacked out as he woke up on the floor after the attack. He did not report the abuse and was too ashamed and embarrassed to seek any medical assistance.

He also told the Inquiry that SAYTC was particularly 'rough' and spoke about regular beatings, being thrown against the walls and having his head banged against the walls by staff, including one officer in particular. 'Screws—officers grabbing us and dragging us around and stuff, if you didn't do things right ... twist your arms, bang your head against the walls.' He recalled that he was nursed from unconsciousness in the cabins by two or three female staff members and received no medical assistance, because they claimed he had had a fit. However, he said he had never suffered from epilepsy before or after the incident.

He said he was made to feel small and petty, and that it was hard to hear every day of your life that you were 'just a piece of shit'. He now feels the system let him down.

Abuse after absconding

One of the PICs had spent almost his whole childhood in State care, as did his siblings. He was placed in Seaforth Home when he was a baby after a court found that he was neglected and under unfit guardianship. He was moved from there to various placements and released from State care as a 19-year-old. He told the Inquiry he was sexually abused by a foster father, by other residents at Fullarton Cottage, and while on the run from SAYTC and SAYRAC. He absconded regularly from placements and told the Inquiry he was running 'from everything that had happened to me, I guess'.

He was placed at SAYTC in the early 1980s, when he was in his mid teens, after being charged with a criminal offence. He told the Inquiry he absconded from SAYTC 'just to be free at the time' but was sexually abused by an older prisoner in interstate police cells. He said he reported the abuse to a police officer at this police station, and the officer suggested he leave town, which he did. He travelled to another State, where he was arrested and returned to secure care.

He told the Inquiry that 'it was a very real issue that I face these demons—this bad shit that happened in my life'.

Magill Training Centre, 1993–present

History

The Magill Training Centre had its origins in the Boys Reformatory, Magill, which opened in 1869 and became the McNally Training Centre in 1967. The centre was renamed the South Australian Youth Training Centre (SAYTC) in 1979 and Magill Training Centre in 1993. It continues to operate today but the department acknowledges that 'due to its significant age, the facility at Magill has not been conducive to the rehabilitation and care of young people'. The department has identified the facility 'as an urgent priority for redevelopment'.⁸³

⁸³ *ibid.*

Allegations of sexual abuse

One PIC gave evidence to the Inquiry that staff and outsiders sexually abused him while he was at Magill Training Centre.

Abuse by multiple perpetrators

An Aboriginal PIC was placed in State care in the early 1990s as a result of criminal charges. Records received from the department show that from the age of 12 the PIC was regularly charged with criminal offences and frequently appeared in the Children's Court. The PIC alleged he was sexually abused at SAYRAC when he was on remand, and also at the Magill Training Centre.

After having been placed on several court-imposed bonds and under the supervision of the department, the PIC was sentenced to a period of detention at Magill in the mid 1990s for illegal use of a motor vehicle. He said he stole cars for attention and acceptance among his peers:

I think most of it would've been like, I think, a cry for attention. And I think some of it would have been—I felt like I was accepted into that crowd and I felt like they were like brothers.

The PIC alleged a staff member at Magill sexually abused him:

I was in the cell and he used to come in there late at night... at one stage it was, like, easily once a week and then it started slowing down ... He used to just come in there and he used to make me give him oral sex ... He used to penetrate me from behind and stuff like that.

The PIC said he suffered injuries from the alleged sexual abuse but did not report it: 'I was too ashamed to go and talk to anyone about it'. He also alleged that a man who had helped him and supported him during his court appearances groomed him and sexually abused him. He said he first met the man when he was about 12 and the abuse started when he persuaded the PIC to masturbate him in his car. The PIC alleged that on another occasion the man took him to a place outside the city and anally raped him in a caravan. Records received by the Inquiry

confirm that the man was regularly in attendance at the PIC's court hearings.

The PIC said that after his release he lived on and off on the streets:

I went back to stealing; stealing money and stealing property, and selling it ... Then I met up with some of my friends from Magill Training Centre who I've known since SAYRAC ... They basically told me that there's easier ways that we could make money without getting into trouble.

The PIC said he started to frequent Veale Gardens in the South Park Lands with his friends and performed sexual favours for men in return for money, and on some occasions men took him to private houses. He told the Inquiry that once he went to a large white house where he was sexually abused:

I remember being at that white house and there was a room. It had ... it looked like some sort of swing and it had a leather sort of backing, and chains that went into the ceiling ... I never saw any of their faces because they had a full face mask and a zip where their mouth should be. They used to just put us on that swing and just, like, they had a video camera there, and they used to penetrate us on that swing.

The PIC said he went to this house about six times but he never saw the men's faces. He said he also went to other houses:

Sometimes people used to come down and pick us up from the Veale Gardens area and other times people like [name] would have, like, lifts that were already organised for us to go.

He also said he was taken to a gay men's sauna club in the city, where he would have sex with men.

The PIC alleged that in his mid-to-late teens, a man who had offered him support and assistance when he was in detention sexually abused him. He said he would meet the man at a drop-in centre for Aboriginal boys:

3

Chapter 3 Allegations of sexual abuse

He used to sort of take me and some other boys sort of around ... [to] his house and stuff ... [and] have sex and stuff with us ... he used to say it's, like, a favour for him and all this sort of thing ... he was sort of our knight in shining armour sort of thing. Like, he would come every time—if we was in the watch-house cells and stuff, he would come in then. Like, we felt safer that he was there and stuff like that, and he would always say the right thing, like 'Stick with me. I'll look after you'.

He alleged the man took him to have sex with other men and as a result the PIC lost trust in him and 'I sort of threatened to tell my uncles, to him, and he sort of backed off a little bit'.

The PIC's criminal offending continued and he spent further periods in juvenile detention centres.

Brookway Park, 1965–78

History

Brookway Park opened in Campbelltown in February 1965⁸⁴ and operated until 1978 for boys aged between nine and 15. It was built to provide complete segregation of younger boys from older boys and accepted only 'delinquent' children⁸⁵ who were still attending school when they were placed in State care for criminal offending.⁸⁶ Brookway Park had the capacity to accommodate 40 boys but was built with the option of further expansion to provide for 20 more. Boys of school age at the Boys Reformatory, Magill, were transferred to Brookway Park when it opened.

By 1966, the institution was full and the buildings were extended.⁸⁷ When admitted, boys were provided with clothing and their own clothing was sent to their parents. Each boy's dormitory placement was based on his progress in the institution; dormitories for the 'honour' group were furthest from the staff station.⁸⁸ The daily routine was highly regimented. At night, staff undertook 'active supervision of the boys' and patrolled the institution using several watchmen's clocks to mark their progress.⁸⁹ Staff woke bed-wetters at 11pm and 3am. All punishments were authorised by the superintendent and recorded in a punishment book, with caning kept to a minimum.⁹⁰

Children could receive visits under a visitor's permit system, but the superintendent retained discretion to allow visits without a permit.⁹¹ The institution was required to maintain a file for each boy, which contained medical, psychological, behavioural and critical incident reports. A logbook was maintained on the boys' movements to and from Brookway Park.

Problems were evident in Brookway Park's operation from its inception. In late 1965, the deputy superintendent resigned, citing staff shortages, overcrowding, an insufficient focus on allowing children to build effective relationships with adults and an age range among residents that meant 'older boys have had direct influence homosexually on the younger boys'.⁹² In 1966, the director of Social Welfare expressed his concern to the Minister about the 'general deterioration in the condition of the institution'.⁹³

During the late 1960s, regular counselling and group discussion sessions were introduced⁹⁴ and in the 1970s

⁸⁴ CWPRB annual report 1961, p. 14.

⁸⁵ CWPRB, 'Methods and procedures for the operation of Brookway Park', 1966.

⁸⁶ *ibid.*

⁸⁷ *Finding your own way: (FYOW)*, Nunkuwarrin Yunti of South Australia Inc, 2005, s. 4, p.15; SRSA GRG 29/6 file no. 1/1964, minute from Social Welfare director to Minister, 30 Sep. 1966; minute from CWPRB chairman to Minister, 4 Nov. 1965.

⁸⁸ CWPRB, 'Methods and procedures for the operation of Brookway Park', 1966, p. 4.

⁸⁹ *ibid.*, pp. 12, 14–5, 17.

⁹⁰ *ibid.*, pp. 5–7.

⁹¹ *ibid.*, pp. 10, 16.

⁹² SRSA GRG 29/6 file no. 1/1964, CWPRB secretary memo in which he acknowledged the need for additional staff but did not apparently accept the claims of inadequacies in the boys care and education, 27 Jan. 1966.

⁹³ *ibid.*, minute from SW director to Minister, 30 Sep. 1966

⁹⁴ FYOW, s. 4, p.15.

the buildings were altered to allow boys to be separated into different residential units based on their treatment needs. One unit was designated as 'secure' for residents who needed 'intensive treatment' and another as 'open' for trusted residents who attended school locally. In 1975, when the Windana Remand Home was closed, a residential assessment unit was built at Brookway Park.⁹⁵

Brookway Park closed on 1 September 1978 and its residents were sent to the South Australian Youth Remand and Assessment Centre (SAYRAC).⁹⁶

Allegations of sexual abuse

Thirteen PICS told the Inquiry they were sexually abused in Brookway Park. They were all in State care and had been placed at Brookway Park after committing a criminal offence or being found by a court to be uncontrolled or a truant. They alleged that staff, other boys and outsiders perpetrated the sexual abuse, which included gross indecency, indecent assault and anal and oral rape.

Abuse by multiple perpetrators

In the mid 1970s an 11-year-old Aboriginal boy who had committed break and enter offences was placed in State care until he turned 18. This PIC told the Inquiry he committed the offences because of his family's poverty: 'We were poor. Like, we sometimes used to get food rations from the welfare and we'd be eating chips instead of real meals.' He said that before going into State care he truanted from school. He alleged that a man assigned to deal with his truanting exposed himself more than once and asked him to touch his penis, but he refused. He told the Inquiry he was sexually abused during a placement at Brookway Park.

Department records show the PIC was at Brookway Park for about two years in the late 1970s and during that time also spent periods in foster care. The PIC alleged a staff member at Brookway Park indecently assaulted him.

He always used to get me in corners and I used to think he was joking, and fucking around. He would

always have his hand in his pocket. Thinking back, you know, like, I didn't realise what was going on for years, I didn't think about it, but looking back now I know what he was up to, especially, you know, like, he'd rub up against me.

The PIC said that on another occasion the same staff member took him to his house, where the man 'pulled out his cock ... playing with his cock in front of me at the kitchen table'.

When he was 10 or 11, he told the Inquiry, he absconded with another boy from Brookway Park and was picked up by a man who drove him to another State. He alleged the man indecently exposed himself.

During his time in care the PIC committed numerous offences and was also placed in other government institutions, including secure care. He also told the Inquiry that when he was about 15 he was required by a court to attend a youth centre, where he met a volunteer worker. He alleged the man took him to his house and indecently exposed himself: 'He pulled his cock out. I told him I wanted to get out of there ... he took me home'.

The PIC was released from care when he was 15. Of the sexual abuse, he told the Inquiry: 'It's an innocence, you know, that you don't—you know, it's innocence, and somehow they've taken it away from you, haven't they?'

Abuse by staff

A PIC who was at Brookway Park in the late 1960s told the Inquiry he was subjected to ongoing nightly sexual abuse by one male staff member. His parents had separated, leaving him and his siblings with little supervision, so, aged 11, he was placed in State care by a court until he turned 18 as a result of being found to be uncontrolled. He spent the next year at Brookway Park, sometimes being allowed to go on holiday to his father. He said that within months of being placed at Brookway Park he was taken from his bed by a staff member to the office during the night and given a cup of Milo, which he now

⁹⁵ *ibid.*, p. 16.

⁹⁶ *ibid.*

3

Chapter 3 Allegations of sexual abuse

suspects was drugged. 'He'd make me undress and I'd be put over his knee, and he used to bring out this ointment. He reckoned it would relax me.' He said the abuse involved anal penetration and fondling his genitalia. He said he woke up in the mornings after this occurred, feeling 'spaced out'.

He told the Inquiry he did not report the abuse to anyone:

I thought I'd get into trouble. I didn't really know the difference, whether he was trying to give me comfort or not. I don't know. He sort of come across as a big—as the long-lost uncle, sort of thing, you know, and showed a lot of empathy towards me, and I just, I don't know, I thought I had this misguided sense of—I don't know what you'd call it—but, no, I didn't say anything.

The PIC described the effect of the sexual abuse at Brookway Park:

I really didn't know what was going on. I just thought I was getting my bum rubbed, but it stuffed me up for all my life. It is what I don't know that worries me.

A PIC born in the mid 1950s was placed in State care until the age of 18 by a court when he was aged nine after being charged with larceny and being destitute. He alleged he was sexually abused during placements at the Boys Reformatory, Magill, Brookway Park, Kumanka Boys Home and McNally Training Centre.

Records show the PIC was placed in a government institution, from which he frequently absconded and committed offences, resulting in a short placement at the reformatory, and then, aged 11, he was sent to Brookway Park, where he remained for 16 months. Records received from the department show he behaved poorly at school and in the home and continued to abscond. With some improvement, he was released to live with his mother when he was 13. However, he continued to truant from school and committed numerous offences, so was readmitted to Brookway Park for about nine months.

The PIC told the Inquiry he regularly absconded from Brookway Park because of sexual abuse by a staff member, which he alleged occurred during both of his placements at the home. The PIC said the abuse first occurred when he was 12 years old in the mid 1960s; Brookway Park had not been open long. He said: 'I woke up a couple of nights and there was an officer fondling me when I woke up. He said: "Just go back to sleep" and he'd walk off.' The PIC said the officer was touching his genitals. The alleged abuse occurred on nights when the officer was on duty.

The PIC did not report the alleged abuse: 'I thought I'd be safe by not saying anything'.

Another PIC was remanded by a court at Brookway Park for one week when he was 13, very soon after his father's death. He was then charged with truancy and placed in State care until the age of 15. He said he was anxious and unsettled after his father died.

He said of his time at Brookway Park:

I only stayed there for a little while, and I didn't like the place ... there was boys crying down the end and stuff, and there was older boys as well and they were picking on the younger ones and stuff and that. I knew I had a bed-wetting problem so I was a bit scared of that, plus my dad had only just died not long anyway, and I just wanted to go home.

He told the Inquiry he was sexually abused by a night officer wearing a white coat. He said he was in bed and the officer came in to comfort him:

He sort of, like, put his hands on my knee, on my leg, and then he was talking to me, telling me it was okay and this, 'I'll look after you. You'll be all right. You'll be going home soon,' and stuff.

The PIC said the officer, while masturbating himself at the same time, moved his hand down to his groin area, and when the PIC moved the hand away, the officer said, 'If you tell anyone this, you'll be in trouble and you'll be here for a

long time'. He said the abuse happened on three or four occasions, and also recalled that the officer tried to touch his penis while he was standing washing his pyjamas at the basin.

He said he did not eat while in the home and his weight dropped rapidly. He did not tell anyone about the abuse: 'No, no, I couldn't talk to no-one'.

In the early 1960s, when he was 12, an Aboriginal PIC was placed in State care by court order until the age of 18 as a result of stealing three pens; he said he had been with an older boy who had stolen some pens, so he had taken some too. His SWIC records that in the six months after this offence he mainly lived at Glandore Children's Home, where he alleged he was sexually abused. After committing other criminal offences, the PIC, aged 15, was placed in Brookway Park, where he said he was sexually abused.

He told the Inquiry he had been ill and had gone to the Brookway Park infirmary, where a staff member visited him: 'They got me face down and the other officer sat on my back and shoulders and [the officer] raped me'. He said he told the matron and his welfare worker of the incident but neither believed him and no action was taken. The department advised the Inquiry there were no medical records available for Brookway Park. The PIC's client file does not record any alleged incident.

The PIC said that for several years he had the same welfare worker, who visited him occasionally at home or in detention. His impression was the worker got on better with his parents than with him. He did not recall having discussions with the worker without other adults being present. He told the Inquiry that as a teenager he would have liked '... just someone to sit and listen to what's going on and do something about it, or at least try'.

Abuse by staff and other residents

The PICs who gave evidence to the Inquiry about sexual abuse perpetrated by staff members spoke of a sense of being drugged and of photos being taken.

One PIC told the Inquiry that before he was placed in State care in the mid 1960s when he was 10, his mother would take him and his siblings out of the home at night and walk the streets of Adelaide to avoid his stepfather's violence, hoping he would be asleep when they returned. He recalled other occasions at night when he and his siblings were left unsupervised while his mother worked and his stepfather was away. The children wandered the streets alone, looking for something to do. When he was 10, he was placed in State care by a court for a criminal offence until he turned 18. He told the Inquiry he was sexually abused at Brookway Park and then at McNally Training Centre.

The PIC was at Brookway Park for 11 months in the late 1960s when he was 11. He told the Inquiry he was taken from the dormitory at night by staff members and older boys to a hobby room. He alleged the older boys sexually abused him by forcing him to have oral and anal intercourse with them. He said the staff members took photographs and watched the sexual abuse; he recognised one of the men in the hobby room as a staff member from another home.

The PIC said he told his mother and aunt about the abuse several times. He recalled that his mother went to the Brookway Park office and spoke to staff about the allegations. The PIC's departmental records do not record his mother making an allegation of abuse. The PIC said he also spoke to one of the other boys who he thought had been abused at the same time at Brookway Park. This boy told the PIC to 'just keep it to ourselves, okay? Don't say nothing to anyone'.

Another PIC was placed in State care for a brief period after a court found him to be uncontrollable when he was 11. The order was extended a few weeks later after he committed a criminal offence and he was placed in State care until he turned 18. He spent the next four years in secure care, occasionally being released for holidays to his mother.

3

Chapter 3 Allegations of sexual abuse

He told the Inquiry that at Brookway Park unknown men abused him once a week for six weeks. The first time this happened: 'I got woken up by a staff member and he grabbed me and he said, "Come with me and don't make a sound or I'll throw you in the cells"'. The staff member asked an older boy to take the PIC to a storeroom, where two unidentified men were waiting, one with a camera. The PIC said a boy he did not know was already there, naked and lying under a blanket, 'all curled up in a corner. He didn't say a word. He was frightened.'" The two men ordered the PIC to take his clothes off and the older boy also took his clothes off. The men photographed the PIC in various sexual poses with, and being sexually abused by, the older boy and the boy in the corner. He told the Inquiry that one of the men anally raped him.

I remember I was screaming and they got—tied a knot in a rag and put it in my mouth and tied it around my neck, so I wouldn't scream out.

He said he returned to his bed and was 'sore all over'. The PIC alleged the abuse by the two men continued, with the same member of staff waking him. He did not report it because he did not know whom to trust. The men in the room threatened him: 'If you say anything we'll keep you here forever'. He told the Inquiry that one of the staff members heard him crying in his bed one night soon after the first incident and dragged him to the shower block, held him under the tap and whipped him with his belt until he dropped to the floor. 'I was always frightened there,' he said.

A PIC was 13 when placed in State care by a court order as a result of habitual truancy. Department records show he had an unsettled childhood and attended many different schools. When the PIC was 12 his mother approached the department, concerned that her son was constantly truanting from school. The PIC said he was often getting into fights at school and that his mother supported the decision to place him in State care because she felt she could not control him. He was placed in

Brookway Park in the mid 1970s. The PIC alleged he was sexually abused there and later at Kumanka Boys Hostel.

He told the Inquiry that when he was admitted to Brookway Park he was required to take a bath and a staff member photographed him naked.

One night he was taken out of the dormitory by men he believed were staff at the home and forced to have oral and anal sex with another boy while the men took photographs:

I was sort of pushed into the cubicle with the other kid and we were told basically what to do ... basically I was forced to have sex with the other person that was in the cubicle with me.

The PIC said this happened several times and on one occasion a member of staff raped him:

That went on—the fourth or fifth time I think it was when I was taken into the cubicle. There were no other boys there—there was just me there and I was told to get on my knees. I got on my knees and one of the men came up and I was forced to do oral sex on him and then I was told to turn around and they bent me over the bed.

The PIC said that on one occasion after the sexual abuse he was bleeding from the anus and reported his injuries: 'I talked to one of the staff members there and they just said it was probably haemorrhoids. "You were constipated and you've strained too hard."'

He told the Inquiry that after this he did not report the abuse:

You don't talk about things that happen. If the other kids find out and you get labelled 'faggot' you get the crap kicked out of you every day. It just goes on and on and on. You can't understand it unless you have been in the situation.

Records from the department do not reveal any allegations of sexual abuse or of a report by the PIC of anal bleeding.

In the late 1960s, at the age of nine, one PIC was placed in State care until he turned 18, after a court found he was uncontrolled. He was placed in various institutions and alleged he was sexually abused in Windana Remand Home, Brookway Park and McNally Training Centre.

According to his SWIC, in the early 1970s the PIC was first placed at Brookway Park. He absconded six times over four years: 'No-one ever sat me down to find out why I was running away'. He told the Inquiry he was sexually abused at Brookway Park by both staff and other boys, but was too embarrassed and ashamed to give further details to the Inquiry.

Abuse by other residents

One Aboriginal PIC said he was physically brutalised by his stepfather before being placed in State care. In the late 1960s, he was sentenced by a court for criminal offending and, aged 14, was placed in Brookway Park, where his SWIC records that he spent eight months.

He told the Inquiry he was attacked by an older, stronger boy at Brookway Park:

We were going in the morning to breakfast and I was always watching my backside for this (other boy) and I remember that morning. I had (the other boy) behind me and I had the officer at the door and he turned around and shut the door and let (the other boy) pull me into a cupboard where he raped me.

He said the incident left him bleeding from the anus and that the nurse applied ointment to him for four nights. He did not tell anyone about the abuse but was certain the staff were aware, given that his injuries were treated. He told the Inquiry this experience had alienated him from society throughout his life. He did not seek friends and said, 'I don't think I was ever happy. If I could have killed myself if I'd had the chance, I would have—long time ago'. The files provided by the department to the Inquiry did not

contain any Brookway Park medical records relating to the PIC.

An Aboriginal PIC told the Inquiry he was sexually abused by another boy at Brookway Park. He had been placed in State care as a baby in the late 1950s until the age of 18 after a court found he was neglected and under unfit guardianship.

He spent time at a government home in the late 1960s when he was 10. He told the Inquiry he was caned several times for being naughty. He also said he witnessed sexual abuse of younger boys by older boys, but did not experience it himself because he believed an older relative who was resident there protected him.

Aged 11, he was transferred to Brookway Park in the late 1960s after committing a criminal offence. He was there for one year, and returned a year later for a further nine months, absconding once. He described Brookway Park as a dangerous place:

We could have lit a fire in that dormitory and no officer would have come down. There were no alarms, no security, no bells, no nothing. You just relied on the officer doing his hourly duty, walking around and checking. That's all. We could have set a massive fire and killed people there ... There was no care, no duty of care.

He said older boys bullied the younger, weaker boys, particularly the Aboriginal boys, in the dormitories and in the shower block. Boys were forced to perform oral and anal intercourse.

The PIC said an older, stronger boy attacked him in his bed. He described being bashed in the face,

... and all of a sudden I knew I was being turned over and he just raped me then and there ... I couldn't yell out or nothing, he had my head in the pillow ... there were 30 people in that room and not one person got up to assist me or help me or said a word; they all covered under their blankets.

3

Chapter 3 Allegations of sexual abuse

The PIC said he did not report the incident: 'I couldn't ... they just didn't care'. He said he was never the same after that incident and wanted to commit suicide: 'Death was nothing to me in there, you know ... Then I became angrier and angrier'.

Some of the children were visited by family and friends. Each week, this PIC prepared for a visit but nobody turned up and he recalled that staff said to him, 'You're not getting a visit today, your family are not coming and they don't love you. That's why you're here.' He did not understand why he had been taken away from his family and was not told when he could return to them. He said he ran away in an attempt to return home. He was moved between various institutions until he was released from State care aged 18. His SWIC records that he absconded 22 times from placements while in State care.

In the mid 1960s, when he was 10, a PIC was placed in State care by a court until he turned 18 after committing a criminal offence. He lived at two other government institutions before being transferred to Brookway Park when he was 11 and a year later was placed with his mother. He also alleged he was sexually abused during a placement at Windana Remand Home.

He told the Inquiry that at Brookway Park one of the older boys

... used to con me to get into his bed, you know, like, sort of be friendly to me. Then he would just rape me. It went on frequently ... about three or four times a week ... these kids are going to bash you if you don't do what they say, and you can't go anywhere to get away from it.

He described how the sexual abuse increased over time, and

... after a while it wasn't just him, it was other kids, and it wasn't just at night. We used to have a toilet block at the parade ground. So the kids would get me in there and sort of make me go down on them.

The PIC was unsure whether staff were aware of this alleged abuse; he recalled he did not want any other residents to know what was happening.

Abuse by outsiders

In the mid 1960s a four-year-old PIC was first placed in State care by court order until he turned 18, after being found to be neglected and under unfit guardianship. He alleged he was sexually abused while placed in the family home. He was released from State care at 10, but four years later a court found he was uncontrolled and placed him in care until the age of 18.

The PIC's SWIC records that he then spent almost a year at Brookway Park. He told the Inquiry that while he was there, his employer sexually abused him over many years: 'When he was driving a truck he asked me, "Can you do my zip? Can you do my zip and start pulling my dick?"' The employer threatened that he would pay to have him killed if he refused. The PIC said he did as he was asked because he felt he had no choice. This sexual abuse continued for many years, he said, and he felt powerless to stop it, even as an adult:

He keep calling me back all the time, you know, because he couldn't get somebody else to work for him. So he keep calling me back, but I didn't want to go back because of sexual assault. And he even says to me, 'Can you let me grease your arse? Can I have sex with you?' ... I said to him, 'No, no, no, no.'

He did not report the abuse because 'I know he probably would get somebody to kill me. He'd probably kill me himself.'

A PIC was placed in State care when he was 12 when a court found he was uncontrolled. Department records show that before being placed in State care he spent time in the Salvation Army Boys Home (Eden Park), where he alleged that he was sexually abused. He also alleged he was sexually abused while in State care at Brookway Park and Lochiel Park Boys Training Centre.

According to department records, the PIC was placed at Brookway Park for a few weeks when he was 12. He told the Inquiry that while there, the staff released him to his father's care for weekends and his father had anal intercourse with him in the car.

This PIC said that during a later placement he told his social worker about the abuse and that she made a note of it, but nothing was done. Departmental files relating to the PIC record visits to his father but no allegations of sexual abuse. The PIC alleged the sexual abuse by his father continued in his next placement in Lochiel Park.

Secure care for girls

Vaughan House, 1947–79

History

Vaughan House opened on the site of the former Barton Vale School, a reformatory operated by the Salvation Army between 1922 and 1947 under the control of the State Government. During the 1940s the CWPRB became concerned about the ‘unruly conduct’ of girls at Barton Vale.⁹⁷ During this period there was a move to bring the operation of private, denominational institutions under government control. The Salvation Army closed Barton Vale in 1947 and the government bought the property, reopening it as Vaughan House to mark an ‘entirely fresh start’ in the secure care of girls.⁹⁸

As well as the usual education curriculum, the residents at Vaughan House were taught housework, cooking, dressmaking, music appreciation, dance, physical education and handicrafts. In its first year, the reformatory had 13 residents between the ages of 14 and 20. By 1960 the number had increased to between 40 and 50 girls, prompting the construction of a new building to increase capacity to 72.⁹⁹

Building additions in two stages were completed by

1965.¹⁰⁰ However, the pressure for additional space continued because of the greater numbers of children being committed for offences. At the beginning of the 1960s, Vaughan House was still the departmental reformatory for girls who had been committed to a reformatory by a court.

By the 1960s Vaughan House was providing more vocational education. The institution provided a ‘commercial education’ and a ‘basic education’ to each girl.¹⁰¹ Residents were allowed to receive certain visitors, such as family, friends and members of church and sporting groups. Towards the end of a resident’s time in the institution before her release on probation, frequent ‘trust outings’ were permitted.¹⁰² By the end of the 1960s, probation officers visited Vaughan House regularly and assisted staff to prepare residents for their release.¹⁰³ Probation officers were expected to inform the department of any problems.

In the late 1960s Vaughan House underwent a change in direction. During 1969–70 differential treatment assessment procedures were implemented to identify each girl’s needs and assign an appropriate treatment and training program. A review board met regularly to re-interview residents, re-evaluate their programs and goals, and recommend release dates. The emphasis was on preparing residents for their eventual return to the community.¹⁰⁴ Probation officers were appointed to provide individual and group counselling and to facilitate closer links between staff and residents.¹⁰⁵ Psychologists also visited Vaughan House regularly.¹⁰⁶

The revised system of individual assessment and programming was not an unqualified success. In August

⁹⁷ SRSA GRG 29/124, vol. 15, CWPRB minutes (minute 1002), 26 Sep. 1946.

⁹⁸ SRSA GRG 29/6/1947/557, Establishment of a new reformatory for girls.

⁹⁹ FYOW, s. 4, p. 66.

¹⁰⁰ CWPRB annual report 1965, pp. 3, 14.

¹⁰¹ FYOW, s. 4, p. 66; CWPRB annual report 1961, p. 12.

¹⁰² CWPRB annual report 1961, p. 12.

¹⁰³ See, for example, DSW annual report 1969, p.16, and 1970, p.17.

¹⁰⁴ DSW, ‘Memo to heads of branches and institution and district officers re methods and procedures for the operation of Vaughan House, assessment procedures’, 6 Apr. 1970. A copy of the Vaughan House Assessment Schedule is attached to this file.

¹⁰⁵ DSW annual report 1970, p. 3.

¹⁰⁶ DSWAA annual report 1971, p. 11–12.

3

Chapter 3 Allegations of sexual abuse

1972 a series of incidents at Vaughan House was reported in the media when residents attacked staff members.¹⁰⁷ Staff arranged for a psychiatrist from Mental Health Services to visit the residents involved.¹⁰⁸ A report from the director-general of Community Welfare to the Minister stated that smaller group care was preferential in the treatment of residents at Vaughan House, as some were 'severely emotionally disturbed.' The report prioritised the need for 'establishing better communication and better relationships with girls as a control measure rather than requiring staff to exercise control by keeping girls in small confined areas'.¹⁰⁹

In 1972, the institution was modified in line with changing philosophies of secure care. A belief prevailed that the establishment of separate units in Vaughan House, each with varying functions, would help promote stability.¹¹⁰ During early 1973 Vaughan House was remodelled to provide unit style accommodation including two assessment units—one catering specifically for recurrent offenders. Three other units were for training, pre-release and one for girls who were deemed to have a 'low commitment to delinquent behaviour' or were not an absconding risk.¹¹¹ In June 1973, 11 girls on remand at Windana were moved into new remand and assessment units at Vaughan House. Windana continued as a remand home for boys only.¹¹² The new focus was on treating each resident as an individual and the long-term goal was to prepare residents for their return to the community. Probation officers were appointed to provide counselling and pre-release assistance.

In 1979, the State Government renamed Vaughan House the South Australian Youth Remand and Assessment Centre [SAYRAC].

Allegations of sexual abuse

Sixteen women gave evidence to the Inquiry that they were sexually abused while in State care and placed in Vaughan

House. They alleged sexual abuse by staff members, including by the institution's doctor (a visiting professional sanctioned by the home), by other residents, and by people from outside Vaughan House. The sexual abuse included gross indecency, indecent assault including masturbation, digital penetration and rape.

Abuse by multiple perpetrators

A 14-year-old girl was placed in State care in the mid 1970s after a court found her to be uncontrollable. She was placed at Vaughan House for about a year when she was almost 15, during which time she alleged that a staff member sexually abused her. Her memories of Vaughan House are 'just sadness'. She described being locked in her room each night:

You had to put your bedspread outside the door when you go to bed at night, and that way the staff knows that there's a girl in that room. There's bars on your window and your beds were bolted to the ground, metal bed, metal cupboard, that's all you had, all bolted. And there's a bell to press if you need to go to the toilet or something like that, and if you're lucky you're allowed. The radio would come on from downstairs for about 20 minutes, and that's all.

The PIC said one of the male staff members entered her bedroom and, after placing his hand over her mouth,

I remember getting raped by the male staff and there was blood everywhere on my sheets and all that, and it hurt, and I wasn't allowed to say anything or tell anyone because they'd just flush your head in the toilet, and you'd just keep getting punished ... Because you're government property, they can do whatever they want, but you can't tell no-one because if you tell someone, you still get more punishment, no matter what.

¹⁰⁷ GRG29/6 file no 12/1/18, Vaughan House – matters raised re incidents, *The Advertiser*, 'Staff assaulted at girls' reformatory', 10 Aug. 1972.

¹⁰⁸ *ibid.*, 'Report regarding matters raised in the Press regarding staff and incidents at Vaughan House', from the DCW director-general to the Minister, 11 Aug. 1972.

¹⁰⁹ *ibid.*

¹¹⁰ *ibid.*, Hansard extract 17 Aug. 1972.

¹¹¹ DCW annual reports 1972, p. 20, and 1973, p. 19.

¹¹² SRSA GRG 29/6, file no. 12/1/28, 'Transfer of girls from Windana to Vaughan House', letters dated 14 June 1973.

She said that this abuse occurred once or twice a week throughout her year at Vaughan House. The PIC said two other male staff members also raped her. On one occasion, two of the men attacked her when she went to have a shower and forced a broomstick into her 'private parts'. She said she was forced to take medication before she went to bed and would awaken 'very uncomfortable and knowing I'd been raped'.

She told the Inquiry that after absconding from Vaughan House she was picked up in Hindley Street by the police. She alleged they told her that 'I was government property and that they could make me do what they wanted me to do'. She said that she was forced to perform oral sex on them. They then delivered her to a police station where she made a complaint. She was not believed and was returned to Vaughan House. The Inquiry asked the police for any records of the complaint made by the PIC but was advised that any records have been 'culled' and there are no records to disclose.

The PIC also alleged she was sexually abused by a staff member while living at Elizabeth Grace Hostel, which was an annexe of Vaughan House. She said she is not clear about the date and that the department records are incorrect about her placements and when she was in each. She said that a senior staff member at the hostel would take her into his office, show her pornographic magazines and then touch her under her clothing. He raped her several times in his office, the dormitory and an unused dormitory. 'I never told anyone because I knew that we were classified as troublemakers and no-one would believe us.'

As an adult she said she still thinks about the sexual abuse and doesn't understand why it happened.

Was I a bad girl? ... No-one has the right to touch you, but what was it about me? ... I still feel like people will think that I am a slut if I tell them what happened to me. I feel like I have the word 'slut' tattooed on my forehead.

In the mid 1970s a 14-year-old girl was charged with being neglected and destitute and placed in State care until the age of 18 years. She told the Inquiry that her father had sexually abused her before the court order. She alleged sexual abuse at Vaughan House, in an earlier placement at Stirling Cottage and a later boarding arrangement. She also said she was raped while a runaway from Vaughan House.

According to her SWIC, the PIC was placed at Vaughan House for stints of two weeks and six months when she was 14. She told the Inquiry that on admission the institution's doctor gave her an internal medical examination. She said she told him there was no need, but he went ahead. She said she was naked and no-one else was present. 'You got your breasts checked, your body checked, you had an internal examination.' She said this was repeated each time she transferred between the institution's three units or was returned after absconding.

The PIC also alleged a male staff member sexually abused her while she was physically restrained. She said he would use his knees to pin residents and 'out of the blue, he would get your arm and put it up your back'. He once removed his knee from her back and lay on top of her, rubbing his groin against her. Later that night, he came to her room and warned her: 'I hope you're going to behave yourself tomorrow. I hope you're going to be good tomorrow.'

The PIC told the Inquiry she was raped after she absconded from Vaughan House. Departmental records confirm that she ran away when a Vaughan House worker arrived to collect her from her mother's house, where she had been on leave. While she was on the streets an adolescent male came to her defence when other girls threatened her. He told her, 'Now you're with me' and that she 'owed' him.

She said the young man took her to a nearby hostel and raped her. The PIC told the Inquiry she left as soon as she could and 'never told nothing to a soul'. She gave the reason as being

3

Chapter 3 Allegations of sexual abuse

... scared I'd be killed because apparently this person ... had such a reputation of being quite a nasty person and raping women and getting away with it.

She also said that he seemed very familiar with 'ward of the State shelters and homes'.

Vaughan House records show police returned her to the home and her behaviour was monitored. The alleged perpetrator visited her at Vaughan House and gave her a gift, which the records show was discussed by staff. She said she was very apprehensive and made it clear 'I didn't want to see him at all'.

A woman told the Inquiry that before being placed in State care in the early 1970s she often had run away from home to escape her father's physical abuse. She initially was placed in State care after her mother signed a voluntary custody agreement. Within a year, when she was 13, a court placed her in State care until she turned 18 for being uncontrolled. She told the Inquiry she was sexually abused at Vaughan House and later in foster care.

She alleged that the doctor who visited Vaughan House gave her regular medical check-ups and digitally penetrated her. 'He would fool around, you know, up your vagina.'

She also alleged that a male staff member gave her injections that made her drowsy or caused her to lose consciousness and then he sexually abused her. She said she described to a female staff member how he injected her, grabbed her from behind and held her breasts. She said he placed her in solitary confinement and threatened her when he found out:

He hit me and he said, 'Don't you ever, ever go and tell workers that I've been grabbing you by the breasts again, because no-one's gonna believe you. You're not to talk to any women.'

She said that he then raped her in the solitary confinement cabin. She told the Inquiry that he continued to rape her two or three times a week and sometimes two or three times a day, and would force her to perform oral sex on him. She did not make any further allegations for fear he would carry out a threat to kill her.

She told the Inquiry that the same staff member arranged for the doctor to examine her when she missed her menstrual period. The doctor confirmed a pregnancy and gave her pills to cause an abortion. The staff member threatened that if she did not take the medication, the visiting doctor would give her an injection that would have the same effect. She said that after she aborted, the doctor gave her what she believes were iron tablets. Department files do not mention a pregnancy or abortion.

Her SWIC records that she absconded from Vaughan House 39 times in three years and often lived on the streets. 'Of course I was frightened, but it was better than being in Vaughan House. Anywhere was better than being in there.' She told the Inquiry that the police regularly returned her to Vaughan House. She said that on three separate occasions she was sexually abused by young police officers who forced her to perform oral sex on them. 'I told them I did not want to do it and they said "Well, you'll have to do it".'

She gave birth when aged 16. Department records show the child was placed in foster care. The PIC told the Inquiry that she later spent time living on the streets as a young woman and did not see much of her children. 'I've failed them, I suppose, like the system failed me. I didn't know any better.'

An 11-year-old girl was placed in State care in the early 1970s after a court found her to be neglected. She told the Inquiry that before this she was sexually abused by a man who visited her mother when she was six or seven. Her SWIC records she had three placements before, aged 12, being committed to Vaughan House where she lived at various times until she turned 18.

She told the Inquiry that an adult male relative of a Vaughan House staff member sexually abused her during a visit to the staff member's home. She alleged that the staff member left her alone with his relative, who chased her and forced her to perform oral sex on him. She remembers 'fighting, but you're still choking and you're fighting; then you choke and then you're not there'.

She said she complained of the abuse to another staff member and was no longer permitted to associate with the first staff member.

She also told the Inquiry that she was forced to masturbate an older girl at Vaughan House. She claimed that the staff knew about the abuse and that she told the man in charge of the institution, but nothing was done.

There is no record of weekend leave with a staff member nor allegations of sexual abuse by the PIC in department records provided to the Inquiry. They do record that she was admitted to hospital several times with psychiatric issues and that there were questions as to whether Vaughan House was suitable for her.

Abuse by staff

An 11-year-old girl was placed in State care in the 1960s when a court found her to be neglected, illegitimate and destitute. She spent time in various foster placements and said she was happy in one of them, but her alcoholic mother had a habit of tracking her down and causing trouble. When the PIC was 16, she returned home at her mother's request, but ran away soon after. As a result, she was remanded to Vaughan House for 'safekeeping' until her 18th birthday.

The PIC alleged that the doctor who regularly visited Vaughan House sexually abused her. She told the Inquiry that all the residents 'had to be thoroughly checked out ... internally, whether you were a virgin or not, so it was pretty invasive'. She said that he conducted the medical examinations alone, in the surgery at Vaughan House. She was required to completely undress and lie on a bench with her legs open. She alleged that the doctor touched her breasts and digitally penetrated her while he stood close to the bench, rubbing himself against it. She did not report the sexual abuse because 'I thought he was a doctor so he must have known what he was doing'.

Another 11-year-old girl was placed in State care in the mid 1960s after a court found that she was neglected and under unfit guardianship. She told the Inquiry that she was sexually abused while in foster care and during a later placement at Vaughan House.

According to her SWIC, the PIC was placed at Vaughan House for almost a year in the early 1970s after she committed a criminal offence at the age of 13. She told the Inquiry that she saw the visiting doctor after experiencing leg pain. She claimed that he gave her an internal examination:

I couldn't understand why he wanted me to strip down and get on the bed. I just wanted something to stop the aches and the pains. It was like ... when you are pregnant and things like that—you know, giving you an internal. ... There was no need for it ... it made me feel real grubby ... you'd have to go for a shower because you felt creepy. It wasn't just an examination, you could see he was, yes, getting off on it.

She said she did not tell anyone about the abuse, although the girls talked among themselves about the doctor's behaviour. 'I didn't make a big deal out of it because you're in Vaughan House and who's going to care?'

In the late 1960s, a 15-year-old girl was placed in State care until she turned 18 after a court found her to be uncontrolled. At 14 she had been placed in temporary State care under a voluntary custody order signed by her mother. She told the Inquiry that her stepfather had sexually abused her before this, but her mother did not believe her. She alleged that while in State care she was sexually abused at Vaughan House and in foster care.

She said that at Vaughan House a laundry worker

... asked me to come to the toilets with him. He was very, very friendly and asked me to fondle him and as a child I did. ... He had his penis out and he just asked me to fondle it and touch him.

She did not report the sexual abuse to anyone because 'you didn't dare open your mouth in them days, you know, because you were put down and you were told that you were a liar'.

The PIC also told the Inquiry that it was common practice for the girls to be given an internal medical examination upon admission and readmission to Vaughan House.

3

Chapter 3 Allegations of sexual abuse

She described this as ‘very painful and uncomfortable’. She said she wondered ‘why they’re doing things like that to you, when you know that you haven’t been sexually active’.

In the early 1970s a 13-year-old girl was placed in State care when a court found that she was uncontrolled. She told the Inquiry that she often ran away from home to escape alcohol-related violence in the family. After various placements she was charged with a criminal offence and committed to Vaughan House. According to her SWIC she spent almost seven months there and absconded twice.

The PIC told the Inquiry that a male staff member would sexually abuse her by telling her to put her hand in his pocket to get lollies or cigarettes. His pockets would be empty but he would push her hand ‘through the holes in his pocket’ on to his genitals, forcing her to fondle him. She said she tried to report the abuse to a female staff member by telling her that he was ‘a dirty old man’. She was locked in solitary confinement for speaking in that way about a staff member.

She said that the same male staff member picked her up after she spent a weekend with her mother, pulled the car over while driving back to Vaughan House and tried to force her to perform oral sex on him. She said she didn’t want to and vomited on him. On returning to the home, she said, he made her wait at the front door until it was opened. She wet her pants while waiting. When she was eventually let in, she called the staff member names, and was locked up in a cabin as punishment.

The PIC told the Inquiry she was abused by another male staff member at Vaughan House. She believes he gave her an injection that caused her to black out for 72 hours. She believes she was raped while unconscious and said the staff member concerned was well known for giving the girls injections that caused them to black out.

She also told the Inquiry that the visiting doctor gave her an internal examination on three occasions. She said that it did not matter what illness the girls appeared to have, the doctor always conducted an internal examination while staff waited outside.

A 14-year-old girl was placed in State care until the age of 18 by court order as a result of criminal offences in the early 1970s. She told the Inquiry that before being placed in State care she was sexually abused by a family member and was beaten regularly by her stepfather. She recalled that after a teacher asked about her bruises, departmental workers spoke with her mother and stepfather at her home. Her mother committed her to an institution under a voluntary custody agreement, but she absconded. She then had various placements including Vaughan House, where she alleged she was sexually abused during her year-long stay.

She told the Inquiry she would hide her sheets when she wet the bed because the staff at Vaughan House would rub her nose in them. She also recalled spending a lot of time locked in the isolation cabins as punishment and claimed that when the girls misbehaved they were given injections to calm them down.

She alleged that a male staff member sexually abused her:

He used to come up and say, ‘Would you like a lolly?’ and you’d say, ‘Yes, I’ll have a lolly’. He’d say ‘Put your hand in my pocket’. A lot of times there wasn’t a lolly in his pocket.

She also told the Inquiry that while visiting her family home for a weekend she had a confrontation with an abusing family member and threatened to tell the police if he touched her again. She said that on her return to Vaughan House she was locked in her room for bad behaviour. She recalled smashing the window, cutting her wrist and being taken to a local doctor, who put 18 stitches in the cut. When she returned she was told to clean up the blood in her room. She refused and was again placed in solitary confinement.

The PIC also alleged that the visiting doctor sexually abused her:

You’d go to him, like, if you weren’t feeling well and you’d say, ‘I’ve got a headache’. The next thing you know he’d have you up on the bed and be giving you an internal.

She did not report any of the sexual abuse because ‘we weren’t allowed to question anything. If we questioned things and didn’t like it, we’d get punished’.

Aged 16, the PIC was released from Vaughan House into the care of a male who had been taking her out and by whom she was pregnant. She lived with him for a couple of years before the relationship broke down.

Another PIC who alleged sexual abuse by a doctor at Vaughan House was placed in State care after being found by a court to be in moral danger and uncontrollable at 15. She told the Inquiry a relative had sexually abused her before she was placed in State care.

She said that while at Vaughan House she was sent to have regular medical examinations. The doctor would give her tablets, examine her breasts and give her an internal examination. She said that on one occasion he performed an anal examination, saying that if he had to do it again he would give her an injection for the pain.

She did not report the abuse to anyone:

It was embarrassing, you know. I didn't know if he was doing it with other girls or, you know, giving them internals or that, and I was embarrassed by it so I never ever said nothing.

This PIC had two children before she was released from State care at 18.

A 16-year-old girl was placed in State care until the age of 18 for committing criminal offences in the mid 1970s. She told the Inquiry she had been sexually abused by her father before being placed in State care and had started stealing ‘silly things like shoes and clothing’ when she was 14. She alleged she was also sexually abused during a six-week placement at Vaughan House.

She told the Inquiry she was regularly examined by the doctor at Vaughan House, who

... would ask you to undress and he said, ‘I need to examine you’, and he’d lie you down on the examination bed and then he’d start pressing around your tummy area and that and slowly work his way around.

She said he digitally penetrated her while ‘he would rub himself with his other hand through his pocket’.

Abuse by staff and other residents

In the 1960s a court found a 17-year-old girl to be uncontrolled and placed her in State care. She told the Inquiry she had frequently run away from home because her father was violent. According to her SWIC she lived at Vaughan House for almost a year. She alleged that a doctor at the institution sexually abused her on several occasions. She claimed he forced her to undergo medical examinations that seemed unnecessary and intrusive and that he touched her inappropriately. She said: ‘I certainly didn’t tell my parents and I certainly [didn’t] tell any of the staff’.

She also told the Inquiry that two other female residents sexually abused her. She said that while they were in the shower one girl grabbed her around the throat while the other girl fondled her. She did not report this abuse because

... back then it was very hard to tell on someone ... Because one, would you have been believed; two, was you just trying to cause trouble; and three, you’re only a welfare kid.

Abuse by other residents

In the mid 1940s an Aboriginal girl aged about four was placed in State care until she turned 18. A court had found her to be neglected and under unfit guardianship. The PIC alleged that a neighbour sexually assaulted her during a decade-long placement with a foster mother. She was placed at Vaughan House in the 1950s following a charge of being uncontrolled.

She recalled her first night at Vaughan House:

A couple of girls attacked me and I wondered what on earth was going on, because they had girlfriends and they wanted me to be their girlfriend. I went absolutely berserk. I was screaming and crying and so they came and got me and put me down in the cell. I was there for four days in the cell. I had no bed, the floor was the bed, and a bucket.

3

Chapter 3 Allegations of sexual abuse

She said she did not report the attempted sexual abuse and was not given an opportunity to explain why she was so upset. As an adult, she said, she has 'tried to block out a lot of those days'.

A 13-year-old girl was placed in State care until the age of 18 when a court found she was neglected and under unfit guardianship in the 1960s. She told the Inquiry that before being placed in State care she had been sexually and physically abused by a man known to her family. She also alleged she was sexually abused while placed at Vaughan House, Seaforth Home and in foster care.

The PIC was transferred to Vaughan House from Seaforth at the age of 14 for misconduct. She told the Inquiry that during her two-year placement she was sexually abused by two older girls who had been assigned to her as mentors and who had assumed total control over her. One or other of the girls would get into her bed at night and '... they used to sort of have sex with you with their hand'. She recalled that this occurred 'pretty well every night' and she believed 'the matron and other staff knew it went on'. The girls would stay in her bed all night unless staff caught them. When they were caught, staff would place her, rather than the older girls, in a solitary confinement cell, which she described as a bare room with 'not a thing in it, no beds, no blankets'. She also recalled being punished on one occasion by being made to stand at the foot of the bed of two female staff members while they had sex.

The PIC said that although her departmental worker visited Vaughan House, she did not report the abuse and does not know why. She considered telling a church worker, but thought she would just be told to 'read your Bible and you'll never go wrong'.

A seven-year-old girl was placed in State care in the 1960s after a court charged her with being neglected and under unfit guardianship. She told the Inquiry she was sexually abused by a family member before being placed in State care and that she was sexually abused while in State care in a foster placement and then at Vaughan House.

Her SWIC records that she was committed to Vaughan House in the early 1970s, when she was 13, after several placements in institutions and foster homes. Over the next two years she absconded from Vaughan House four times. She told the Inquiry an older girl sexually abused her at Vaughan House, and described the sexual assault as 'being educated' by that girl:

I found that a lot of girls that came from there [Vaughan House] in the later years—even from Windana [Remand Home] and Seaforth [Home]—ended up being either prostitutes or lesbian, or dead.

She said she didn't tell anyone about the abuse because she felt as though she didn't have 'a voice as a child' and she was under the control of people who 'get to do whatever they want to do with you, and you don't have a say of anything'.

The PIC said that as a teenager she absconded from care facilities and foster homes and became involved in prostitution. She had a child at 17, while living in a foster placement. She told the Inquiry she had been unable to care for her young child due to her involvement in the drug scene:

I thought I just couldn't live off of love and that I want to do the best thing for her so I gave [her daughter] to the care of the welfare.

She said her daughter committed suicide in her teens.

Abuse after absconding

A 12-year-old girl was placed in State care in the early 1970s by court order because she was neglected and under unfit guardianship. She told the Inquiry she was sexually abused while placed at Vaughan House and in foster care.

Her SWIC records that she was placed at Vaughan House for 'safekeeping' when she was 14. Her SWIC records that one month after being placed in a cottage home at Vaughan House, she absconded. The next record is three years later: 'Released term expired'. The PIC told the

Inquiry that, while a runaway, she was sexually abused by an older man, with whom she travelled interstate.

She said she became pregnant to the older man when she was 15 and living interstate. She said he physically abused her, causing her to miscarry. When she was admitted to hospital, he insisted that she give a false age to hide the fact that she was only 15. She said she became pregnant to him again and that he continued to sexually and physically abuse her. When she threatened to leave, the man told her, 'Go on, leave. You'll go in a home.' She said she left him when she was 18 and returned to South Australia, pregnant and with her surviving child. 'I knew [the department] couldn't put me in a home then.'

Departmental records confirm the PIC had no contact with the department after absconding at 15 with an adult male.

Secure care for boys and girls

Windana Remand Home, 1965–75

History

Windana Remand Home, which took its name from an Aboriginal word meaning 'which way', operated from 1965 until 1975 on the grounds of the Glandore Boys Home. It provided a secure institution for children arrested by police and on remand, waiting to appear before the Juvenile Court. Windana also provided temporary accommodation for State children being transferred between institutions or foster care placements. Occasionally children were housed there for 'safekeeping'.¹¹³

Windana could accommodate up to 108 children aged from two to 18. Most children stayed for up to three weeks. Residents' care and accommodation needs were assessed before they were transferred to other forms of care.

Reports on each child were issued; the standard report on the child's time at Windana listed, under personal habits, 'Homosexuality—present, absent, not known'. Also listed under 'group participation' and 'relationship with younger children' were 'standing over and bullying', suggesting that staff were required to assess the possibility of children being perpetrators of abuse on other children.¹¹⁴ Windana also had a school, which was run by a teacher from the Education Department. Children received religious instruction from visiting clergy and their recreation included sport, craftwork and hobbies. Parents and relatives were allowed to visit with the department's permission.¹¹⁵

Children admitted to Windana were interviewed by a senior officer and a social worker, and examined by a medical officer, usually within 72 hours of admittance. The institution's operating procedures did not explicitly address sexual abuse but provision was made for the reporting of 'significant incidents' in an 'incident book'.¹¹⁶

In 1965 the deputy superintendent of Windana resigned after less than one year. He listed several problems, including staff shortages, and charged that the wide age range of boys, nine to 16 years, meant that: 'The older boys have had direct influence homosexually on the younger boys'.¹¹⁷

According to a 1966 annual report, despite the intention to separate children committed for different reasons: 'The section for delinquent boys was consistently full or almost so throughout the year and it was necessary to accommodate many younger boys in the neglected boys section'.¹¹⁸ The department also reported that 'occasionally children are accommodated for longer periods but this is considered to be undesirable'.¹¹⁹ During 1968–69 the institution was extended to provide more space for juvenile male offenders, but this did not solve the overcrowding problem.

¹¹³ FYOW, s. 4, p. 70.

¹¹⁴ DFC, Library, 1966, DSWAA Methods committee, 'Methods and procedures for the operation of Windana Remand Home', 1971, appendices.

¹¹⁵ FYOW, s. 4, p. 70.

¹¹⁶ DSWAA Methods committee, 'Methods and procedures for the operation of Windana Remand Home', 1971.

¹¹⁷ SRSA GRG 29/6 File no. 1/1964, Staff establishment – junior boys reformatory.

¹¹⁸ DSW annual report 1966, p. 13.

¹¹⁹ *ibid.*, 1968, p. 16.

3

Chapter 3 Allegations of sexual abuse

In 1972, Windana became a remand and residential assessment centre for boys only. Girls on remand were sent to Vaughan House for assessment and neglected girls were cared for in the Glandore Family and Reception Cottage.¹²⁰

In December 1972 a memorandum, 'The operation and use of restrictions as a control measure', was sent to supervisors of remand and training centres. It directed all residential care staff to keep in mind that rewards and working with young people was often more effective than dictating and punishing. It set out the acceptable restrictions to be imposed on children, which included verbal reprimands, a report on the child's file, forfeiture of privileges, 'standing out' for 15 minutes, or detention.¹²¹ The latter — detention in a confinement cabin for up to eight hours — was the most serious punishment at Windana and could be imposed only by the superintendent. The main residential care worker checked the restrictions each day to ensure they were 'consistent and just'.

A former staff member who gave general evidence to the Inquiry recalled that Windana was 'a lock-up place and it was managed in that kind of environment ... very disciplined, very strong controls over kids'.

Windana closed in June 1975 when changes to assessment procedures reduced the time spent on remand. The residential assessment process later took place at Brookway Park and the McNally Training Centre.

Allegations of sexual abuse

Fourteen people gave evidence to the Inquiry that they were sexually abused while in State care at Windana. The sexual abuse, which was allegedly perpetrated by staff members and other older residents, included indecent assault, digital penetration, and oral, anal and vaginal rape.

Abuse by multiple perpetrators

In the late 1960s a 10-year-old girl was placed in State care until the age of 18, when a court found her to be neglected and under unfit guardianship after the death of

her father. She told the Inquiry her mother was an alcoholic. According to her SWIC she spent two months at Windana and then went on to other placements, including foster care. She alleged she was sexually abused at Windana and in a foster care placement.

The PIC told the Inquiry that two Windana residents, a boy and a girl, attacked her in the toilet block while a man stood watching by the door. She recalled that one of the children held her down on the floor while the other vaginally penetrated her with an object. She said the man did not help her. After the attack, she remembered waking up one night, screaming, to find staff members sitting on her bed, including the man who had watched the attack. She did not know who the man was and could not say whether he was a member of staff. She said she suffered recurring nightmares and recalled 'waking up and screaming, in like, a trance' and feeling 'petrified, absolutely petrified. I couldn't understand why the hell I was there.' She could not recall telling anybody about the abuse.

In the early 1960s a seven-year-old boy was placed in State care until the age of 18, having been found by a court to be neglected and under unfit guardianship. He told the Inquiry his father was violent towards him before he was placed in State care. He alleged he was sexually abused at Windana and Glandore Children's Home.

According to his SWIC, he spent three months at Windana when he was 15 for an offence. He told the Inquiry a male officer sexually assaulted him every night by touching his genitals. The PIC said that when he resisted the officer physically assaulted him.

He also told the Inquiry he was sexually abused by one of the medical staff when he accompanied the man out of Adelaide for treatment. He alleged the man drugged him on the journey back to Adelaide and he woke to find the man anally raping him. He said he was too frightened to tell anyone.

¹²⁰ FYOW, s. 4, p. 70.

¹²¹ SRSa GRG 29/6, file no. 6/65/65, DCW, 'Complaints, criticisms: administration of Brookway Park.'

The PIC told the Inquiry that in later years his behaviour became increasingly sexualised and he became involved in prostitution:

After a while being involved in this environment, because I had no love, you think in the long run that the sex part of it is love, so therefore it becomes a way of life and you don't know any difference.

Abuse by staff

In the early 1970s a 14-year-old girl was placed on remand for three weeks at Windana and then into State care until the age of 18, after committing a criminal offence. She told the Inquiry her brother had sexually abused her before she was placed in State care. She alleged she also was sexually abused at Windana, Vaughan House and while living on the streets.

She said there was considerable racial tension at Windana between the white and indigenous girls:

Instead of locking up the Aboriginals, [staff] locked up the white girls because they had more cells for the white girls. I remember in Windana as being locked up a lot in the cells. We weren't allowed out with the Aboriginals because they used to beat us up.

She alleged a female staff member sexually abused her while she was locked in isolation. She said:

She once gave me a head job and she used to play with my breasts. If I let her touch me I was all right. I got, like, privileges. If I didn't let her touch me and I used to get upset and cry about it, then I used to get in trouble. She used to hit you really bad and hurt you. She ripped all my earrings out of my ears one day.

In the late 1960s a 14-year old girl was placed on remand by court order after committing criminal offences. One month later the court ordered she be placed in State care until the age of 18. She alleged that while in State care she

was sexually abused at Windana, Davenport House, in foster care and in the family home. The PIC told the Inquiry that before going into care she had often ran away from home. She said her father was 'a practising alcoholic' who often beat her, and her mother instructed her to say she had fallen into a rose bush if anyone at school asked about the bruises.

The PIC's SWIC shows she absconded two weeks after arriving at Windana. She told the Inquiry she was apprehended and put into solitary confinement for a week, and that an officer told her 'they were going to break me if it was the last thing they did'. She also spoke about a partial memory of 'nightly visits by an officer' while she was in bed in the dormitory. She said that although she blanked most of it out, the memory still causes her fear. She said she suppressed a lot of other memories of being abused at Windana, which only recently have started to surface.

The PIC also told the Inquiry that two staff members, one male and one female, regularly strip-searched her after cleaning up from dinner. She recalled being digitally searched both anally and vaginally:

One day I asked why they did that all the time, and the female ... just laughed and said, 'Oh, well, you know, you might be hiding spoons in there'.

In the mid 1960s, a 13-year-old boy was placed in State care until the age of 18 after a court found he was neglected and under unfit guardianship. He said his mother had left him and his siblings alone for several days without money or food while she went out of town. His SWIC records that he spent three weeks at Windana before being placed at another institution.

He described physical punishments at Windana that included 'cold showers', 'running around in the nude in the exercise yard' and what was described by many PICs as 'duckwalking' which involved 'walking up the corridor ... squatting and hanging on to your ankles. Just keeping going up and down until you cried with burning pain.'

3

Chapter 3 Allegations of sexual abuse

He told the Inquiry that one of the staff members regularly sat on his bed at night. The PIC said the man would place his hand under the bedcovers and masturbate him. He said the staff member also forced the PIC to masturbate him. If he resisted, the man would tighten his grip on the PIC's wrists and threaten to put him in the cold shower if he did not do as he was told. The PIC said the staff member would pick boys randomly in the dormitory each night to repeat this abuse.

He told the Inquiry that as a result of the abuse, he felt throughout his adulthood that he has had to prove he is not gay. He finds talking about it very difficult. 'I've spoken a fair bit about it with my mate and a little bit to my wife, and I don't think it gets any better.'

A PIC born in the mid 1950s was placed in State care by a court for being destitute when he was nearly 12. The PIC alleged that before his placement in State care he was sexually abused by his father from the age of eight. He said his family was poor and his father drank and was violent towards the family. He also alleged he was sexually abused while in State care at Windana, Glandore Children's Home, Kumanka Boys Hostel, McNally Training Centre, in his family home and while living independently in a boarding arrangement organised by the department.

Departmental records show the PIC was initially placed at Windana for about six weeks. The PIC alleged that several Windana staff members sexually abused him, including forced oral sex and anal rape, and that he was threatened not to say anything. He said one officer told him: 'Just do it, pretty boy, and you won't get hurt'. He also said other residents were physically violent towards him.

Records show that when he was 16 the PIC had a second placement at Windana, seemingly to be psychiatrically assessed; however this did not eventuate. He told the Inquiry that he again was sexually abused by at least three staff members, who came regularly at night for oral sex.

Another male who gave evidence was placed in State care by a court as a result of criminal offending when he was 11 in the mid 1960s. He told the Inquiry he had been sexually abused by family members as a young child. He remained in State care until he reached 19 and said he was sexually abused at Windana, McNally Training Centre, Adelaide Gaol and Yatala Labour Prison.

The PIC was first placed at Windana when he was 13 and lived there at different times during the next four years. He alleged that two staff members anally raped him and subjected him to severe physical beatings. He said one officer in particular did this quite a few times. He also said he was forced to take medication that disrupted his coordination and mobility and alleged that he was subjected to electric shock treatment twice. He told the Inquiry he attempted to disclose the abuse. 'I tried, honestly I did. ... Then they put the machine back on to me to zap me again'.

One PIC said he and his siblings were placed at Windana in the mid 1960s. He was placed in State care when he was three and then spent three weeks at Windana in the mid 1960s for 'safekeeping'. He recalled that 'there was no food' at home and his mother 'used to stick me in the cot, close the door and leave the light on'. He remembered one occasion when his mother didn't come to pick him up from kindergarten and he was left there until dark.

The PIC told the Inquiry he was sexually abused while placed at Windana and when he was on his own as a teenager.

He recalled that his father took him and his siblings to Windana. The Inquiry did not receive any departmental client files in relation to the PIC's childhood, however one record of a member of his family states that the children were placed at Windana for 'safekeeping' for four weeks in the mid 1960s, when the PIC was about 4½. No court orders or written agreements appear in any documentation provided to the Inquiry in relation to the PIC's time at Windana.

The PIC said that on the first day at Windana, while he was taking a bath, a male staff member asked him to give him a kiss. He said he kissed the man 'like a normal child would give a person a kiss on the cheek'. The worker said, 'No, not like that' and told the PIC to stick his tongue out. Then he drew the PIC's tongue into his mouth and bit it. When the PIC started to cry the worker 'got quite upset and told my [siblings] to quieten me down, otherwise, and he made some sort of threat'. The PIC said, 'The memory of my tongue bleeding and my crying hasn't gone away'.

The PIC also told the Inquiry that one night he woke up to find someone getting into bed with him from behind. He remembered that the person placed a hand over his mouth—'I could smell the tobacco on this person's fingers'—and he could hardly breathe.

I was sort of pinned half on my side and half on my chest. I had excruciating pain after he put his hand over my mouth. I was just filled with pain. I thought I was having my legs sawn off ... below the buttocks ... I can still recall reaching down to see if my legs were still there.

The PIC told the Inquiry that he later spoke to someone about the incident and was told something like, 'Don't worry ... he does that to all the new kids. He does it once or twice, and then he leaves you alone.'

The PIC alleged that he experienced a second incident, when he woke up to find someone

... pushing my face into the pillow to the point where I couldn't actually breathe, and I guess I must have passed out because everything just went white. ... I believed I was going to die.

The PIC said the sexual abuse has 'left me emotionally less than adequate for dealing with emotional issues' and that it was 'pretty difficult' to come forward to the Inquiry.

A nine-year-old PIC was placed in State care in the late 1960s when a court found he was uncontrolled. He told the Inquiry he was sexually abused at Windana, Brookway Park and McNally Training Centre. He alleged that a night officer at Windana dragged him out of bed and forced him to do sexual things to him. The PIC said he was still too embarrassed and ashamed to further describe the abuse. He said he had not reported the abuse to anyone other than the Inquiry.

Abuse by staff and other residents

In the late 1960s, a 14-year-old boy was placed in State care by a court for committing a criminal offence. He told the Inquiry his father had sexually and physically abused him from a very young age. The PIC spent one month at Windana before his charge was dismissed. Later that year he offended again and was placed in State care until the age of 18. Over the next four years he was remanded to Windana for several brief periods for offending. He also lived at McNally Training Centre and Struan Farm School, and in foster care. He alleged he was abused in all of those placements.

The PIC's initial impression of Windana was positive: 'Being perfectly honest, at the start it was better than being at home.' He told the Inquiry that later, however, he was sexually abused by both staff and other boys. He alleged that an officer arranged for him to be sent to the sick bay for several days: 'I allegedly had spots all over me, but I'd had no spots.' While the PIC was quarantined, the officer allegedly sexually abused him, including oral and anal sex. The same officer made him and other boys walk naked along the corridors like a duck for his gratification: 'Basically, you squat down and you put your hands on the opposite ankles and you've got to go up and down corridors.'

The PIC also alleged an older boy forced him to have sex with him. He recalled informing a member of staff about the sexual abuse by both the officer and the older boy. The departmental files, however, did not contain any record of the allegations.

3

Chapter 3 Allegations of sexual abuse

Abuse by other residents

A PIC then aged 10 was remanded to Windana for one month in the mid 1960s because of criminal charges and then placed in State care until the age of 18. He was placed at Brookway Park, where he alleged he was sexually abused. During the 1960s he was placed at Windana several times while in State care and alleged he was also sexually abused there.

The PIC claimed that non-consenting sexual activity was common among the Windana residents. He alleged that other residents anally penetrated him and forced him to perform oral sex on them. He said 'it went on all the time. I didn't seem to have any choice. I was terrified.' The PIC told the Inquiry that a member of staff was aware of the abuse. The PIC's files do not contain any record of him being sexually abused.

A 12-year-old boy was placed in State care in the early 1960s by a court for criminal offending. He told the Inquiry his parents separated when he was about five and his father put him in several non-government homes before he was placed in State care.

He alleged he was sexually abused at Windana and then Kumanka Boys Hostel.

The PIC's SWIC shows he was initially at Windana for about two months before being placed back with his mother. Six weeks later he was returned to the institution for 'safekeeping'. The PIC alleged he was sexually abused by older boys at Windana who wanted him to masturbate them:

They'd come over the wall and go, 'Play with this or I'll punch you out.' Most times I very violently told them where they could go, and they figured it was easier to pick on someone else than pick on me.

The PIC told the Inquiry that on one occasion two boys 'beat the living shit out of me and forced me to masturbate both of them'. He said he did not report the sexual abuse because 'nobody had the guts to tell the officers; they were too afraid of the consequences'.

A another PIC was 14 when he was remanded to Windana in the early 1970s on criminal charges. He said he had a very unhappy childhood with an abusive father and had been stealing for several years. 'I was angry. I was doing things to hurt people.' According to his SWIC, he spent three weeks at Windana before being sentenced and then placed in State care until the age of 18. Although he enjoyed going to classes at Windana, he recalled that 'it was very foreboding. You really had the sense you were in a high security place.'

He told the Inquiry that one night a Windana resident asked him to perform oral sex on him in the dormitory. He refused loudly, a staff member heard the noise,

... dragged me out, pushed me up against the wall, punched me in the gut and slapped me across the face, or punched me in the face, and made me bleed there. He told me to shut up.

A 14-year-old boy was placed in State care by a court until the age of 18 after being convicted of criminal offences. He told the Inquiry he had started to get in trouble with the law after a stranger raped him, which 'changed his life for the worse'. He alleged he was sexually abused while placed at Windana, Stuart House and McNally Training Centre.

The PIC said he was committed to Windana three times after absconding from Stuart House or committing offences. He alleged he was physically assaulted by staff and other boys, and described the punishment regime, such as forcing boys to stand with their arms out in front of them for long periods, as 'ridiculous and bordering on torture'. He added: 'If I did something wrong everybody would get punished, and so therefore I'd get bashed up'.

The PIC's second placement at Windana, at the age of 15, lasted two weeks. As a result of his absconding he was placed in a section for older boys, who forced him to give them oral sex in the exercise yard, which was largely unsupervised. An older boy offered to protect him from the others in return for sex and so the PIC began 'prostituting

for protection'. He said his only reprieve was when one particular officer was on duty. This man seemed to sense that something was going on and stayed close during his shifts. 'I never got molested or anything when he was around.'

In the mid 1960s a five-year-old boy was placed in State care when a court found he was neglected and under unfit guardianship due to domestic violence in his family home. According to his SWIC, he spent five months at the Glandore Boys Home in the mid 1960s and two weeks at Windana in the early 1970s, when he was 10. The PIC told the Inquiry he was sexually abused at both placements.

He remembered feeling confused and upset and could not understand why he was sent to Windana when he had done nothing wrong. He said some of his siblings were sent to the same institution, but they were not allowed to see each other or have any contact. He told the Inquiry that 'we used to masturbate the older boys ... we were intimidated by the older boys then'.

He also told the Inquiry of his disappointment and distress at growing up without knowing some of his siblings, who were fostered out separately. He believes the government 'wrecked our whole family'.

South Australian Youth Remand and Assessment Centre (SAYRAC), 1979–93

History

In 1979 Vaughan House was closed and replaced by the South Australian Youth Remand and Assessment Centre (SAYRAC). The centre accommodated boys and girls between the ages of 10 and 18. It had two units for girls on remand or undergoing training and two units for boys on remand. Children who had not committed an offence but were under the care of the department for their own protection also were accommodated at the centre for assessment. Staff from the Education Department provided

instruction in music, craft and physical education. SAYRAC operated until 1993, when older offenders were transferred to a new purpose-built facility at Cavan and younger children were placed at Magill Training Centre.¹²²

Allegations of sexual abuse

Four male PICs alleged sexual abuse while in State care and placed at SAYRAC—three by staff members and one by prisoners in a police station cell. The sexual abuse included indecent assault, and digital, oral and anal rape.

Abuse by staff

One PIC was first placed in State care in the mid 1980s when he was 12. Over the next six years he was the subject of various court orders as a result of being found to be uncontrollable and in need of care, as well as for offending. He told the Inquiry he was sexually abused at SAYRAC, Slade Cottage and Rose Cottage.

The PIC's SWIC indicates he was placed at SAYRAC many times during his time in State care. He told the Inquiry a volunteer worker at SAYRAC regularly took him to his home, gave him snacks, and anally and orally penetrated him. The PIC did not report the sexual abuse because, he said, 'no-one believed me back then because I was just a troublemaking kid'.

As an adult, however, the PIC reported the abuse to the police, who conducted an investigation. The alleged perpetrator was still actively involved as a volunteer with youth programs and worked with children.

The department determined that, due to the volunteer's poor health, the risk to children was 'probably, but not necessarily, low'. The department sought legal advice and then advised the alleged perpetrator of the allegations; he stopped his involvement with the department pending the outcome of the police investigation.

The volunteer informed the department that he suffered from a serious health problem that had prevented him from being sexually active for some years. The police

¹²² FYOW, s. 4, p. 59.

3

Chapter 3 Allegations of sexual abuse

investigations revealed that the volunteer had a criminal history and was an associate of a known paedophile. The departmental records show the police were willing to follow up the PIC's initial statement, however the PIC was unable to attend further police interviews due to health problems. Because of this, the police lacked sufficient evidence to proceed and closed the investigation.

Because the allegations concerned a departmental volunteer, the department's Special Investigations Unit (SIU) was required to conduct an internal investigation into the department's knowledge and checking of the volunteer. This investigation revealed that another man who identified himself as a victim made allegations against the volunteer in 1998 and other allegations about the volunteer's improper contact with children had been raised in 1991. The SIU questioned whether any police background checks had been done on the volunteer. A staff member of the department's Youth and Juvenile Justice section advised the SIU that records did not show that a background check had been done. The SIU raised concerns that the 1991 allegations 'were never investigated' and that internal investigations of the 1998 matter failed to discover the volunteer's criminal history and his links to a known paedophile. The alleged perpetrator resigned during the internal investigation.

Another PIC became involved in petty crime as a young teenager in the 1980s after escaping from a violent home life. At 15 he was charged with stealing and remanded by a court to SAYRAC. He subsequently was sent to other places of care.

The PIC alleged that a night officer at SAYRAC molested him every couple of days. 'He frisked me and then he'd, like, play with my genitals and feel my arse. It was fucking terrible.' The PIC told the Inquiry that 'I was a troubled kid. No-one could fucking work out what was wrong with me.' He said he did not report the abuse.

An Aboriginal PIC was placed in State care in the early 1990s as a result of criminal offending. Departmental records show that from the age of 12 he was in constant trouble with the law and appeared in the Children's Court on multiple charges often involving illegal use of a motor vehicle. He was frequently remanded on bail or in custody and spent several periods in secure youth detention centres. Departmental records show the PIC was remanded to SAYRAC for assessment when he was 13. He alleged he was sexually abused at SAYRAC and the Magill Training Centre, in between periods of detention and while living on the streets.

The PIC alleged that two older female residents at SAYRAC regularly forced him to have sexual intercourse with them and threatened to harm him when he told them to stop.

The PIC said it was his first sexual experience: 'I felt like I was ... violated sort of thing.' He thinks he told a youth worker about the abuse but he recalls that the worker 'sort of just laughed'. Records received by the Inquiry, however, did not note any report of sexual abuse alleged by the PIC at SAYRAC.

After his release from SAYRAC the PIC continued to commit offences, which progressed from stealing cars to breaking into shops and stealing.

Most of it would have been, I think, a cry for attention ... I was dragged back into Magill Training Centre easily within about three months. Everyone I've known from SAYRAC was in Magill and everyone I knew in Magill was at Cavan and everyone I met in Cavan that knew me from SAYRAC was in the remand centre and Yatala.

He said he became involved in prostitution as a teenager.

Abuse by outsiders

An 11-year-old boy was placed in State care in the late 1970s due to offending. He told the Inquiry he was sexually abused at SAYRAC, the Northern Region Admission Unit and Slade Cottage.

The PIC described SAYRAC as a place where staff 'could do whatever they wanted to you'. He said he initially was trusting of others in institutional care 'but that soon diminishes'.

The PIC recalled being transported from SAYRAC to a police station for processing on offending charges when he was 13. He said he verbally taunted police, who placed him in a cell with adult males. He alleged that these men told him, 'We haven't had young meat for a while', and that they digitally penetrated him and forced him to perform oral sex on a prisoner.

The PIC believed that he disclosed this abuse on his return to SAYRAC. The Inquiry received evidence showing that the PIC was detained in SAYRAC at the time of the alleged incident but there were no SAYRAC records which noted a report of sexual abuse by the PIC. The PIC told the Inquiry: 'You lose interest when you tell people, and nothing is really done about it. You're trapped in a system'.

Secure care for adults

Adelaide Gaol (1841–1988) and Yatala Labour Prison (1854–present)

History

The Adelaide Gaol opened in 1841 and was the main prison in South Australia accommodating male and female debtors and felons. It was a place of retention rather than correction so that prisoners whose sentences were longer than seven years were transported to other colonies. However, such transportation was abolished in 1852 and, as a result, Yatala Labour Prison was established to provide such additional accommodation.¹²³ Yatala continues to operate today as a high to medium security institution for male prisoners.

Allegations of sexual abuse

One male PIC gave evidence that he was sexually abused while detained in adult prisons.

Abuse by staff and other residents

The PIC was placed in State care after offending as an 11 year old in the mid 1960s and was not released until he turned 19. He told the Inquiry he had been sexually abused by family members as a younger child. He also alleged sexual abuse at Adelaide Gaol, Yatala Labour Prison, Windana Remand Home and McNally Training Centre.

The PIC told the Inquiry he was transferred to Adelaide Gaol from McNally because he had escaped so many times. His SWIC does not reflect an admission to Yatala and is unclear about an admission to Adelaide Gaol. He alleged that a group of inmates at Adelaide Gaol forced him to perform oral sex on them and then anally raped him in the shower block. He also alleged that two officers raped him at Adelaide Gaol, but he did not give details of the abuse.

In addition, he alleged he was beaten and anally raped by two police officers before being taken to Adelaide Gaol. He claimed the abuse took place in a padded cell at police headquarters where 'you can bash and do anything, but you can't hear nothing'. He recalled that the police officers involved took their badges off to avoid identification.

The PIC also told the Inquiry that inmates and staff at Yatala Labour Prison sexually abused him. He alleged that

I asked for the screw, who hit me across the head, split my head open ... so I'm lying down, bleeding from the head, plus I'm bleeding down my arse.

He said he was taken to the prison hospital, where a doctor treated his injuries, but he did not report the abuse. He said that boys were threatened to keep quiet about things that went on inside the institutions and prisons:

The reason the public don't know is that the kingpins in there [say] 'you open your mouth, you're dead.' ... so what happens to the poor kids in there, stays in there.

¹²³ WR Prest, K Round, C Fort, *The Wakefield Companion to South Australian History*, Wakefield Press, 2001, p. 428.