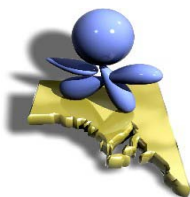


# Children in State Care Commission of Inquiry

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## Interim Report



12 May 2005



Interim Report  
of the  
Children in State Care  
Commission of Inquiry

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To: Her Excellency Marjorie Jackson-Nelson, AC, CVO, MBE Governor of South Australia and over the State of South Australia and its Dependencies in the Commonwealth of Australia.

May it please Your Excellency:

Pursuant to the appointment of me, Edward Picton Mullighan Q.C., to constitute the Commission of Inquiry established by the *Commission of Inquiry (Children in State Care) Act 2004*, pursuant to section 4(2) of the Act, I have the honour to present my report pursuant to section 11 of the Act which report is contained in the whole of the succeeding pages bound in this volume.

This report is an interim report on the progress of the Inquiry provided pursuant to section 11(2) of the Act as I am given to understand that you will shortly allow an extension of time for the completion of the Inquiry.

E.P. Mullighan Q.C.



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# 1. TERMS OF REFERENCE AND PURPOSES OF THE INQUIRY

The terms of reference and purposes of the Inquiry are set out in Schedule 1 of the *Commission of Inquiry (Children in State Care) Act 2004* (the Act) and are as follows:

- (1) The terms of reference are to inquire into any allegations of—
  - (a) sexual abuse of a person who, at the time that the alleged abuse occurred, was a child in State care; or
  - (b) criminal conduct which resulted in the death of a person who, at the time that the alleged conduct occurred, was a child in State care,(whether or not any such allegation was previously made or reported).
- (2) The purposes of the inquiry are—
  - (a) to examine the allegations referred to in subclause (1); and
  - (b) to report on whether there was a failure on the part of the State to deal appropriately or adequately with matters that gave rise to the allegations referred to in subclause (1); and
  - (c) to determine and report on whether appropriate and adequate records were kept in relation to allegations of the kind referred to in subclause (1) and, if relevant, on whether any records relating to such allegations have been destroyed or otherwise disposed of; and
  - (d) to report on any measures that should be implemented to provide assistance and support for the victims of sexual abuse (to the extent that these matters are not being addressed through existing programmes or initiatives).
- (3) The inquiry is to relate (and only to relate) to any conduct or omission occurring before the commencement of this Act.

- (4) The inquiry need not (but may, if relevant) relate to a matter that has been the subject of the Review within the meaning of the *Child Protection Review (Powers and Immunities) Act 2002*.
- (5) The person conducting the inquiry must not purport to make a finding of criminal or civil liability.

## **2. AN INTERIM REPORT**

The Inquiry is established by the Act which came into operation on 18 November 2004. The Act provides for a Commission of Inquiry into allegations of the nature referred to in the terms of reference which have been mentioned.

Section 11(1) of the Act provides that the Inquiry must be completed, and a report on the outcome of the Inquiry prepared, within six months after the commencement of the Act or within such longer period as the Governor may allow by instrument published in the Government Gazette. That period of six months expires on 17 May 2005.

At 6 May 2005, 501 persons have approached the Commission of Inquiry (the Commission) indicating that they wished to provide information. Thus far it has not been possible to investigate all of the allegations made by those who have contacted the Commission. The number of persons contacting the Commission continues to grow and initiatives of the Commission to reach State children who were sexually abused, which are mentioned later, have contributed to the growing number of persons wanting to give information to the Commission. I expect the number will continue to grow.

Also, it has not been possible to investigate all matters relevant to the terms of reference and the purposes of the Inquiry without seeking information and submissions from many persons and organisations with relevant information. It is preferable to first obtain most, if not all, of the evidence of allegations, before seeking their information and submissions.

In addition, the outreach of the Commission to Aboriginal communities, prisoners, street children, persons with intellectual disability and the aged has caused many others to express the wish to provide information to the Commission. Various organisations and groups have expressed the wish to make submissions.

Consequently, I requested Her Excellency the Governor to allow an extension of time for the completion of the Inquiry so that all relevant matters could be thoroughly investigated as is required by section 5(1) of the Act. I am given to understand that an extension will be granted shortly and I provide this report pursuant to section 11(2) of the Act which requires me to provide an interim report on the progress of the Inquiry.

Section 11(3) of the Act requires that this interim report must at least report on allegations of sexual abuse of persons as children while in the various forms of State care other than foster care (insofar as this is reasonably practicable in the circumstances).

It is not always convenient to separate allegations of sexual abuse of persons who have been in State care other than foster care from those relating to only foster care because many persons allege that they were sexually abused whilst in State institutions and also when in foster care. However I have complied with section 11(3) so far as possible.

### 3. DEFINITIONS

There are provisions of the Act which limit the scope of the Inquiry. Obviously some limitation is necessary in order to confine the Inquiry to manageable limits and so that it may be concluded within a reasonable period of time. I mention these provisions of the Act.

#### **Child in State Care**

“*Child*” is defined in section 3 of the Act as a person under 18 years of age.

“*Child in State care*” is defined in paragraph 1 of Schedule 1 of the Act as a child who was, at the relevant time, a child who had been placed under the guardianship, custody, care or control of a designated Minister or another public official or the former body corporate known as the Children’s Welfare and Public Relief Board under a relevant Act.

“*Designated Minister*” is defined in that paragraph as a “Minister responsible for the administration of a relevant Act” and “*relevant Act*” is defined as the “*Children’s Protection Act 1993* or a corresponding previous enactment dealing with the protection of children”.

“*Sexual abuse*” is defined as “conduct which would, if proven, constitute a sexual offence.”

Consequently this Inquiry is concerned only with persons who were children in State care and who were sexually abused whilst in State care or who died as a result of criminal conduct which occurred whilst in State care. I refer to a child in State care as a “State child”.

I have included all persons who were placed under the control of a Minister of the Crown or another public official including Aboriginal children, children in detention or on remand, and children who were placed under the guardianship, custody, care or control of a Minister of the Crown or another public official, by arrangement with the Children Youth and Family Services Division of the Department for Families and Communities or any of its predecessors or by order of the Youth Court or its predecessors as I have regarded all of such children as being placed under the guardianship, custody, care or control of a relevant Minister. I have included Aboriginal persons in the definition of State child for the purposes of this Inquiry if they were placed under the control of a Minister by the Aborigines Protection Board.

“*Sexual offence*” is defined as a sexual offence within the meaning of section 4 of the *Evidence Act 1929*. In that section, “*sexual offence*” means, rape, indecent assault, any offence involving unlawful sexual intercourse or an act of gross indecency, incest, any offence involving sexual exploitation or abuse of a child, or abuse of a child as an object of prurient interest, or any attempt to commit, or assault with intent to commit, any of these offences.

With one possible exception, all allegations of conduct alleged by persons providing information to the Inquiry fall within one or more of these sexual offences.

The various departments and agencies administering functions under the *Children’s Protection Act 1993* and its predecessors have been the Children’s Welfare and Public Relief Board under the *Maintenance Act 1926*, the Department of Social Welfare, the Department of Social Welfare and Aboriginal Affairs, the Department for Community Welfare, the Department for Family and Community Services, the Department for Family and Youth Services, the Family and Youth Services Division of the Department of Human Services and currently the Children Youth and Family Services Division of the Department for Families and Communities. For ease of expression I have chosen to refer to the Board and the Department with its various names, as “the Welfare Department”.

## **4. BACKGROUND**

There had been agitation in South Australia over recent years for the establishment of an Inquiry into allegations of child abuse and the response of Government to such allegations over many decades. It serves no purpose in this Inquiry to refer to the individuals who sought the establishment of such an inquiry. It is sufficient to say that they included members of the South Australian Parliament, leaders of action and support groups, persons who had been abused as children and many other individuals.

The Inquiry was established by the Act and there has been widespread interest in the Commission since it was established. As the Inquiry has progressed it has become apparent that many persons who were sexually abused as State children have needed the opportunity to relate what happened to them in order to participate in a healing process, try and find closure and move on in their lives.

Also, it has been apparent from the outset of the commencement of the work of the Commission, that there was widespread community and professional interest in the subject matter to be investigated.

Many persons have come forward to give evidence who were not State children or the subject of sexual abuse but who have considerable knowledge and experience about the institutionalised and foster care of State children, and who have a genuine desire to improve the present arrangements for their care and reduce the risk of child sexual and other abuse.

## **5. ESTABLISHMENT**

Mr Andrew Collett was appointed as counsel assisting the Commissioner. Ms Deslie Billich, Mr Daniel Hyams and Ms Megan Philpot were appointed as solicitors to assist the Commissioner and to carry out investigations. Ms Angel Williams was appointed the Manager of the Commission and has had the responsibility for the establishment and development of the office premises, procedures and the employment of suitable staff. The staff appointed to the Commission include support staff who have knowledge of the records kept by State Records of South Australia, a Division of the Department for Administrative and Information Services (State Records) and are familiar with procedures for access to them. Another member of staff is able to assist in connecting with young people.

Pursuant to section 8(1) of the Act, the Minister for Families and Communities was obliged, after consultation with me, to appoint a person with appropriate qualifications and experience in social work or social administration, to assist in the conduct of the Inquiry. He appointed Ms Judith Cross of Relationships Australia for that purpose.

As can be seen from clause 2(c) of the purposes of the Inquiry, I am required to determine whether appropriate and adequate records were kept in relation to the allegations the subject of investigation by the Commission and whether any such records have been destroyed or otherwise disposed of in some manner. Evidence given to the Commission at an early stage revealed that many files and documents relating to State children were alleged to have been destroyed, sometimes without appropriate authority. It is of critical importance that files and documents relating to State children be available to the Commission. Evidence given and the practical experience of the staff of the Commission in accessing relevant records tends to establish that the majority of records do exist but some have not yet been catalogued which has delayed or prevented access to date.

Dr Karen George is a consultant historian and writer. She has been engaged by the Commission as a research historian to provide advice and assistance to the Commission regarding the history of South Australian children's homes and institutions and documents generated by and in relation to them. She is preparing for the Commission a research guide to the records of these homes and institutions by preparing a summary of the history of each home and institution and locating, describing and summarising the resource material regarding such material and indicating the location of the records and restrictions or conditions on public access to it.

Also, Dr George was engaged to provide advice and assistance to the Commission regarding any other matters relevant to the terms of reference.

This work is being undertaken by Dr George and will be the subject of a subsequent report although some preliminary matters are referred to later in this report.

Pursuant to section 5(c) of the Act I may refer any matter to any expert for advice, investigation or report. I have been greatly assisted in various matters by Professor Freda Briggs, Emeritus Professor in Child Development at the University of South Australia, Magill Campus. Professor Briggs is a noted authority on child sex abuse and is currently advising many State and international Governments on this issue and she has expressed her willingness to make her expertise available as it is sought.

## 6. INCIDENCE OF CHILD SEXUAL ABUSE

It is not possible to ascertain the true incidence of sexual abuse of children. The expectation is that children who are sexually abused often do not disclose what has happened to them for one or more of a variety of reasons. Evidence received by the Commission confirms this expectation. Few children who were sexually abused felt empowered to say anything and reporting rates are notoriously low.

Some surveys have been undertaken. Findings from surveys in the United States of America, the United Kingdom and Australia are set out in the report of the South Australian Government Task Force on Child Sexual Abuse in October 1986. The first of the findings is that about one-fifth of females and about one-eleventh of males reported having experienced sexual abuse as children: *Finkelhor D. (1979) Sexually Victimized Children*, Free Press, New York. These findings are based upon a survey of students in social science classes in a variety of colleges and universities in the United States of America.

Another survey, which I understand was also undertaken in that country, of only females using slightly different definitions of sexual abuse revealed about 38 per cent of women reported at least one incident of sexual abuse before the age of 18 years: Russell D.E.H. (1983), "*The Incidence and Prevalence of Intra-familial and Extra-familial Sexual Abuse of Female Children*", *Child Abuse and Neglect*, Vol.7, 133 - 146. For the purpose of this survey, sexual abuse included showing pornographic material and talking about sexual things in an erotic way.

A study of 2,019 men and women interviewed in the United Kingdom revealed ten per cent of them had been sexually abused before the age of 16 years. Twelve per cent were females and eight per cent were males. Baker, A.W. & Duncan, S.P. (1985) "*Child Sexual Abuse: A Study of Prevalence in Great Britain*". In Australia a survey of 991 students from 10 tertiary institutions in Victoria revealed that 28 per cent of girls and nine per cent of boys reported sexual experience before the age of 16 years.

Goldman, R. & Goldman J “*Australian Children’s Sexual Experiences within the Family*”, a paper delivered at the Sixth International Congress of Child Abuse and Neglect at Sydney, Australia, 2 August 1986.

These investigations and reports did not evaluate reporting rates of sexual abuse in the community.

They cannot give a true picture of the incidence of child sexual abuse in the places which are the subject of the surveys and do not purport to do so. However, it may be accepted that it is likely that the incidence of child sexual abuse in the general community is very high in those places and the position in South Australia is likely to be similar.

There are indications of the percentage of cases of child sexual abuse in the notifications of child abuse to the Welfare Department but I am not able to reach any conclusions as to whether they reflect the incidence of sexual abuse without evidence explaining the bases upon which the figures are compiled and as to their significance.

The low rate of reporting child sexual abuse was confirmed by many of the persons who gave evidence including those who provided information to the Commission about themselves. The reasons for non-disclosure include fear, shame, lack of understanding about the nature of the conduct constituting child sexual abuse at the time and lack of a suitable opportunity, or persons to whom, to make the disclosure.

Also many persons who gave evidence to the Commission about sexual abuse of State children in State homes and detention centres say that sexual abuse of younger children by older children was commonplace over many years and sexual abuse of children in homes by carers was frequent.

It appears that nearly all of this conduct was not reported and when it was reported, no action was taken.

Many persons have given evidence of sexual abuse in foster care. The allegations are that the abuse was regular and frequent. Lack of reporting prevents any finding of the incidence of such conduct.

I mention that at a meeting of representatives of organisations and groups supporting young people, it was reported by one experienced representative that he estimated that about 75 per cent of homeless youth had been sexually abused. I am informed by Professor Briggs that there are no recent reports of studies to ascertain the incidence of child sexual abuse in this country or overseas. Lack of knowledge about self protection among many young children and low reporting rates prevent an accurate assessment but I am satisfied that it is safe to accept that at least one child in every five is sexually abused. I accept that number is likely to be much greater for State children in institutionalised care because of the lack of supervision of each child which is usually present when children live with their parents and siblings. Also, I have taken evidence, which I accept, that in institutions there is much sexual abuse of young children by older children.

As the Inquiry progresses I shall attempt to obtain further evidence about the incidence of child sexual abuse in South Australia in order to establish if a more reliable estimate can be made.

## **7. EFFECTS OF CHILD SEXUAL ABUSE**

Information provided to the Commission at the outset revealed that many persons who were sexually abused as children have suffered severe consequences throughout their lives or at various stages of their lives, and particularly if they were State children and did not have the support of caring and responsible parents and siblings, extended family or friends who could treat their disclosures sensitively and appropriately.

Many victims, or survivors, as some choose to be described, of child sexual abuse whilst in care believed that they could not complain, without rejection and harsh punishment. Evidence received by the Commission, which I accept, supports that view and establishes that those who did complain were often punished and sometimes ridiculed or shamed. Consequently, providing information to the Commission was difficult for most of the victims who have come forward. Many feel humiliation and anxiety. Most are very damaged emotionally and psychologically and some suffer mental illness. Many lack confidence in themselves and some lacked confidence in the Commission, at least until contact was made. Sadly, many feel shame at having been involved in sexual conduct whilst a child, even though in no sense can responsibility or guilt be justifiably attributed to them.

The Commission has endeavoured to receive information and evidence sensitively and with care and consideration.

## **8. PREMISES**

It was appreciated from the outset that careful consideration had to be given to the manner in which evidence and information was to be received and the facilities which should be provided. Many victims are uncomfortable in, or intimidated by, court rooms, court houses and other premises in which well known public institutions discharge their functions and by the formality of the court room processes. It was decided to avoid premises of that nature.

Consequently the selection of premises for the Commission was a matter of critical importance. The premises were selected because they are relatively modest and are not intimidating.

Apart from office space for those working at the Commission there are interview rooms where information is collected and evidence taken and recovery rooms for those who need them and necessary facilities for persons giving evidence and their companions.

## **9. FACILITIES**

Adequate and appropriate facilities were provided to the Commission. Computer facilities for the secure storage of, and access to, information have been installed and used. The premises are comfortable and protected by adequate security. The South Australian Police Security Services provided advice and provide monitored security of the premises and protection for Inquiry staff when needed. An alarm system and duress alarms are in operation. The public has access to the premises during usual office hours and otherwise by prior arrangement.

Adequate funds have been provided by Government to enable the Commission to undertake the Inquiry.

## **10. PROFESSIONAL ASSISTANCE**

At the outset it was appreciated that there was a need for professional assistance from counsellors with appropriate training and experience, psychologists and psychiatrists. Every effort has been made to prevent persons who were sexually abused from being re-victimised when giving evidence. Mention has been made of the effects of child sexual abuse and at the outset, it was appreciated that appropriate assistance may have to be afforded to persons providing information and giving evidence before, during and after they did so. Also, it was acknowledged that when receiving information and evidence, the staff of the Commission and I should be informed of the most appropriate manner of interacting with victims and members of their families, so as to reduce the risk of adverse effects upon them.

Assistance was given by Yarrow Place Rape and Sexual Assault Service, UnitingCare Wesley Adelaide Child Sexual Abuse Team, Respond SA (Relationships Australia), Women's Health Statewide and the Dulwich Centre, all of which have trained staff with considerable experience and expertise in dealing with victims of sexual assault.

In consequence of advice given by representatives of those organisations, training programmes were given to me and the staff of the Commission which has been of considerable benefit and provided guidance as to how to elicit information in an appropriate manner and also how not to do so. I express my gratitude to those representatives for their valuable contribution to the work of the Commission.

Counsellors have been provided by each of these organisations except Yarrow Place which could not release staff due to its own heavy case load. All of these counsellors have provided assistance of a very high standard and have enabled many victims to give information and evidence with more composure and accuracy than would otherwise be the case.

It was also appreciated that staff of the Commission could be adversely affected by the information received by them. Women's Health Statewide and the Dulwich Centre provided training to enable the staff to identify and anticipate problems and for them to seek professional assistance if necessary.

The staff training included grief counselling and vicarious trauma training delivered by Women's Health Statewide, and a course of training entitled "Responding to People's Stories" delivered by the Dulwich Centre.

In addition, Ms Sheedy, the Executive Director of Care Leavers of Australia Network (CLAN), provided information to staff about State children and children living in orphanages and children's homes whom she describes as 'homies', and the effect of abusive conduct towards them whilst in that type of care. CLAN is a national body representing older persons who have been in the care of State and non-government organisations.

Lastly, the Commission provided to the staff the services of Ms Ilona Treijs, a consulting psychologist who attends at the premises of the Commission each week and is available for private discussions with individual members of staff if required. The staff of the Commission also have access to support through OCAR Workplace Consulting by way of an employee assistance programme and arrangements were made with Women's Health Statewide to provide counselling to any of the female staff.

It is proposed to appoint to the staff of the Commission a suitably qualified and experienced counsellor to provide counselling as required to persons giving information and evidence to the Commission and to assist in the outreach to young people and street children in particular.

## **11. OPENING OF THE COMMISSION**

The opening session of the Commission was held at the Meeting Hall at the Adelaide Town Hall, in the centre of the City of Adelaide, on Wednesday, 9 December 2004. It was well attended by persons who were State children and by representatives and members of action and support groups for the sexually abused.

The terms of reference and the purposes of the Inquiry were explained by me and all persons with relevant information were encouraged to come forward. I indicated that it was intended that by the development of procedures and systems, the incidence of sexual abuse and criminal conduct resulting in the death, of State children could be drastically reduced. The proposed procedures of the Inquiry and the facilities available to persons coming forward were also explained, including that the information received would be kept confidential unless approval for disclosure was given.

The session was also addressed by the Honourable the Minister for Families and Communities in the South Australian Government, Mr Jay Weatherill, the Leader of the Opposition in the South Australian Parliament, Mr Rob Kerin, the Speaker of the House of Assembly in State Parliament, Mr Peter Lewis, Mr Ki Meekins, a victim of child sexual abuse, Mr Peter Humphries, the solicitor acting for victims constituting a class action against the State of South Australia, Ms Wendy Utting, a representative of Child Protection Watchdog Incorporated and Ms Sheedy.

Other persons present made comments and asked questions. The opening session was attended by representatives of nearly all of the main print and electronic media which widely publicised the Inquiry and the work of the Commission, the terms of reference and the purpose of the Inquiry.

## **12. PUBLICITY**

### **Media**

At the outset, the terms of reference and the purposes of and information about the Inquiry were advertised formally in the media in South Australia and in all other States and Territories as it was accepted that some former State children in South Australia now live outside the State. Also, I undertook interviews with representatives of the electronic media which were published widely within the State on television and radio.

It became apparent that this publicity may not reach many adult survivors of sexual abuse, children in detention centres, prisoners, Aboriginal people, persons living on the margins, both socially and geographically, street children in metropolitan Adelaide and the major regional centres, the intellectually disabled and the aged. I accepted that many such persons may not access the mainstream media. Later mention is made of the efforts to provide information about the Commission to these people.

Some persons giving evidence indicated that they had not been aware of the earlier publicity and had only heard about the Inquiry by word of mouth. Although there had been a significant response to the Commission, it was decided in February 2005 to again inform the general public of the Inquiry and the work of the Commission.

Further media publicity was arranged and provided through print and electronic media in this State and nationally.

Since then the Inquiry has also been widely publicised in the media following allegations made by a few persons of child sexual abuse by prominent members of the community. That publicity occurred during most of the month of March 2005 and almost on a daily basis including in the national and interstate media.

Also, there has been considerable publicity of the work of the Commission in country regional media in Port Lincoln, Port Augusta, Port Pirie, Ceduna and the Riverland. Articles about the work of the Commission have been published in publications of the Victim Support Service, the Offenders Aid and Rehabilitation Service (OARS) and the monthly journal of the Australian Medical Association. Feature articles about the Commission were published in *The Adelaide Review* and *The Independent Weekly*.

The Commission requested that information about the Inquiry be published in media associated with persons with disabilities such as *The Big Issue*, as well as prisoners (Three D Radio), university students, young people including street children, aged people through the Council of the Ageing, Aboriginal people through Aboriginal radio and the *Koori Mail*, a national Aboriginal newspaper, and the general population through newspapers published by the Salvation Army, the Catholic Church, the Anglican Church and the Uniting Church. Short articles and advertisements have been published in sections of newspapers in Melbourne and Sydney understood to be read by persons in the margins of society.

The media publicity of the Commission has been arranged by Ms Jenny Turner of Turner Media Consulting and I acknowledge her most effective and valuable contribution.

Also, I acknowledge the valuable contribution of the media in publicising the Commission which has enabled many persons who are, or were, State children, to be informed of the purpose of the Inquiry. This contribution has been an important public service.

### **The Internet**

The Commission established a free standing website on the Internet with the address [www.statecareinquiry.sa.gov.au](http://www.statecareinquiry.sa.gov.au). It was not possible to establish the website independently of the South Australian Government, but the website has functioned independently.

It provides information about the Inquiry including a copy of the Act, the terms of reference and purposes of the Inquiry, how to make a submission to the Inquiry, the giving of evidence by people wishing to make a submission and media releases of a public nature about the Inquiry. It also contains a privacy statement, a 'Helpful Links' section to support organisations and a 'Contact Us' section which many members of the public use to communicate with the Inquiry. As at 6 May 2005 there have been 1,108 contacts or visits to the website, of which 74% were from Australia and 26% from overseas. The Commission has also received over 1,000 emails to the generic email inbox of the Inquiry.

### **Members of Parliament**

On 24 November 2004 shortly after the Act came into operation and shortly before I was formally appointed as the Commissioner, as part of the process of providing information to the community, I attended a meeting at Parliament House open to all members of both Houses. Notice of this meeting was given to all members and some members attended and provided useful information to the Commission.

It was my understanding that members of Parliament had received information from persons relevant to the terms of reference and purposes of the Inquiry and all members were encouraged to provide that information to the Commission.

It is not known how many persons who have contacted the Commission have done so because of information given to them by parliamentarians.

Since the opening session of the Inquiry, I have had two meetings with each of the Minister for Families and Communities and the Leader of the Opposition, both of whom have provided valuable information to me and have assisted the Commission appropriately. Also I have had meetings with the Speaker of the House of Assembly, Mr Lewis and Ms Utting and Mr Standfield, who did work in his office at Parliament House as volunteers and some information was provided to me.

To my knowledge these volunteers arranged for three persons to give evidence to me. Copies of brief statements and statutory declarations which had been prepared by Dr Moles, another assistant at the Speaker's office, were brought to the office of the Commission. Many of the persons making these statements and statutory declarations had already contacted the Commission and arranged to give evidence and the others have since been contacted.

On 1 February 2005 I requested Mr Lewis to give to me all documents, statements and declarations in his possession relevant to the terms of reference and purposes of the Inquiry. The remaining documents given by persons to Mr Lewis were delivered to the office of the Commission by Ms Utting and Mr Standfield on 5 April 2005 and the owners of the documents have been informed.

### **Posters, Handouts & Pamphlets**

The Commission prepared posters advertising the Inquiry, DL size handouts of the poster and a pamphlet containing information about the Inquiry. Approximately 12,000 of each of these have been distributed widely and in particular to 1,700 organisations throughout the State. They include both state and independent schools, pre-school centres and kindergartens, TAFE offices, universities, medical practitioners' surgeries and rooms, hospitals, health care organisations, State and local government agencies, including the Welfare Department, metropolitan and regional community health and support organisations, metropolitan and local councils, churches and other religious organisations, offices of the Legal Services Commission, police stations and community legal services offices, youth support organisations, prisons and Community Correctional Centres and electoral offices of each member of the South Australian Parliament and legislative council.

They also include the South Australian Psychological Board, Aboriginal organisations and support groups, migrant support groups, children and youth support organisers, refugee support groups, community and neighbourhood support groups, organisations concerned with services to the disabled, interstate organisations with a vested interest such as CLAN, domestic violence crisis services, and other community support organisations that deal directly with victims of sexual abuse such as Relationships Australia including its contact point Respond SA, UnitingCare Wesley Sexual Abuse Team, Yarrow Place, Women's Health Statewide, Dulwich Centre, Victim Support Service, Lifeline, OARS, The Salvation Army and Anglicare. These materials were also sent to various interstate churches and organisations involved with care of disadvantaged persons.

I have mentioned that some former State children who have been sexually abused are believed to live in the geographical margins of society, often in small country towns or nearby. It was accepted that the best way to bring to their attention the work and purpose of the Inquiry was to place publicity in Post Offices and Centrelink offices. Both of these offices are likely to be attended by persons living in the margins.

In small country towns access to mail is by attendance at Post Offices or general stores with a postal agency. In large towns and centres there is usually a Centrelink office and persons receiving payments or benefits are usually obliged to attend at such offices from time to time.

Centrelink readily agreed to display the posters, handouts and pamphlets and has done so free of charge. Australia Post has declined to display the posters on the grounds that there is no room in the 337 postal outlets in South Australia and will only display the handouts and the pamphlets upon payment of a fee of \$7,826 per quarter or \$19,555 for a one year period. I have approached the Federal Minister for Communications, Information Technology and the Arts, the Hon. Helen Coonan to intervene so that these items of publicity can be displayed in postal outlets and without charge and I am awaiting a response.

Every other organisation agreed to display the publicity free of charge.

### **Other Publicity**

The work and role of the Commission was advertised in the monthly journal of the Australian Medical Association, *Victims' Voice*, the quarterly newsletter of the Victim Support Service, *Research* the quarterly newsletter of OARS, the Catholic Education Office, Association of Independent Schools of SA and the Inspire Foundation website.

The Commission was advertised in media often accessed by young people such as publications of CREATE Foundation, the Inspire Foundation, the Youth Affairs Council of South Australia (YACSA), the Youth Supported Assistance Accommodation Programme (YSAAP) which also includes organisations such as Sidestreet and the UnitingCare Wesley Mission's Streetlink programme.

Articles about the Commission and its work were published in newsletters known as *Xpress* and *Info Connect* distributed by the Department of Education and Children's Services to teachers at government schools. Posters, pamphlets and handouts were provided to Women's Services Network of South Australia and to managers of various shelters in this State. Mr Collett addressed the Women's Services Network and Ms Philpot addressed the managers about the work and purpose of the Commission.

### **CLAN**

I have mentioned CLAN and its Executive Director, Ms Sheedy. She also provided valuable assistance in publicising the Commission. CLAN has about 660 members and each of them received the pamphlet. I wrote an article about the Commission and its work which was published in CLAN's newsletter. Information about the Commission is published on CLAN's website [www.clan.org.au](http://www.clan.org.au). Ms Sheedy has undertaken media interviews during which she has supported the Commission. She also provided information about the Commission to Men's Help Line in Melbourne. Ms Sheedy has assisted many of the members of CLAN in approaching the Commission.

## **13. REACHING OUT**

### **General Community**

Brief reference has been made to effects of child sexual abuse. I was informed at the outset of the work of the Commission and the evidence supports that some victims live in the social and geographical margins of society. Some left State care and went to live interstate. Indeed, many former South Australian State children living in all of the other States of Australia have approached the Commission to provide information and give evidence.

It was accepted that many former State children may not see or hear the reports of the Commission in the media. If the Inquiry was to be effective it was considered necessary that a large number of State children, past and present, give evidence to the Commission so that decisions could be made on an adequate factual basis and also so that an indication of the extent of sexual abuse of State children could be made known to the public.

Consequently, it was decided to inform as many people as possible about the work of the Commission. I have mentioned the publicity of the Commission in the media.

The response to the Commission has been both favourable and considerable, but it is apparent that only small numbers of persons in the sections of the community which have been earlier mentioned, namely Aboriginal people, prisoners, children in detention centres, street children, the disabled and the aged have approached the Commission. It was decided to provide information about the Inquiry to each of the groups in the manner most appropriate to them.

### **Aboriginal people**

At an early stage of the Inquiry it became obvious that many Aboriginal children were placed in State care and were under the responsibility of a relevant Minister.

Evidence has been received indicating large numbers of Aboriginal children were placed in State homes, foster homes and detention centres and it is anticipated that these children came into care from various places in the State including metropolitan Adelaide, the mid-north, the Pitjantjatjara Lands, Coober Pedy, Yalata, Ceduna, Port Lincoln, Port Augusta and surrounding areas, Murray Bridge, Mount Gambier and the Maralinga Lands. The telling of stories by Aboriginal people about sexual abuse or death would necessarily involve cultural and perhaps language issues which could vary from location to location and if not understood and addressed, could prevent the giving of evidence or it being misunderstood. There could also be issues as to whom the story could be told and in what circumstances.

It is essential that if the Commission is to discharge its functions adequately, Aboriginal people must be aware of its existence and purpose and have confidence to provide information and give evidence.

The Patpa Warra Yunti Regional Council, established under the *Aboriginal and Torres Strait Islander Commission Act 1989* (Cth) for Adelaide and the south east South Australian region has a special interest in promoting awareness and reduction of incidence of family violence and the Chairperson, Mr Tauto Sansbury wrote to the Commission on 7 January 2005 suggesting the establishment of an indigenous advisory body and I readily agreed.

An Aboriginal Advisory Group was established and is comprised of:

**Brian Butler** - Aged Rights Advocacy Service Inc., formerly ATSIC Commissioner and founder of the Aboriginal Child Care Agency

**Ms Amelia Campbell** - Voluntary worker with street children

**Ms Kerry Colbung** - Social Inclusion Unit, Department of the Premier and Cabinet.

**Ms Sharon Gollan** - Lecturer, the Unaipon School of indigenous studies, University of South Australia.

**Dr Doreen Kartinyeri** - formerly SA Museum, and an eminent genealogist of the South Australian Aboriginal Community

**Mr Frank Lampard** - Director of Aboriginal Prisoners and Offenders Support Group

**Ms April Lawrie-Smith** - Director, Aboriginal Justice Strategy & Community Development, Attorney-General's Department

**Ms Sandy Miller** - Director, Strategic Policy and Planning, Aboriginal Health Division, Department of Health

**Mr Frank Nam** - Manager, Kumangka Aboriginal Youth Service, an organisation which provides services for Aboriginal street children

**Mr Lewis O'Brien** - Kurna Elder

**Mr Tauto Sansbury** - ATSIC Commissioner, Chairperson, Patpa Warra Yunti Regional Council,

**Mr Major Sumner** - Field worker Aboriginal Sobriety Group, Nunkuwarrin Yunti

**Ms Coral Wilson** - Aboriginal Liaison Officer, Adelaide Remand Centre

**Mr Andrew Wilson** - Senior Aboriginal Project Officer, State Records

**Ms Sharmaine Wilson** - Field Officer, Aboriginal Legal Rights Movement Inc.

**Ms Barbara Wingard** - Chairperson of Aboriginal Legal Rights Movement Inc.

The Group met for the first time on 24 February 2005 and has since met at least monthly. It has adopted the following statement of purposes of the Group:

“The Commission requires assistance and direction in order to discharge its functions regarding Aboriginal people appropriately and effectively. The Commissioner and the staff of the Commission are grateful that the members of the Group have agreed to provide this assistance and direction.

The purposes of the Group are to:

1. Ensure that a strong Aboriginal voice is heard by the Commission and reflected in its reports.

2. Advise as to the best way for the Commission to:
  - 2.1 make contact with Aboriginal people who are, or have been, State children and were sexually abused
  - 2.2 encourage Aboriginal witnesses to come forward
  - 2.3 protect the privacy and confidentiality of Aboriginal witnesses
  - 2.4 provide interpreters and, if necessary, companions or counsellors for Aboriginal witnesses.
3. Indicate the Aboriginal people who can best assist in making the contacts in each Aboriginal community and region and in explaining how the Commission operates.
4. Inform the Commissioner and staff of all matters of Aboriginal culture, law and custom relevant to the work of the Commission including:
  - 4.1 to whom Aboriginal women and men will, or may not, speak about sexual abuse to them and their children, or deaths of Aboriginal children whilst in State care.
  - 4.2 whether it is desirable that an Aboriginal person with cultural authority should sit with the Commissioner and the staff of the Commission when stories are told.
  - 4.3 the best place and environment for the telling of the stories.
  - 4.4 the circumstances in which it is not appropriate for a recording to be made of a story or part of it and if so, what part of it.
  - 4.5 how to gain an understanding of Aboriginal laws, legislation and social circumstances of Aboriginal people.
5. Inform the Commission of any special problems facing Aboriginal children and former children in disclosing sexual abuse or deaths of State children and, in particular, if perpetuated by family members.
6. Inform the Commission of what outcomes Aboriginal people would like to see discussed in the report of the Commission.
7. Assist the Commission in locating records relating to Aboriginal people who were State children in care.
8. Direct the Commission to persons, including Aboriginal persons, who may be able to provide information relevant to the terms of reference of the Commission.”

This Group has provided valuable advice and assistance to the Commission and some members have facilitated access by Commission staff to Aboriginal communities and introduced Aboriginal persons wishing to provide information and evidence to the Commission.

The Commission has consulted with Aboriginal groups in country areas.

### **Port Lincoln**

On 2 March 2005 Mr Collett, Ms Philpot and Ms Hughes travelled to Port Lincoln and participated in a meeting of health and wellbeing counsellors to the South Australian Aboriginal community. Ms Hughes is a member of staff with responsibility for connecting with young people. They were able to brief counsellors who are already working with the Aboriginal community about the Inquiry and to enlist their assistance with counselling Aboriginal witnesses before the Inquiry and referring persons to the Inquiry. They also met with and briefed the Port Lincoln Aboriginal Health Service and the Port Lincoln Aboriginal Community Council about the Inquiry.

Ms Philpot was invited by the Port Lincoln Aboriginal Women's Group to speak about the Inquiry at an Aboriginal Women's Healing Camp. Information about the operation of the Inquiry was generally well received by the 80 women present, who came from surrounding regions and ranged from young to middle-aged.

At the request of the Port Lincoln Aboriginal Community Council, Mr Collett returned to Port Lincoln on 4 April 2005 to attend a community meeting which gave rise to a number of inquiries from Aboriginal families and individuals who wish to provide information to the Inquiry.

## **Ceduna**

Following her visit to Port Lincoln, Ms Philpot was invited by the Aboriginal Women's Group at Ceduna, known as the Weena Mooga Gu Gudba to attend a workshop about the empowerment and healing of Aboriginal women on 12 and 13 April 2005. She was accompanied by Ms Billich. This group is under the leadership of Ms Dunnett. The workshop was attended by about 80 women from Ceduna and nearby areas, Kooniba, Oak Valley, the Pitjantjatjara Lands, Yalata, Port Lincoln and Alice Springs.

Ms Philpot addressed the workshop about the Commission and the need for understanding of the sensitivity of the Aboriginal people in giving information to the Commission relevant to the terms of reference. She also informed the women of the processes adopted at the Commission for receiving information and taking evidence, the obligation of confidentiality and the availability of counselling and other facilities to assist those who approach the Commission. Pamphlets and submission forms were left with the women for their consideration.

On this occasion Ms Billich and Ms Philpot visited various agencies and left posters and pamphlets for display. They were the Ceduna Health Service, The Kooniba Aboriginal Health Services, the Aboriginal Arts and Cultural Centre, the local TAFE, Town Camp, the Aboriginal Legal Rights Movement, Centrelink, the Police, the Ceduna Court and the Kooniba community. They discussed the Commission with various senior personnel at each of these organisations.

## **Iron Knob**

Ms Billich and Ms Philpot attended the Errappa Camp at Iron Knob on the weekend of 7 and 8 May 2005 at which approximately 50 Aboriginal women and girls received presentations and discussed sexual abuse. The main purpose of their attendance was to understand the significance and consequence of sexual abuse of Aboriginal women and children. In the course of the camp meeting they informed the women and girls of the role and function of the Commission, how they may approach the Commission and the facilities which are available at the Commission.

## **Port Augusta**

On 29 March 2005 I visited the Aboriginal Women's Centre with Mr Collett, Ms Philpot, Ms Williams and Ms Hughes and discussed the work of the Commission with the manager, Ms Martin and Ms Page. This Centre now has a focus of providing resources for victims of domestic violence. Ms Martin agreed to display the posters, and make available pamphlets and handouts and explain the function of the Commission to the women attending the Centre.

On 30 March 2005 I attended a meeting at the Umewarra media offices together with Mr Collett, Ms Philpot, Ms Williams and Ms Hughes. The meeting was attended by representatives of Port Augusta Aboriginal organisations including Pika Wiya Health Service, Aboriginal Legal Rights Movement, the Aboriginal Family Violence Legal Service, Port Augusta Substance Misuse Services, ATSIC, Aboriginal Sexual Assault Support Unit and Aboriginal Family Support Services.

The meeting was informed about the Inquiry and there was discussion about the difficulties Aboriginal people may face in approaching the Commission and about ways to overcome such difficulties. Between 4 and 8 April 2005, I returned to Port Augusta to take evidence from community members including from Aboriginal people. I shall return to take further evidence in the near future.

## **Prisoners**

I accept that many persons who were sexually abused as children became disassociated from mainstream society and its various facilities and support mechanisms, and committed crime for any one or more of many reasons. In many cases, criminal conduct became more frequent or serious or both and eventually the offenders were sentenced to, and served, terms of imprisonment.

It is essential for the Inquiry to be as comprehensive as possible that present and former prisoners, who were sexually abused when in State care, provide information to the Commission so that what happened to them, and the reasons, may be fully understood and can form a factual basis for responses to the terms of reference. Arrangements have had to be made so that prisoners and former prisoners could have confidence in approaching the Commission.

It is a matter of concern that prisoners giving evidence to the Inquiry could be re-victimised and suffer an emotional or psychological response of a harmful nature including later when in their cells. Consultation with prison managers revealed that existing counselling and psychological assistance to prisoners would likely be inadequate to meet the needs of prisoners if many gave evidence.

Also, there is concern that lack of privacy in giving evidence or otherwise providing information to the Commission could result in victimisation by other prisoners.

With these concerns in mind I consulted the Chief Executive Officer of the Department for Correctional Services, Mr Severin, and his deputy, Mr Weir and received information and advice. At their suggestion I met with the managers of all prisons and Community Correctional Centres at the Adelaide Remand Centre on 24 February 2005. They all confirmed the concerns which I have mentioned and stressed the need for privacy and confidentiality if required by the prisoners.

There are prisons at Northfield, being the Yatala Labour Prison, the Adelaide Pre Release Centre and the Adelaide Women's Prison, Mobilong, Port Augusta, Port Lincoln, Mount Gambier and Cadell. There are 16 Community Correctional Centres in South Australia.

Staff at these centres have frequent contact with prisoners on parole and home detention, alleged offenders on bail and prisoners on remand in respect of whom pre-sentence reports to courts are required. They also have contact with families of prisoners and persons on bail.

Concerns about the welfare of prisoners giving evidence to the Inquiry were also discussed with Mr Garrett, the Chief Executive Officer of OARS. He provided valuable advice and acknowledged concerns for prisoners giving evidence to the Commission.

Upon considering all of this information and advice, it was decided to provide information to prisoners about the Commission by placing the posters, handouts, pamphlets and cards in all prisons, the Adelaide Remand Centre and all Community Correctional Centres. The cards are small and are easier for a prisoner to possess, without observation by others, than the handouts and pamphlets. A short DVD is being prepared to be played in the television networks of the prisons explaining the work and purpose of the Commission and the confidential process of giving information and evidence.

Arrangements were made with the Department for Correctional Services for the inclusion of the Commission toll free telephone number in the prison system so that it could be used to contact the Commission and also without calls being monitored. Also, it was arranged that prisoners could correspond with the Commission without the letters being read by Corrections staff.

Arrangements have been made for prisoners to give evidence away from the prison where they are placed in order to prevent others at the prison ascertaining that they are victims of sexual abuse.

The Commission, in conjunction with the Department and prison staff, is attempting to minimise the risk of prisoners suffering an adverse consequence to giving evidence and arrangements are being made to provide adequate professional assistance if that occurs.

I discussed with Dr Holmwood, who is the Director of the South Australian Prison Health Service, how this potential problem could be averted or resolved. That service provides medical services to each of the prisons in this State and works in conjunction with other professional staff working in the prisons.

Apart from Dr Holmwood, the service has other staff who are medical practitioners who are engaged on a full time basis or a part time basis. Also, the service employs nursing staff who work extensively in the prisons.

Records are kept about each prisoner and may contain information which could indicate if the health of a prisoner is likely to be at risk in giving evidence at the Inquiry.

With the assistance of Dr Holmwood and the consent of each prisoner, it is hoped to develop procedures whereby some assessment of risk can be made before the evidence is given and a strategy developed for appropriate care as may be required.

Additional counselling and other professional services will be provided to prisons to assist prisoners who are adversely affected by giving evidence to the Commission.

#### Adelaide Women's Prison

I attended at the Adelaide Women's Prison at Northfield on 1 April 2005 with Ms Billich and Ms Shona Russell a counsellor from the Dulwich Centre. We met the Manager of the Prison, Ms Dalla Santa and addressed women prisoners and some Corrections staff, including social workers and a psychologist, at two meetings about the terms of reference and purposes of the Inquiry and its processes including confidentiality. Most of the prisoners participated in these meetings and some of them indicated a wish to provide information to the Commission without the need for secrecy.

#### Yatala Labour Prison

On 29 April 2005 I attended at the Yatala Labour Prison with Mr Collett and Ms Billich and held discussions with the General Manager, Mr Gary Oxford and senior staff about the concerns which have been mentioned and procedures which should be developed to resolve them.

I addressed prisoners from one of the main divisions of the prison about the work of the Commission and processes for giving evidence without the awareness of prison staff and other prisoners.

On 4 May 2005 I attended with Mr Collett and Ms Billich at the Pre Release Centre for male prisoners at 6.00pm when all prisoners were available and addressed prisoners and staff including the manager, Mr Kevin Baohm along the same lines. There is not the same need to introduce all of the procedures to protect confidentiality because these men have, or will soon have, unescorted day leave from the Centre and their evidence can be given at the office of the Commission. However, arrangements were made for them to have access to the toll free number and procedures to preserve the secrecy of their contact with the Commission if required by them. Posters and pamphlets are displayed and cards are available at the Pre Release Centre.

On 6 May 2005 Mr Collett and Ms Billich again attended at the Yatala Labour Prison and addressed the prisoners in other divisions of the prison and explained the work of the Commission and the processes which have been developed.

#### Port Augusta Prison

On 29 March 2005 with Mr Collett, Ms Philpot, Ms Williams and Ms Hughes, I met with Mr Raby, the General Manager, and senior staff of the Port Augusta Prison and held similar discussions with them.

I returned to the Port Augusta prison on 8 April 2005 with Mr Collett and Ms Billich and discussed these matters with a group of 14 prisoners at one meeting and four prisoners at a subsequent meeting who had expressed interest in receiving information about the Commission. The larger group were members of the "peer support programme" which is designed to give prisoners a voice and provide them with support in times of crisis. The peer supporters are willing to explain the purposes and processes of this Commission to other prisoners. Pamphlets and handouts were given to them and they agreed to discuss the Inquiry with other prisoners.

Later in the day I received evidence from two prisoners separately who were prepared to give evidence about relevant matters, in the office of the social worker, without the need for secrecy. Other prisoners have indicated they want to give evidence and their evidence will be taken as soon as possible.

#### Mount Gambier Prison

On 23 March 2005 Ms Philpot attended at the Mount Gambier Prison and spoke to various staff and three prisoners who were State children. These prisoners had earlier informed Ms Philpot that they did not object to seeing Commission staff at the prison. The terms of reference and the purposes of the Inquiry were explained and they were informed that procedures to ensure confidentiality can be established. The three prisoners indicated that they wished to give evidence and I propose to take their evidence at the prison in June 2005.

Posters and pamphlets are displayed at the prison and an article about the work of the Commission has been published in the prison newsletter.

#### Port Lincoln Prison

On 2 March 2005 Mr Collett visited the Port Lincoln Prison for discussions with the Acting Manager, Ms Cooper and the social worker, Ms Noble. Those discussions focussed on arrangements for the provision of adequate counselling and follow-up services for prisoners who approach the Commission. Also there was discussion about an appropriate venue for prisoners who wish to give evidence in, or away from, the prison. Posters, pamphlets and handouts have been provided to the prison for display.

#### Other Prisons

It is proposed to visit the Mobilong Prison and the Cadell Training Centre as soon as possible and to provide similar information to the staff and prisoners in those institutions. Arrangements will be made to enable prisoners in those places to give evidence. I am grateful for the invaluable assistance and advice given by the managers and staff of each of the prisons which have thus far been visited.

### **Children's Training Centres and Residential Units**

The two training centres are the Magill Training Centre at Magill and the Cavan Training Centre at Cavan. Children who are sentenced are kept at these Centres as are some children who are remanded in custody.

There are six residential units run by the Welfare Department. They are the Campbelltown Community Unit known as "Cornerways", the Enfield Community Unit, the Gilles Plains Assessment Unit, the Lochiel Park Community Unit, the Sturt Assessment Unit and the Regency Park Community Unit.

The posters and pamphlets were sent to the Welfare Department and it is expected that they have been displayed in all offices and sections of the Department including at appropriate locations at the detention centres and residential units. I propose to visit each of these facilities soon with Commission staff and appropriate support staff and speak to the children about the work and role of the Commission. I also propose to develop procedures suitable to the children for those who are willing to give evidence to the Commission.

### **Street Children**

Information and evidence received so far confirms that there are many children of various ages who are living on the streets of the City of Adelaide, the metropolitan area and regional cities. It is to be expected that many of them are State children. Later, I mention the nature of the allegations of sexual abuse of street children.

Attempts are being made to contact these children and obtain information from them relevant to the terms of reference and purposes of the Inquiry. There is concern by police, officers of the Welfare Department and others as to the safety and welfare of these children and the likelihood of them committing crime with increasing seriousness.

Information has been received to the effect that many street children are reluctant to have anything to do with what they perceive to be “authority” and I suspect that they regard the Commission in that way.

Various initiatives have been undertaken to create a link between the Commission and street children and time will tell if any of them are successful.

With Commission staff I met with Ms Simmons of the Office of the Guardian for Children and Young People and her assistant Ms Andary on 27 January 2005. This Office was established last year and is an initiative of the Keeping Them Safe programme established by the Government as one of the responses to the report of Ms Layton Q.C., in March 2003, known as *The Review of Child Protection in South Australia*. The processes of that Office were being developed. Ms Simmons has indicated that she will make submissions to the Commission and provide information which I have requested about organisations which assist street children, reforms which have been introduced in child protection over the last 20 years and further reforms which are indicated.

On 7 March 2005 I attended with Ms Billich the Planning Day of the South Australian Community Centres of Legal Services at the offices of the Law Society in Franklin Street, Adelaide. The meeting was well attended by representatives of all community legal centres in South Australia, including centres in the country and Aboriginal legal services.

The work and purpose of the Commission was explained. All representatives indicated that they would communicate to their clients information about the Commission and the support services. I was informed that many persons contacting the Centres had knowledge of child sexual abuse. Many suggestions were made as to how the Commission could contact persons who have been sexually abused and who are or have been State children, which have been or are being implemented by the Commission.

These initiatives include contact with various persons, groups and organisations which have contact with street children and the use of publicity in places frequented by them including accommodation, drop in centres and internet cafes and they will be implemented.

On 9 March 2005 evidence was taken from Ms Cook, the Centre Co-ordinator, and Mr Harvey the Consulting Facilitator of the CREATE Foundation in South Australia which was founded about 11 years ago as an association for young persons in care. It provides services for children in, or who have left, State care and may be in some 'private' care, including systemic advocacy.

CREATE has limited facilities at present in South Australia but the representatives indicated that they would publicise the work and purpose of the Commission and make submissions to the Commission in due course.

On 15 March 2005 evidence was taken from Ms Sutherland, the President, and Mr Steeples, the Executive Officer of YACSA. This organisation is a non-government body with a membership comprised of individuals between the ages of 12 years and 25 years, some persons over the age of 25 years and non-government organisations which provide youth services. YACSA has a series of networks which connect with children and young persons. It operates in metropolitan Adelaide and country areas and advocates on behalf of young people. Ms Sutherland and Mr Steeples indicated that they would inform members of the work and purpose of the Commission, encourage young people to contact the Commission and that YACSA will make submissions to the Commission in due course.

With Ms Billich I met with representatives of UnitingCare Wesley and YSAAP to provide information about the work and purpose of the Commission and seek assistance in contacting street children. Both of the organisations have considerable and contemporaneous contact with street children on a daily basis.

These representatives made valuable suggestions to publicise the Commission to young people which are being implemented by the Commission and agreed to publicise the Commission to street children. A special poster is being prepared for display to young persons.

It is hoped that with the assistance of all of these organisations, street children will be prepared to provide information to the Commission so that any recommendations about them can be based upon information which is relevant today as well as the problems encountered by previous generations.

### **The Disabled and the Aged**

Contact has been made with organisations relating to the intellectually disabled persons and the aged. I expect that arrangements to inform them of the work and function of the Commission will soon be developed and then procedures and facilities for the reception of information and evidence can be established with the guidance and assistance of persons with appropriate expertise. It is hoped that these initiatives can be completed by the end of June 2005.

## **14. SCOPE OF THE INQUIRY**

As has been seen, the terms of reference do not cover all forms of child abuse or all children. The Parliament has restricted the Inquiry to sexual abuse of State children whilst in State care and criminal conduct resulting in the death of State children whilst in State care. Nonetheless, the scope of the Inquiry is very broad and has attracted much interest among former State children and others who were in care but not State care in this State but have relevant information. Also, it has attracted interest from former carers, Government officers who have considerable experience in the care of State children, representatives of providers of foster care, some foster parents and many other interested persons.

If the terms of reference had not been so limited, the Inquiry would have been difficult to manage. Nevertheless, I have heard evidence which in a narrow sense may be thought by some to fall outside the terms of reference. I have received evidence from persons who were in institutions but were not State children or who were State children but were not sexually abused. Their evidence is relevant to establish reliably the circumstances in those institutions at relevant times so that the evidence of State children who were sexually abused can be better assessed. I have heard evidence by State children who were not sexually abused but were aware of sexual abuse of others.

Also, I have heard evidence of physical, mental and emotional abuse of persons who allege sexual abuse in State care. It is necessary to appreciate the circumstances and conduct in which sexual abuse occurs which may be relevant to why it was not reported.

On occasions I heard evidence from persons about sexual abuse of children without it being established by that evidence that the children were State children. Inquiries should reveal whether children were State children and come within the terms of reference.

Since publicising the Commission in prisons, some prisoners who acknowledge that they were perpetrators of child sexual abuse have indicated a wish to provide information to the Commission which I expect will be relevant to the terms of reference.

## **15. PROCEDURE OF THE INQUIRY**

### **Statutory Provisions**

I mention provisions of the Act which relate to the procedure adopted in the conduct of the Inquiry. Section 5 provides that I am not bound by any rules or practices as to procedure or evidence and I may inform myself in such manner as I think fit. Nevertheless, I have applied usual rules of evidence when receiving evidence of criminal conduct and have attempted to ensure that the process I have adopted will not impede or compromise any subsequent police investigations which may result in the laying of charges of criminal conduct against any alleged perpetrators or any other person.

Section 5(b) provides that I must adopt procedures that will facilitate a prompt, cost-effective and thorough investigation of any matter relevant to the Inquiry and I have attempted to do so.

Section 5(1)(f) provides that I must take all reasonable steps to avoid prejudicing any criminal investigation or prosecution. Some evidence has been received which may not be admissible in criminal proceedings, usually on the ground of hearsay. Nevertheless, it has been passed on to the police for their purposes, with the approval of the person giving the evidence, as it may assist police in relation to their enquiries about matters, both general and particular.

On occasions I have received evidence about matters which are not directly relevant to the terms of reference, usually about sexual conduct not involving State children which I have passed on to the police as authorized by section 5(1)(e) which provides that I may refer any matter that is not directly relevant to the Inquiry to any other person or agency. Also, I have received evidence about the response of educational authorities to allegations of child sexual abuse not involving a State child which I shall pass on to the appropriate authorities after further enquiries have been completed.

The Act also provides that I must take evidence in private unless I consider that it is in the public interest not to do so: section 5(2) and section 5(3). Thus far there has been nothing about the evidence I have heard which has indicated that it should be heard in public but I expect to receive submissions and possibly some evidence in public in the future. However, I must keep in mind section 5(4) of the Act which provides that I must comply with any request by a person providing evidence, information or making submissions to the Inquiry that the evidence, information or submissions be received in private.

I may, if I think fit, refuse to inquire into, or continue to inquire into, a matter which I consider to be frivolous, vexatious or not sufficiently relevant to the Inquiry: section 5(6) of the Act.

Thus far I have not encountered any matter which may be so described except that further inquiry into some matters may reveal that they do not fall within the terms of reference.

Section 6 gives the power to require the attendance of a witness to give evidence or to produce evidentiary material, or both, to the Inquiry, and section 7 provides for the obligation to give evidence. Thus far I have not had occasion to use these powers.

I am obliged, by section 9(5) of the Act, in the conduct of the Inquiry and in my report or reports, to take all reasonable steps to avoid the disclosure of information that may identify or lead to the identification of a person who has been, or is alleged to have been, a victim of a sexual offence while a child, or a person who has committed a sexual offence against a child, if the interests of justice so require, or a person who has provided information about a sexual offence, or suspected sexual offence, against a child, if the public interest so requires. Evidence has been received about alleged sexual offending by persons who are now dead. As those persons have not had the opportunity to answer the allegations, I have not yet thought the public interest requires disclosure of their identities.

Section 10(1) of the Act provides that in order to assist in the identification of any persons, I may use a code or other system of identification so as to avoid disclosure of information which may so identify and I propose to do so when required.

Section 10(2) of the Act provides that I must, under an arrangement established with the Commissioner of Police, provide to him any information concerning the commission, or alleged commission, of a sexual offence against a child, arising during the course of the Inquiry unless I have reasonable grounds to believe that the information has already been reported or provided to a police officer or has been investigated or re-investigated by the police. Further, it provides that the information need not be provided to the police if I decide that it be provided to the Director of Public Prosecutions. Also, the information need not be provided to the Commissioner of Police or the Director of Public Prosecutions if the alleged victim of the offence has so requested, subject to the exception that I may provide the information to the Commissioner of Police or to the Director of Public Prosecutions if I consider that it is in the public interest to do so.

Thus far, 21 persons alleging sexual offences have requested that the police be informed and I have provided to the police transcripts of the evidence which they have given.

In some instances transcripts have not been passed on to the police because the alleged perpetrator is dead and alleged victims have requested that their allegations not be provided to the police for various reasons. In those cases there has not been a public interest which required the information to be passed to the police.

### **Method of Investigation**

Upon a victim, survivor or any other person contacting the Commission, one of the solicitors is assigned to that person and carries out an initial investigation as to the nature of the evidence or information which could be provided. Where relevant, Government records are obtained.

If the person to give evidence requires a counsellor or other professional assistance before, during or after the giving of evidence, appropriate assistance is provided. The persons giving the evidence are permitted to be accompanied by any other person of their choice.

Evidence is received with or without an oath at the choice of the person. The evidence is recorded and a verbatim transcript is prepared and a copy given to that person.

Thus far I have taken the evidence personally as the victims or survivors prefer that I do so and also because it enables me to make an assessment of the person giving the evidence. Where the person giving the evidence is a victim or survivor, every effort is made to receive the evidence in the manner which could assist a healing process. The evidence is received usually in a room in the office of the Commission. The persons giving the evidence may be accompanied by persons of their choice. The evidence is given to me in the presence of the solicitor who commenced the investigation and is given without strict formality. Those present sit around a table and the evidence is, in the main, elicited by me.

Most victims or survivors have been prepared to give evidence at the office of the Commission, but some declined to do so for various reasons. Consequently, I received their evidence at places of their choice. Four persons gave evidence in their private homes. At his request, one person gave his evidence at the Glandore Community Centre, which was formerly the Glandore Boys Home. Another person, who lives on the streets in Sydney, at his insistence, gave his evidence in a large park in Sydney. I accept that some victims or survivors will only give evidence in locations which are satisfactory to them and I shall comply with their requests if possible.

At the conclusion of receiving evidence, the investigation of the allegations continues.

When evidence of a sexual offence is disclosed, each person is asked if consent is given to the transcript being forwarded to the police. In most cases such consent has been given. Some victims or survivors have refused consent and the transcript has not been given to the police as in each of those cases the public interest did not require disclosure to the police. In some cases the alleged perpetrators were dead and, in the circumstances, disclosure to the police was not required. In other cases consent was readily given and the transcripts were forwarded to the police. I expect many more matters will be referred to the police as evidence is taken from those persons who have contacted the Commission and not yet given evidence.

The investigation necessarily involves inspection of records of the Welfare Department and records of homes, both State and privately owned, are also obtained. Potential witnesses are identified and records as to the arrangements between the Welfare Department and churches and other private homes and regarding personnel at these homes are obtained, or are to be obtained, for inspection. Also, records are obtained from the Coroner, medical practitioners, hospitals and other agencies where appropriate. Any records of any person or organisation which may assist in the investigation can, and will, be obtained. I have received co-operation and assistance from the Welfare Department, State Records of South Australia and the Police in the production of documents. They are kept securely in the Commission office under the supervision of a member of staff who has considerable experience in the keeping of records and their preservation.

Thus far, I have been able to ensure that persons who are the subject of the records do not have access to what would be denied to them under the *Freedom of Information Act 1991*. I am establishing processes whereby decisions under that Act may be made without the documents leaving the offices of the Commission. Even if information in files is not to be disclosed to persons who are the subject of the files, the complete file and all information is given to the Commission.

The inspection of records will be a major task in the Inquiry and will occupy considerable time but it is necessary for thorough investigation of allegations. If relevant witnesses are identified, evidence is to be taken from them. If allegations are made against the Welfare Department or any other department, organisation or person, the opportunity will be given for appropriate persons to respond and produce evidence.

## **16. ARRANGEMENTS WITH THE POLICE**

Earlier, mention is made of the requirement in section 10(2) of the Act for me to make an arrangement with the Commissioner of Police for the provision to him of information about sexual offences received during the Inquiry. I mention the arrangements which have been made. During March 2005 allegations were made publicly by certain persons about sexual offences allegedly committed by two prominent persons and two police officers.

I had taken evidence from two persons each making one of these allegations and another person who repeated information about one of those persons given to him by a person who is now dead.

As allegations were made about police officers, I discussed them with the Commissioner of Police. Also, the allegation against one of the prominent persons did not fall within the terms of reference of the Inquiry as the allegation was that the sexual abuse involved a State child but of another State. Nevertheless, the allegation was of the commission of a criminal offence in this State and the person giving the evidence consented to the information being given to the police.

For reasons which I need not disclose, I considered that the police should make the appropriate inquiries and I should not risk prejudicing that investigation. A determination of guilt should be made by a jury after a trial and due observance of the procedures of the criminal justice system. All operational decisions should be made by the Commissioner or an officer appointed by him. I provided the information which I had received about these matters to the Commissioner, except the information about the prominent person which did not fall into the terms of reference. That information I passed on to Detective Superintendent Stevens, the officer directly in charge of the Paedophile Task Force which was established on 30 May 2003 by the Commissioner of Police.

Following the allegations about the police officers, the Commissioner of Police appointed Assistant Commissioner Fahy to undertake the investigation of the allegations.

One of the persons who had given evidence to the Inquiry about one of the prominent persons gave further evidence to the effect that his earlier allegation identifying the prominent person was incorrect in that he had identified the wrong person. A transcript of that evidence was given to Assistant Commissioner Fahy. Evidence was taken from two other persons about matters relating to that retraction.

Also, evidence was taken from a member of staff of the Premier denying that information had been given to him and another member of the Premier's staff identifying a prominent person as having committed child sexual offences. This evidence was passed on to Assistant Commissioner Fahy with the consent of these two persons. In any event, I would have passed the information to him because it was in the public interest that the police have this evidence to consider during their investigations.

My arrangements with the Commissioner of Police and Assistant Commissioner Fahy continue and I shall refer matters to them which involve police officers or prominent persons should allegations of that nature occur and, in the circumstances, I consider that it is appropriate to do so.

Arrangements have also been made with the Paedophile Task Force following discussions with Assistant Commissioner Glynn and Detective Superintendent Stevens. These arrangements include that I refer to the Task Force information as to sexual offending involving State children and anyone else, unless the person making the allegations does not consent and no public interest consideration arises. The Task Force will provide such information as is required to assist investigations by the Commission unless to do so, at the time, would prejudice a police investigation.

I meet regularly with Detective Superintendent Stevens and members of his staff and the arrangement works satisfactorily and is kept under review. I also have regular contact with Assistant Commissioner Fahy regarding the investigation which he is supervising and expect to continue to do so until that investigation is completed.

## **17. PROOF OF ALLEGATIONS**

It will be seen from the terms of reference and the provisions of the Act which have been mentioned that it is not my function to decide whether an allegation of sexual abuse or an allegation of criminal conduct causing death of a State child, is true. Also, it is not the function of the Commission to decide if a particular person committed a sexual offence or criminal conduct causing death.

The appropriate tribunal to make these decisions is the criminal court and the persons involved in that process, the complainant, witnesses and the accused, must have the protections and safeguards of the criminal justice system.

However, I am obliged to reach some conclusions as to whether the allegations are frivolous or vexatious or sufficiently relevant to the Inquiry as has been mentioned. In discharging that function, I have applied the test of whether it is reasonably possible that the allegations are true, which is a different standard than the standard of proof beyond reasonable doubt applied in the criminal courts. If the allegations do not pass that test, they do not require further investigation.

Also, I shall not make any findings adverse to any particular person based only upon rumour, speculation or mere repetition of hearsay information. In such cases I have requested that persons with direct evidence provide evidence to the Commission and if they do not do so and their identities and whereabouts are known, inquiries are made to attempt to locate them. Where the further enquiries do not locate persons with direct evidence, I have passed on to the police information which I received so that the police may conduct their own enquiries and at the least use the information, where appropriate, for intelligence purposes unless there is a sound reason not to do so.

Earlier, mention has been made of many persons giving evidence being adversely affected by the sexual misconduct which they allege. Considerable care has been taken at all stages of the investigation to ensure that persons making the allegations can give evidence in circumstances and in a manner most appropriate to them. I accept that many of them have shown considerable personal courage in giving evidence to the Commission.

Even though some persons gave evidence under considerable difficulty due to their emotional or psychological condition, I found no reason to reject the allegations made by them for those reasons. I concluded that it is reasonably possible that all of the allegations made thus far are true, except some allegations made by four persons.

One person alleged that a State child in detention died as the result of criminal conduct by a worker at a detention centre, but upon investigation, including by police, it was established that no such conduct occurred prior to the death of the child. The person making the allegation acknowledged that it had been demonstrated to his satisfaction that he had described conduct committed on another occasion which did not result in death. I accepted that the passage of time of many years had contributed to his mistake.

Allegations by the three other persons are the subject of further investigation and relevant decisions will be made when those investigations are completed.

## 18. RECORDS

The Commission is concerned with records in three main respects.

First, records of Government departments and agencies, including the Welfare Department and non-government institutions including churches and other organisations providing care for State children which have any bearing upon the terms of reference, must be obtained, catalogued and kept safely by the Commission. The records must be preserved and kept intact so that they are available not only to assist in the investigations by the Commission, but also to the police, for the purpose of investigations of criminal conduct and the prosecution of criminal offences.

Secondly, inquiries as to the existence of such records in the past and at present must be undertaken in order to make findings about the existence of records and their appropriateness and adequacy. Evidence received by the Commission indicates that some persons have been told by Government officers that their records do not exist but subsequently the records have been located. The reason for the incorrect information may be inadequate cataloguing but the reason should be established.

Thirdly, the Commission has already generated many records during the course of the Inquiry and the extent of its own records will be considerable before the work of the Commission is completed. These records must be kept intact. The Commission is an exempt agency for the purposes of the *Freedom of Information Act 1991*.

The management and safe keeping of records is a matter crucial to the work of the Commission. The Commission employs a full-time records manager to manage all matters relating to records including the obtaining, maintenance and storage of records within the Commission.

A functional based thesaurus was established at the commencement of the Inquiry to ensure the appropriate arrangement of records created and received by the Inquiry. A records storage room has been established to enable appropriate storage of all records received by the Commission and access to them.

All requests for records by the Commission as part of the investigations are directed to the agency responsible for them. Agency contacts and ad-hoc agreements have been established with the main agencies that are responsible for the records.

These include the Welfare Department, the South Australia Police, the Courts Administration Authority, the Department for Aboriginal Affairs and Reconciliation, the Department for Correctional Services, the Department of Education and Children's Services, the Department of Health, the Royal Adelaide Hospital, the Women's and Children's Hospital, the Flinders Medical Centre, the Lyell McEwin Health Service, the Queen Elizabeth Hospital and the Port Noarlunga Health Services. Similar arrangements have been made for access to documents held by the State Coroner.

Most records requested so far have been from the Welfare Department. Its staff have been helpful and co-operative in their responses. To date, 872 requests for records have been issued by the Commission with 563 individual requests being granted by the agency involved. A total of 1,115 individual files has been received by the Commission as there are often multiple files for the same person or request.

The agreement between the Commission and the Welfare Department is for a turnaround time of 2 weeks from the initial request and there has been substantial compliance. Further investigations about the existence and location of records continues. The investigations of the Commission regarding the records are in an early stage and it is not yet appropriate to comment on the adequacy of records held by the various agencies.

The Commission staff work closely with the officers of the agencies and have received considerable assistance from State Records of South Australia. Some preliminary evidence has been taken from Ms Djakovic who is a records manager for the Welfare Department. She has been in that position for about two years and previously worked as an archivist at State Records of South Australia. She continues to obtain and catalogue records which should be of assistance to the Commission and has assisted in establishing procedures for the Commission to obtain records. I acknowledge the substantial and valuable assistance which Ms Djakovic has given to the Commission.

Investigations will continue in order to establish what documents exist which are relevant to the terms of reference and the purposes of the Inquiry and what documents, if any, no longer exist. It will be necessary to determine the reasons why documents no longer exist.

I propose to report more extensively about the existence and availability of records after investigations into that subject matter have been completed.

## **19. HOMES AND DETENTION CENTRES**

In order to comply with the obligation imposed by section 11(3) of the Act, it has been necessary to try and establish what forms of State care, other than foster care, existed during the years embraced by the allegations made thus far up until 18 November 2004 when the Act came into operation.

Inquiries thus far reveal that many homes were operated by non-government agencies, including religious and other private organisations. Also, the Welfare Department operated many homes, hostels and detention centres which at times have been called reformatories and training centres. In Schedule 1 to this report is a list of all of the homes which are known to the Commission at this stage and some information about them including when they came into operation and ceased to operate. It is hoped that the publication of this information will stimulate others to come forward who know of other homes and if any of the information set out in the schedule is incorrect. I shall refer to the Church of England in Australia which became the Anglican Church in 1981 as “the Anglican Church”. The homes run by the Methodist Church were run by the Adelaide Central Methodist Mission which is now known as the UnitingCare Wesley Adelaide Incorporated. The United Aborigines Mission was formed in 1929 when the Gospel Mission to the Aborigines and the Australian Aborigines Mission, two Aboriginal Mission organisations, amalgamated.

Inquiries about the homes are, in the main, being undertaken by Dr George and the information in this chapter and in Schedule 1 has been compiled largely by her. I am grateful for her substantial assistance. Inquiries thus far have not established if State children were placed in all of the homes but it seems likely that at various times such was the case.

## **20. ALLEGATIONS OF SEXUAL ABUSE IN STATE CARE**

Later in the Inquiry I propose to report about the history of the development of care of State children in this State. Thus far I have not had the opportunity to take much evidence about this matter although I have been greatly assisted by various witnesses who were previously employed by the Welfare Department and have considerable knowledge about these matters. My investigation cannot be complete until I have had access to records and received evidence from many other witnesses.

Information received thus far suggests that there was a major shift in Government policy during the 1970's and thereafter. Prior to that time most children in State care, both Aboriginal and non-Aboriginal were placed in homes run by churches, the Welfare Department and other organisations. Aboriginal children were taken from their parents who lived mainly in regional missions and settlements and in some metropolitan and regional urban areas. They were placed in these homes often with little or no contact with parents and other family members thereafter.

The same may be said of non-Aboriginal children taken into State care for one or more of a variety of reasons but mainly due to there being no parents or family members available to care for them or who, due to incapacity, could not do so competently. On occasions the Welfare Department placed State children with family members other than parents, or with foster parents, but most were placed in homes.

During and after the 1970's, the policy was progressively developed of placing State children in foster homes with the consequence that many of the homes and institutions run by the Welfare Department, the churches and others, were closed. As the placements in foster homes increased it is likely that the incidence of sexual abuse in that environment also increased.

Evidence received thus far suggests that a policy of family re-unification, where possible, was later developed. These matters will be investigated by the Commission in due course.

I now refer to the allegations of sexual abuse of those persons who have approached the Commission who were State children.

In doing so, I observed section 9(5) of the Act, to which I have earlier referred, which requires that I take all reasonable steps to avoid the disclosure of information that may identify or lead to the identification of a victim of sexual abuse, a perpetrator or other persons who have provided evidence of sexual abuse, if the interest of justice so requires regarding the last two mentioned categories.

At the time of writing this report none of the investigations of allegations of sexual abuse of State children made to the Commission has been completed and as far as I am aware, none of the investigations of matters referred to the police by the Commission being conducted by the police has been finalised. Consequently at this stage I avoid reporting about the detail of the allegations so as not to impede investigations of the Commission or the police, but I propose to do so in a subsequent report, if appropriate at that time.

### **Homes and Institutions**

The evidence thus far indicates that many of the children taken into State care were very young, including babies at some homes. Most children who were of sufficient age to understand their separation from their families were confused and distressed. They had to adapt to the routine and culture of the homes very quickly. The young children, almost without exception, had no knowledge or experience of sexual matters.

Those who did had experienced sexual activity which had been associated with threat, fear or false information as to its significance and many had been schooled to participate in sexual activity with persons whom they trusted.

Some were not aware that sexual activity involving them was wrong or inappropriate until later in their lives. I accept that the persons who have given evidence thus far were disempowered and very much at the mercy of those who perpetrated sexual acts upon them.

The culture in many of the homes and institutions discouraged in powerful ways disclosure of the conduct. That culture was reinforced and fostered by the perpetrators. In many instances those who did disclose, or attempted to disclose, were disbelieved, and, in some instances, punished.

I have received some evidence to the effect that there were changes in the response of the Welfare Department to allegations of sexual abuse by children over the years. Well before 1970 the Welfare Department accepted professional advice that such allegations were fantasy. Later the response was to take such allegations seriously and finally the response was to accept the allegations as true and act upon them accordingly unless there was good reason to reject them.

The picture is painted of young girls and boys who were frightened, unable to protect themselves and make disclosure, and who were abandoned in this respect by their carers.

I make those observations about the homes and institutions at which it has been alleged that sexual abuse occurred. Until the completion of the Inquiry I am unable to reach any conclusions as to whether there were homes and institutions at which sexual abuse did not occur.

The effect upon the children of the sexual abuse was usually devastating and the circumstances of their environment left most of them vulnerable to continuing abuse. These observations apply equally to children who were placed in foster care and were sexually abused.

In many homes and detention centres, not only were girls and boys open to abuse by staff or carers, but were abused by other children.

They were usually older or sexually experienced children who could, and did, prey upon the younger and vulnerable children. There has been a considerable amount of evidence of sexual abuse by other residents and I shall inquire as to why this situation was apparently allowed to occur.

A consequence was that many young children became “sexualised” and participated in consensual sexual activity with other children as they reached early levels of sexual development. In many cases the children were damaged by this conduct. It appears that in some homes sexual conduct among children was accepted by those charged with the responsibility of caring for them. I propose to inquire as to why this attitude existed and if carers attributed to young children the sexual maturity to be able to make informed and sensible decisions about consensual sexual intercourse without guidance.

In making these observations I expect that evidence will show that the majority of persons placed in charge of State children in homes and detention centres discharged their duties conscientiously and effectively and were beyond reproach. However, at this stage of the Inquiry I am required to report about the allegations of sexual abuse.

Many persons have contacted the Commission and indicated that they allege sexual abuse of State children in State homes and institutions and in other homes. So far it has not been possible to investigate all of these allegations. I am required by section 11(3) of the Act to report on allegations of sexual abuse of children in the various forms of State care other than foster care insofar as is reasonably practical to do so.

I make that report in regard to those allegations where investigations have commenced.

I have received evidence of allegations of sexual abuse of children who may be described as street children, many of whom were, or are very likely, State children.

It is alleged that many State children ran away from the homes, institutions and foster homes where they had been placed after being made State children and lived on the streets. I have received evidence from persons who were State children and lived on the streets at times over the last 20 years or so. Transcripts of this evidence have been passed to the police with the approval of the persons giving that evidence.

In broad terms the nature of the evidence is of street children giving sexual favours usually to men in public places for money. These places include Veale Gardens, the southern bank of the River Torrens near Jolly's Boathouse, many public toilets in the parklands of the City of Adelaide and metropolitan Adelaide. The sexual acts were usually unlawful sexual intercourse.

On occasions the sexual conduct occurred in motor vehicles of the adults parked nearby. On other occasions the adults drove the children to more secluded places, including private homes, where the offences were committed. Older children introduced young children to this activity.

Also, it is alleged that some children in residential State care in homes such as the community and admission units, left the units overnight and engaged in this type of sexual activity for money.

It is alleged that generally children under the age of 15 years are not entitled to payments from Centrelink and a reason for participation in the sexual offences was to obtain financial means for subsistence. Investigation of these allegations is continuing.

#### Bedford Park Boys Training Centre

One boy aged about 14 years is alleged to have been raped by other residents at the Bedford Park Boys Training Centre during the mid 1960's.

### Brookway Park Boys Reformatory

There is an allegation of boys being removed from Brookway Park Boys Reformatory at Campbelltown in the 1970's and taken to a residence in Adelaide by a carer for the purpose of pornographic photography. Also, it is alleged that State children were taken to other private homes and required to associate with groups of men who sexually abused them.

Allegations have been made by six boys that they were sexually abused at Brookway Park Boys Reformatory. Their ages ranged from 10 years to 14 years and the abuse occurred in the 1960's and 1970's. The nature of the alleged abuse is rape, both anal and oral, indecent assault, gross indecency and indecent photography. The perpetrators were carers, other boys and men who took boys out of the home or visited them at night.

### Colebrook Home

One boy aged seven years is alleged to have been raped by a male stranger at Colebrook Home in 1961. A number of boys are alleged to have been sexually abused by a carer at Kurbingai Boys Home during the period 1958 to 1962. Until inquiries are completed, it is not possible to specify how many boys were abused or the precise nature of the sexual conduct, but it is alleged that conduct included indecent assault.

### Convent of the Good Shepherd "The Pines"

One girl is alleged to have been abused at the Convent of the Good Shepherd known as "The Pines" when aged 16 years in 1960 by a boy when she was on day leave. The relevance to the Inquiry of this allegation can only be determined after further investigation. Another girl aged 14 years is alleged to have been raped at The Pines by a worker in about 1968.

A girl aged about 13 years is alleged to have been indecently assaulted and raped by carers at The Pines during the period in between 1967 and 1969. There are other allegations of girls being sexually assaulted at The Pines.

### Davenport Girls Home

It is alleged that a girl aged about 15 years was sexually abused by a carer at the Davenport Girls Home at Millswood in about 1975. The carer fostered a relationship with her which led to an extensive sexual relationship over a period of time.

### Dunant House Youth Shelter

Also, it is alleged that a boy, aged 16 years, was sexually abused at Dunant House Youth Shelter in 1983 to 1984 by a carer, a friend of a carer and another resident. The conduct was indecent assault, gross indecency and showing pornographic photographs.

### Eden Park Salvation Army Boys Home

Allegations have been made of seven boys being sexually abused at the Eden Park Salvation Army Boys Home at Mount Barker by carers and other residents. The range of ages of the boys was five years to 12 years and the nature of the conduct was rape, gross indecency and indecent assault. The incidents occurred in 1952 to 1955, 1964 and 1979 to 1981.

One boy aged six years is alleged to have been raped by an older resident of The Salvation Army Boys Home at Kent Town in about 1971.

### Enfield Community Unit

Allegations have been made of sexual abuse by other persons who were children at the Enfield Community Unit, which is also known as the Northern Region Admission Unit, in the 1990's or thereabouts.

According to one person making allegations, sexual conduct between male and female residents was common. It is alleged that a 15 year old girl was raped by a male resident. It is also alleged that children ran away from the Enfield Community Unit and lived on the streets and performed sexual favours for adults for money. It is alleged such conduct continues at the present time.

Another woman alleges that in about 1995 when aged about 14 years she was schooled by a 39 year old man and was introduced to his wife and child.

He was a trainee youth worker at another unit at which the girl had previously lived. She committed a serious criminal offence in company with other residents and was released by the Youth Court on a bond on the condition that she lived with this man and his wife and obeyed their directions.

She was released into their care and within a short time the man commenced a sexual relationship with her which continued for over a year. Much later when she was no longer living with him she complained to the police. The man was charged with sexual offences and committed suicide before trial. This woman also alleges that she was raped and indecently assaulted at the Sturt Community Unit.

It is alleged that boys were sexually abused by other boys resident at the Enfield Community Unit. One victim was aged 10 years and was abused by sexual touching during 1980.

#### Farr House

One girl is alleged to have been sexually abused by a volunteer carer whilst she resided at Farr House when aged between 13 years and 17 years during the period from 1981 to 1986. The abuse occurred outside the home and the conduct was unlawful sexual intercourse, gross indecency and indecent assault.

#### Fullarton Cottage

It is alleged that a boy of the age of 12 years was anally and orally raped and otherwise sexually abused at the Fullarton Cottage by carers and residents in years following 1965. Also, he was taken out of the Cottage by male visitors. He was drugged and raped and sexually abused.

### Glandore Boys Home

Nineteen men allege that they were sexually abused as children at the Glandore Boys Home. One victim was abused in the 1950's, nine victims were abused in the period from 1964 to 1969 and the other victims were abused between 1970 and 1973. Their ages were between six years and 13 years. The conduct included anal and oral rape, indecent assault, gross indecency and photography of sexual acts. The perpetrators are alleged to have been other boys, carers and, in one instance, a male visiting the home at night.

### Kali Hostel

A boy aged eight years is alleged to have been indecently assaulted at Kali Hostel by a carer in about 1971.

### Kennion House

It is alleged that two boys aged between 13 years and 15 years were sexually abused in 1982 and 1987 at Kennion House. The conduct included indecent assault and anal sexual intercourse by other residents.

It is also alleged that a boy was sexually abused on occasions between 1977 and 1984 when he was aged between 11 years and 18 years but the nature of the conduct has not yet been revealed as investigations have not yet commenced.

### Kumanka Boys Hostel

Allegations have been made of boys being removed from Kumanka Boys Hostel, on occasions on a Friday evening by men who took them to a theatre and then to a large residence where they were entertained, drugged and sexually abused. They were kept for the weekend and were returned to Kumanka on Sunday evening. Four or five boys were removed at a time.

### Lentara Children's Home

It is alleged that a girl aged five years was digitally raped at the Lentara Children's Home in about 1963 by a carer.

### Lochiel Park Boys Training Centre

There are allegations of sexual abuse by anal and oral rape of a boy, aged about 12 years, by carers and residents at Lochiel Park Boys Training Centre in the mid 1960's and of a girl aged about 14 years at the Sturt Community Unit by a carer when she was raped and indecently assaulted in consequence of which she became pregnant.

### Mansfield House

Allegations have been made of another boy, aged between 11 years and 18 years, who was sexually abused at a home which is said to be Mansfield House during the period from 1977 to 1984. Investigations should reveal the nature of the conduct and the occupation of the perpetrator.

### McNally Training Centre

It appears that there may have been confusion by some persons making allegations between the Boys Reformatory Magill, the McNally Training Centre and the South Australian Youth Training Centre or that different names have been used for the same institution and I shall refer to it as the McNally Training Centre. For present purposes I have regarded them as the same centre. Further investigations will establish if they should be regarded as separate institutions. Thirteen boys have alleged sexual abuse by other residents, carers and members of the public whilst on the streets after running away.

It is alleged the various acts occurred at times between 1958 and the 1990's. The conduct is alleged to be anal and oral rape, gross indecency and indecent assault.

### Morialta Protestant Children's Home

Allegations have been made of sexual abuse of two girls at the Morialta Protestant Children's Home by a carer during the period from 1959 to 1966. No further matters about this allegation can be reported until further investigation is completed. It is also alleged that a boy aged five years may have been sexually assaulted by an unknown perpetrator in about 1962. Further, it is alleged that a girl aged six years was raped and indecently assaulted on many occasions by a son of a carer, commencing when she was aged six years.

### Oodnadatta Children's Home

It is alleged that one girl aged about nine years was sexually abused at the Oodnadatta Children's Home in about 1966 by a male resident. The conduct may have been rape but was at least indecent assault.

### Sacred Heart Orphanage

Another boy, aged about 11 years, is alleged to have been sexually abused by a carer at the Sacred Heart Orphanage at Crystal Brook in about 1953. The nature of the conduct was indecent assault.

### Saint Joseph's Orphanage

Five boys are alleged to have been sexually abused whilst living at Saint Joseph's Orphanage. Two of them were brothers and were abused by their father during visits when they were taken from the home during the period from 1962 to 1970 when they were aged from five years to 12 years. The conduct was oral rape and gross indecency. Two other boys aged under 10 years were sexually abused when taken from the home by adults who had permission to take boys on day outings or to stay away at weekends. The conduct was gross indecency, indecent assault and attempted rape with respect to one boy. Another boy was repeatedly sexually abused when taken out for weekends by adults with the permission of staff. It is alleged that the other boy was sexually abused at the orphanage by carers when he was aged about 10 years to 13 years.

### Seaforth Children's Home

Six persons allege sexual abuse of them as children at the Seaforth Children's Home. In one case the victim alleges the perpetrator was a female member of staff and she touched the girl inappropriately whilst she was in the bath. The other allegations are that three girls were sexually assaulted by older girls who were residents. One girl was raped by a man who followed her from the home and one girl was sexually abused by her father when taking her out of the home on visits.

The ages of the children ranged from four years to 11 years and the conduct is alleged to have occurred during the period from 1951 to 1973.

### Slade Cottage

Allegations have been made of boys aged about 14 years being sexually abused at Slade Cottage in the period from 1983 to 1985 by carers. The conduct was indecent assault, displaying pornography, oral sex and anal rape. It is also alleged that another boy aged about 10 years to 12 years was sexually abused at the Cottage during the period from 1974 to 1976. The alleged perpetrator and the nature of the conduct should be ascertained after further investigation.

### South Australian Youth Remand and Assessment Centre

Three men and one woman allege they were sexually abused as children at the South Australian Youth Remand and Assessment Centre but it may be that the allegations relate to another government institution. Until further investigation the perpetrators will not be known, but in relation to the girl, it is alleged the perpetrators were residents, carers and men who visited the Centre. The dates when the conduct occurred have not been disclosed. The nature of the conduct in all cases was rape and indecent assault.

### Southern Region Group Home

Another boy aged between 15 years and 17 years was allegedly sexually abused by two carers whilst resident at the Southern Region Group Home during the period from 1985 to 1987. The abuse occurred outside the Home.

The nature of the conduct was attempted anal sexual intercourse, gross indecency and indecent assault.

Many children, including State children were placed in orphanages and homes run by churches, other organisations and individual operators. Allegations of sexual abuse have been made by persons who were placed in some of these homes. Some of the children were State children and the status of others will not be clear until further investigations are completed. At this stage I merely report as to the allegations which have been made.

#### Stirling Cottage

Stirling Cottage at St Peters was a home at which some State children were placed. It is alleged that two boys aged eight years to 10 years and ten years to 12 years respectively were sexually abused at the Cottage during the period from 1972 to 1974 by a male adult who took them out on visits. One of the boys was sexually abused by carers at the home and by other residents. The conduct included rape, gross indecency and indecent assault.

#### Struan Farm School

Three men allege that they were raped as children at Struan Farm School at Naracoorte by other residents. Their ages ranged from 14 years to 16 years. One victim alleges that he was abused in about the late 1950's or early 1960's and the other two victims allege that they were abused during the period from 1965 to 1968.

#### Stuart House Boys Hostel

It is alleged that a boy of the age of between 11 years and 15 years was abused when residing at Stuart House Boys Hostel during the period from 1980 to 1984 by church officials and priests. The abuse occurred away from the home and involved attempted anal penetration, oral sex, pornographic photography and gross indecency.

### St John's Boys Town

One boy, aged between seven years and 10 years is alleged to have been sexually abused at the home known as "Boys Town" at Brooklyn Park during the period from 1946 to 1950 by a carer when he was deliberately and forcefully kicked in the groin on a number of occasions resulting in permanent damage to his private parts. Investigations should indicate if the conduct in the circumstances constituted sexual abuse.

### St Vincent de Paul Orphanage

Sixteen girls are alleged to have been sexually abused at the St Vincent de Paul Orphanage at Goodwood during the period from 1949 to 1963. The range of ages of the girls is four years to 16 years. The alleged perpetrators were carers, volunteer carers, employees, other residents and visitors. On some occasions the abuse is alleged to have occurred when children were taken out of the home by carers and visitors. One person alleges she was abused during a visit by her father and one person alleges that she was raped by a contractor working on the premises.

### United Aborigines Mission

A girl between the ages of 13 years and 17 years is alleged to have been repeatedly raped and indecently assaulted by a carer at the United Aborigines Mission at Finnis Springs during the period from 1956 to 1960.

Some of the persons who have provided information to the Commission and allege that they were sexually abused whilst in State care, also alleged that other children were sexually abused by carers and there was widespread sexual abuse of children by other children who were residents in homes and institutions. These allegations are being investigated but at this stage lack sufficient particularity to be specified.

### Vaughan House

Allegations have been made that six girls aged between 11 years and 17 years were sexually abused at Vaughan House during the period from 1970 to 1977. In all but one of the cases the alleged perpetrators were carers. In the other case the perpetrator was a stranger. Two of the girls were required to touch and handle a male carer. One girl was forced by a stranger to have oral sex with him whilst on day leave, two girls were sexually assaulted by carers and one girl was repeatedly raped by a carer. Three girls allege unnecessary and inappropriate vaginal examination by a medical practitioner attending Vaughan House.

### Windana Remand Home

There are allegations that seven boys were sexually abused at Windana Remand Home during the period from 1961 to 1973. The range of ages of the boys was 10 years to 17 years and the perpetrators are alleged to be carers and other residents.

One boy was anally raped on multiple occasions by two carers. Another boy was forced by carers to stand naked for prolonged periods outdoors in the presence of others including females. One boy was forced to masturbate older boys and one boy was forced to perform oral sex on other older boys. Two boys were anally and orally raped and subjected to indecent assault and gross indecency. Other sexual conduct was masturbation, pack rape and oral sex.

### **Foster Care**

As at 9 May 2005 over 100 persons have alleged that they were State children and sexually abused whilst in foster care. At this stage investigations have commenced of 85 of these allegations and none of them has been completed. I report to the extent that is now possible.

The abuse is alleged to have occurred during the period from 1949 to 2004. The ages of the children range from two years to 17 years. The nature of the conduct alleged is vaginal, anal, digital and oral rape, gross indecency, indecent assault, forced sex with third parties, bestiality and pornographic photography.

Perpetrators are alleged to be foster fathers, foster mothers, a foster grandfather in another case, friends of the foster family in one case, other foster children in two cases, and an employer of the foster child in one case.

There are many other allegations, information in relation to which is in the course of being obtained as investigations continue.

## 21. DEATHS

As has been seen, I am required by the terms of reference to inquire into allegations of criminal conduct which resulted in the death of a person who, at the time that the alleged conduct occurred, was a child in State care. Thus far there have been specific allegations that six children in State care died as a result of criminal conduct.

Earlier I mentioned the allegation by one person that an Aboriginal child had died in the McNally Training Centre as the result of criminal conduct. It was alleged that in 1988 a carer had held a detainee in a headlock around the throat and that a short time later the child was found dead in his cell. At that time there was extensive investigation by the police, the Coroner and the Royal Commission into Aboriginal Deaths in Custody.

After further investigation by the police, the person gave further evidence to the Commission in which he stated that, having been shown various contemporaneous documents by the investigating police, he acknowledged that the detainee died on a different occasion from when he had been held by the carer and that he was not aware of any facts or circumstances which bring into question the findings of the Coroner and the Royal Commission that the child had taken his own life.

There are six other allegations of deaths of State children which are currently being investigated but the investigations are not yet completed. Three of the children are alleged to have died as a result of criminal conduct whilst in foster care and the other child is alleged to have been killed whilst in a home run by the Catholic Church. Police investigations in relation to two of these children have been completed but investigations by the Commission are not yet completed. With respect to the other two children investigations are being continued. The investigation into these deaths by the Commission is continuing.

Also, it is alleged that two other boys died as a result of criminal conduct. One was in a home and the other was in a detention centre. Investigations into these deaths are continuing.

It is alleged that two boys died in the mid north and investigations are continuing. It is not yet known if they were in State care at the time of their deaths or whether criminal conduct was a cause.

It is proposed to investigate all deaths of State children whilst in State care to ascertain those deaths which could not possibly have resulted from criminal conduct. Further investigation of the other deaths will be undertaken.

After the report of Ms Layton Q.C. officers of the Welfare Department prepared for the Minister for Families and Communities a list of 40 children who appear to have died in State care during the period from 9 June 2002 until 26 December 2004. Each of these deaths will be examined to see if they are within the terms of reference of the Inquiry.

General allegations have been made about many other deaths of State Children whilst in State care and although these allegations are not made with an evidential basis, they will be investigated.

## **22. PROGRESS**

Earlier I mentioned that as at 6 May 2005, 501 persons had approached the Commission indicating that they wished to provide information. The rate of growth in the number of persons contacting the Commission has increased considerably in the last month or so which may be due to the continuing publicity of the Commission and the outreach programme which has been mentioned. I expect that there will be a considerable increase in the numbers when Aboriginal persons in the regions of the State are engaged by the Commission to assist Aboriginal people to give evidence to the Commission. I expect appointments to be made this month for the Riverland, Port Augusta and West Coast regions.

Of the persons who have contacted the Commission, 87 of them may be described as general witnesses. They have important information relevant to the terms of reference and the purposes of the Inquiry. Many of them have worked in the Welfare Department or in agencies involved in child welfare. Of the persons making allegations of child sexual abuse, about 54 per cent are female, 10 per cent of the persons live interstate and the remainder live in South Australia.

So far there has been some investigation of nearly all of the allegations which have been made.

In 39 cases the allegations did not fall within the terms of reference and the persons providing information were not able to assist the Commission. These investigations have been terminated. In most of the other cases where investigation has commenced, statements have been taken from the persons making the allegations and relevant files from the Welfare Department and other Government agencies, where appropriate, have been obtained or are in the process of being sought. The Commission has identified another 33 general witnesses who will be requested to give evidence. I expect other such witnesses will be identified as the Inquiry continues.

I have taken evidence from 86 persons, some of whom I describe as general witnesses in the sense which I have mentioned. Some persons giving evidence have done so on more than one occasion. 5,956 pages of transcripts of evidence have been received.

As has been mentioned transcripts of the evidence of 21 persons alleging that they have been sexually abused as children have been forwarded to the police with the approval of the witnesses. Some witnesses have not yet decided if they want transcripts of their evidence to be given to the police. In most cases the transcripts have been given to the Paedophile Task Force of the police. Others have been given to the Commissioner of Police or Assistant Commissioner Fahy.

It is proposed to continue to publicise the work and function of the Commission from time to time and to continue the outreach programme. During next month and thereafter, evidence will be taken in Port Augusta, Ceduna and Mount Gambier and arrangements are being made to take evidence in other regional locations.

The evidence taken thus far indicates that there are numerous important issues about the care of State children in homes and institutions and in foster care in the past and at present which must be addressed. As the taking of further evidence continues, including from persons involved in the provision of State care in its various forms, I intend to publish a list of those issues and invite submissions. It is my intention to hear submissions at public sessions.

Without exception every person who alleges being a victim of child sexual abuse and has given evidence has said that the experience had been valuable and worthwhile. They expressed themselves in different ways. Many said that the giving of evidence had been the first time anyone had listened to them and they felt a real sense of relief. Some said that they felt empowered for the first time since the sexual abuse occurred.

The victims acknowledged that in giving evidence they felt they were participating in a healing process and that some degree of closure was now possible.

At this stage I am not able to estimate with any degree of accuracy how long the Inquiry must continue in order to discharge its functions, but I am confident the task cannot be completed before 30 June 2006. If the number of persons approaching the Commission continues to grow extensively, further time will be required.

## Schedule 1

<u>Home</u>	<u>Address</u>	<u>Commencement</u>	<u>Closure</u>
<b><u>Anglican Church/Church of England Homes</u></b>			
The Babies Home	Walkerville	1912	1945
Brookman Cottage	NK	1984/85	NK
Cecil Street Cottage	Rostrevor?	NK	NK
Claring-bould Cottage	NK	NK	NK
Colton Cottage	Thorngate	1987	1994?
Farr Cottage (Fuller Street Cottage)	Walkerville	1976	1988
Farr Cottage	Nailsworth/Sefton Park	1988	1996?
Farr House	Stepney/Adelaide/Mitcham	1860	1980
Garden Cottage	Walkerville	1976	1984
Girls Friendly Society Lodge	North Adelaide	1913	1975
Glasgow Street Cottage	Ferryden Park	1984	NK
Hostel of the Holy Name	North Adelaide	1945	1975
The House of Mercy	Walkerville	1881	1974
Karingal Youth Hostel	Hindmarsh	1952	1964
Kennion Cottage	Ferryden Park	1984	NK
Kennion House	Walkerville	1886	1982
Lady Victoria Buxton Girls Club	Adelaide	1898	1955
Montrose Avenue Cottage	NK	NK	Present
Ragless Avenue Cottage	NK	NK	NK
Rose Cottage	Prospect	1987	1993
Ross Cottage/ Nairne Street Cottage	Ferryden Park	1984	1993
Smith Street Cottage	Walkerville	1976	1984
St Francis House	Semaphore South	1946	1959
St Mary's Mission of Hope	Adelaide/Prospect	1904	1978
<b><u>Catholic Church</u></b>			
Bon Agor Cottage	Royston Park	1982?	Present
Bonython Cottage	Hove	1981	Present
Catholic Girls Home	Parkside	1930	1943
Catholic Girls Reformatory	Kapunda	1897	1909
Convent of the Good Shepherd/ The Pines'	Plympton	1941	1974
Hannah Buckley Home	Parkside	1982?	Present
Kolbe Cottage Home	Plympton	2001	Present
Orana Cottage Home	Plympton	2001	Present
Parkside Boys Hostel	Parkside	2001	Present
Parkside Hostel	Parkside	2001	Present
Sacred Heart Orphanage	Crystal Brook	1940	1979
Seanachi Cottage Home	Dulwich	2001	Present
St John's Cottage Home	Woodville	2001	Present
St John's Boys Town	Brooklyn Park	1898	1984
St John's Cottage Home	Magill	1984/85	Present
St Joseph's Orphanage	Largs Bay	1906	1980
St Joseph's Refuge (now Louise Place)	Adelaide/Norwood/Fullarton	1868	Present
St Josephs Home	Hove	2001	Present

<u>Home</u>	<u>Address</u>	<u>Commencement</u>	<u>Closure</u>
St Monica's Cottage Home	Woodville	1984/85	Present
St Stanislaus Home	Royal Park	1956	1978
St Vincent de Paul Group home	Parkside	2001	Present
St Vincent de Paul Group Home	Plympton	2001	Present
St Vincent de Paul Orphanage	Goodwood	1866	1975
Waverley Hostel	Dulwich	1982?	Present
Yoorana Cottage	Westbourne Park	1982?	Present

#### Christian Brethren/Open Brethren Assemblies of South Australia

Umeewarra Mission Children's Home	Davenport Reserve/ Port Augusta	1937	1995
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#### Government Homes

Aboriginal Women's Home	North Adelaide	1972?	NK
Bedford Park Boys Training Centre	Bedford Park	1961	1965
Boys Reformatory Hulk Fitzjames	Largs Bay	1880	1891
Boys Reformatory	Magill	1869	1967
Brookway Park	Campbelltown	1965	1979
Campbell House Farm School	Meningie	1959	1963
Cavan Training Centre	Cavan	1993	Present
Central Depot	Adelaide	1900	1965
Destitute Asylum	Adelaide	1849	1881
Edwardstown Industrial School	Edwardstown	1898	1950
Girls Reformatory	Magill	1881	1891
Girls Reformatory	Edwardstown	1890	1898
Glandore Industrial School/ Children's Home	Edwardstown	1950	1972
Grace Darling Hotel	Brighton	1867	1869
Ilfacombe, Boys Reformatory	Burnside	1869	1880
Lochiel Park Boys Training Centre (from 1995 Community Unit)	Campbelltown	1947	1995
Magill Industrial School	Magill	1869	1898
Magill Training Centre [previously SAYTC]	Magill	1993	Present
McNally Training Centre	Magill	1967	1979
Redruth Girls Reformatory	Burra	1897	1922
Seaforth Home	Somerton Park	1921	1975
South Australian Youth Remand & Assessment Centre [SAYRAC]	Enfield	1979	1993
South Australian Youth Training Centre [SAYTC]	Magill	1979	1993
Struan Farm School	Naracoorte	1947	1969
Vaughan House	Enfield	1947	1979
Windana Remand Home	Glandore	1965	1975

#### Hostels

Allambi Girls Hostel	Norwood	1947	1977
Davenport House	Millswood	1964	1977
Kumanka Boys Hostel	North Adelaide	1946	1980?
Luprina Hostel	Dudley Park	1971	NK
Nindee Hostel	Beulah Park	1971	NK

<u>Home</u>	<u>Address</u>	<u>Commencement</u>	<u>Closure</u>
Stuart House Boys Hostel	North Adelaide	1964	1995
Woorabinda Hostel	Stirling	1968	NK
<b><u>Cottage homes, Family group homes and Community units</u></b>			
Blair Athol Unit	Blair Athol	1984/85?	NK
Brookway Unit	Campbelltown	1984/85?	1992
Central Region Admission Unit	Somerton Park	1979	NK
Clark Cottage	Clarence Park	1963	1979
Colton Cottage	Thorngate	1965	1982
Campbelltown Community Unit 'Cornerways'	Campbelltown	1995	Present
Dartmouth Family Home	Port Augusta	1973	NK
Enfield Community Unit	Enfield	1990	Present
(prev Northern Region Admission Unit Family Home	Mount Gambier	1972	NK
Fullarton Cottage	Myrtle Bank	1970	1980
Gilles Plains Community/ Assessment Unit	Gilles Plains	1979/1992	Present
Glandore Family Home/ Pleasant Avenue Cottage	Glandore	1972	1979
Glandore Community Unit	Glandore	1979	NK
Independent Living Programme (previously Marion Flats)	Marion	1988/89	NK
Hay Cottage/Community Unit	Lockleys	1968	NK
Kandarik Cottage (Transferred to IDSC, 1988)	Somerton Park	1975	1988
Klemzig Family Home	Klemzig	1973	1979/80
Largs Bay Cottage Home	Largs Bay	1971	NK
The Lodge Lochiel Park Community Unit	Campbelltown	1995	Present
Malvern Cottage	Malvern	1972	1979/80
Marion Flats/Unit living	Marion	1974	1988/89
Merrilama	Glenslg	1960	1979/80
Morada Cottage	Somerton Park	1975	1979
Ningana Community Unit	Campbelltown	1979	NK
North Adelaide Community Unit	North Adelaide	1989/90	1997
Northern Region Admission Unit	St Peters/Norwood	1979/	1988/89
Northern Region Group Home		1980	NK
Port Lincoln Family Home	Port Lincoln	1973	1979/80
Port Pirie Cottage/Family Home	Port Pirie	1962	1979/80
Pybus Family Home,	Port Augusta	1972	1979/80
Reception Cottage	Glandore/Somerton Park	1973	1979
Regency Park Community Unit	Regency Park	1997	Present
Seaford Youth Support Unit	Seaford	1980	NK
Slade Cottage	Glandore/Somerton Park	1973	1988
Southern Region Admission Unit (also known as Clarence Park Assessment Unit)	Clarence Park	1979	NK
Southern Region Group Home		1980	1989/90
Spence Cottage	Kensington Gardens	1963	1979/80
Stirling Cottage	St Peters	1962	1979
Sturt Community/Assessment Unit (previously Marion Flats)	Sturt	1988/89	Present
Tintoo Cottage	Somerton Park	1975	1979
Western Region Admission Unit		1980	NK
Woodville Assessment Unit	Woodville	1989/90	NK

<u>Home</u>	<u>Address</u>	<u>Commencement</u>	<u>Closure</u>
<b><u>Lutheran Church</u></b>			
Koonibba Children's Home/Koonibba Mission Station	40 km from Ceduna	1913	1963
Lutheran Emergency Home, 'Shimron'	Unley	1966	1984
Lutheran Girls Hostel	College Park	NK	NK
<b><u>Methodist Church/Adelaide Central Mission/UnitingCare Wesley</u></b>			
Cann Home/Cottage	Magill	1924	1984/85
l'Anson Cottage	Magill/Elizabeth Downs	mid 1960s	1977
Cheltenham Cottage Home	Cheltenham	1976	NK
Christies Beach Cottage	Christies Beach	1976	1984/85
Curtice Family home (Lentara)	Magill	1957	1977
Elizabeth Cottage	Elizabeth	1976	NK
Greenslade Cottage Home	Magill	1964	1977
Hove/Brighton Cottage	Hove	1976	1986
Lentara	Largs Bay/Magill	1905	1976
Kate Cocks Babies Home	Brighton/Hove	1937	1974
Largs Bay Cottage	Largs Bay	1976	1984/85
Minnie Maughan Cottage (Lentara)	Magill	1955/1976	NK
Roberts Home/ Cottage	Magill	1921	1954
Roberts Home/Cottage (new building)	Magill	1964	NK
<b><u>The Salvation Army</u></b>			
Barton Vale Home for Girls	Enfield	1922	1947
The Bridge Rescue Home	Adelaide	1899	1977
The Salvation Army Boys Home/Eden Park	Mount Barker	1900	1982
The Salvation Army Boys Home	Kent Town	1929	1970
The Salvation Army Girls Fullarton		1901	1986
McBride Maternity Hospital	Adelaide/Medindie	1914	1986
Sutherland Lodge Young			
Women's Hostel	Adelaide	1922	1988
Joyville Cottage	Fullarton Childrens Home	NK	NK
Kurinda Cottage	Hawthorn	NK	NK
<b><u>The United Aborigines Mission</u></b>			
Colebrook Home	Quorn/Eden Hills	1927	1981
Children's Dormitory, Gerard Mission	near Loxton	1946	1974
Kali Hostel	Westbourne Park	1971	1977
Oodnadatta Children's Home	Oodnadatta	1924	1927
Oodnadatta Children's Home (reopened)	Oodnadatta	1948	1963?
Tanderra Home	Torrensville/Parkside	1952	1973?

<u>Home</u>	<u>Address</u>	<u>Commencement</u>	<u>Closure</u>
<b><u>Miscellaneous Homes</u></b>			
Albara Road Cottage Woodville Spastic Centre	NK	NK	NK
Dew Street Cottage Woodville Spastic Centre	Thebarton	1986	1991
Dunant House (Red Cross)	Brompton	NK	NK
Drapers Hall (Fairbridge Society)	Crafers	NK	NK
Estcourt House	Tennyson	1894	NK
Junior Red Cross Homes	Henley Beach/ Grange/Glenelg	1933	1968
Kurbingai/Suttons	Semaphore	1958	1962
Mansfield House	NK	NK	NK
Mareeba Babies Hospital	St Peters/Woodville	1917	NK
Minda Home	Brighton	1898	Present
Minda Home (Craigburn Farm)	Blackwood	1930s	Present
Morialta Protestant Children's Home	Norton Summit	1924	1974
Northcote Home	Grange/Tennyson	1928	1973
Oodnadatta Education Hostel (Save the Children Fund)	Oodnadatta	1971	1986
Wanslea Children's Home	Payneham/Kingswood	1947	1977
Warrawee (Australian Inland Mission)	Grange	19??	19??
Waverley, the Legacy Children's Home	Adelaide	1947	1964
Wentworth Legacy Hostel	Woodville	1945	1947
Wiltja Hostel Aborigines Advancement League	Millswood	1956	1978

*Important Note: As research is still in progress, some dates of commencement and closure may be incomplete or inaccurate. Some dates and locations are not yet known. Some homes/hostels may not yet be listed.*

*NK . . the information is not known at the present time*