



**Submission in response to:**

**Royal Commission Issues paper 10**

**Advocacy and support, and therapeutic treatment  
services**

**November 2015**

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## **Introduction**

This is a submission written by Open Place, the Victorian support service for Forgotten Australians. Open Place has provided previous submissions to the Royal Commission relating to redress. Open Place has argued in these earlier submissions that redress and treatment services must be provided to all those who experienced institutional care in institutions, orphanages and other forms of out of home care in the last century; not only sexual abuse. The experience of institutional care is all encompassing with profound and lifelong impacts.

This submission therefore maintains the position that “advocacy, therapeutic and support” services, must continue to be provided and strengthened to all those who experienced institutional out of home care. The submission is also premised on the view that a national redress scheme (as outlined in the Open Place submission on Redress) must underpin the efforts of a specialist support service such as Open Place.

This submission addresses the advocacy, therapeutic and support needs of Forgotten Australians only. Some of the principles and the practice knowledge that has been accumulated and applied by Open Place in conjunction with Forgotten Australians may have some relevance to other survivor treatment approaches; however this submission is concerned to emphasise the complexity and depth of need shared by survivors of institutional care abuse and how therapeutic and support responses can best met these needs.

## **Background**

Open Place is the specialist service in Victoria for a group of people who experienced out of home ‘care’ as children prior to 1989; these people are now known as ‘Forgotten Australians’. This title came from the 2004 Senate Committee Report on Australians who experienced institutional or out-of-home care as children. Open Place is funded by both the Victorian and Federal governments to provide services to Forgotten Australians living in Victoria.

As the summary of the *Forgotten Australians* report states, approximately 500,000 Australians experienced all or part of their childhood in an orphanage or some other form of out-of-home care during the last century. The Senate Committee received hundreds of graphic and disturbing accounts of treatment and care experienced by children that outlined a litany of emotional, physical and sexual abuse and often criminal, physical and sexual assault. Accounts included stories of neglect, humiliation and deprivation of food, education and healthcare. This was widespread across institutions. The consequences of this experience have been devastating in many people’s lives.

Ten years have passed since this report was tabled in the Australian parliament. Few of the key recommendations have been implemented. Meanwhile Forgotten Australians are ageing without resources while living with the impact of their childhood experience.

Recently the Victorian government conducted further enquiries, resulting in the *Betrayal of Trust* report that included recommendations echoing the Senate Report's findings of more than a decade beforehand.

Additionally, the evidence and findings to date of the current Royal Commission into Institutional Responses to Child Sexual Abuse validate that the horrific treatment of children in the institutions charged with their care happened, was widespread, and has had a lifelong, far reaching impact on adult survivors.

### **Context of institutional “care” abuse**

Forgotten Australians grew up in government provided, funded, regulated or licensed children's homes. Very often these children were under the care of the State on guardianship orders. The State was effectively acting as “loco in parentis”.

Growing up and/or spending considerable time in this care situation is a form of institutional abuse. A childhood spent in institutional care is so contrary to the needs and rights of children. The environment of the institution was often so profoundly deficient it severely impaired children's development and attachment abilities with lifelong consequences.

All forms of abuse in an institutional care setting are connected. The ability to differentiate one type of abuse from another is affected by many interconnected factors. Some of these are attachment disruption, developmental disruption, lack of safety, grief and disconnection from family and lack of love and nurturing, all often combined with horrific abuse and neglect. Into adulthood other factors will include leaving home without resources, education, social skills and family support. The survival and adaptive skills that may have assisted in getting through adulthood become a significant liability as time passes. The levels of fear and anxiety that were generated as a child are carried as an adult and may persist for a lifetime

The damage to children who experienced institutional care is life long, even without an overlay of physical or sexual abuse. This damage is compounded by separation from family including siblings and lack of educational opportunities.

The evidence collected by the Royal Commissions' public hearing and hundreds of private sessions is recent testament to the assertions above. It is worth noting that the evidence provided to the Royal Commission is not new. It resonates almost identically with the 600 witness statement and submissions made to the Senate Inquiry over 10 years ago.

The damage inflicted on children by the out of home care system in the last century does not need to be re visited. It is self-evident.

It is in this context that Open Place has been providing services to Forgotten Australians for over five years. Our service approach is informed by this experience; our services have been shaped by the input and feedback of Forgotten Australians. Open Place delivers high quality professional services that are integrated, accessible, relevant and useful to Forgotten Australians.

***What advocacy and support and/or therapeutic treatment services work for Forgotten Australians?***

**There are over 100,000 Forgotten Australians in Victoria today. All have their own experience of their childhood. All carry their experiences with them today.** It is this fundamental truth that guides and informs the work of Open Place.

Open Place provides a suite of services that complement and support each other, validate the experience and issues of Forgotten Australians and can be used at the discretion and choice of the Forgotten Australian.

There are a number of principles that underpin our practice model.

Services:

- Are accessible and stress free
- Do no harm
- Must ensure safety
- Are based on the understanding that: “Something has happened to you”.
- Are based on an understanding of the impact of institutional care on children and how this has impacted on adulthood.
- Develop social connections and community connectedness

Open Place has a range of services, records and family searching, counselling, coordinated support, royal commission support, drop in center and social support groups that are specifically targeted to responding to and supporting the needs of Forgotten Australians. All of our services adhere to the principles above.

These services are not offered in any linear way of goals being achieved and then moving in to the next phase of “treatment”. Access to any of the Open Place services occurs at the discretion and decision of the Forgotten Australian. One may decide to pursue counselling before getting their records. Another may initially seek support for a housing application, then assistance with some medical costs before returning for their records. Another may gain their records and sometime later may return for counselling. It is not unusual for an Open Place service user to be accessing all of the Open Place services during the same time period.

The Open Place programs begin with the assumption that ‘something has happened to you’. All of the services at Open Place respond to this “something”; however this may be demonstrated and articulated by individual Forgotten Australians.

## **Records and family searching**

Records of a child’s time in care are an essential element for putting the jigsaw of the past back to together. Open Place does not hold records. Open Place, as the support service for Forgotten Australians, can assist Forgotten Australians to access their records either directly from the record holder or, with authorization, to seek records on behalf of Forgotten Australians. Open Place is also active in the supported release of records.

Open Place believes that the following principles of records access are fundamental to Forgotten Australians. These principles are currently aspirational. Open Place continues to advocate for these principles to become imbedded in the practice of record release.

The submission highlights these principles for two reasons:

- Implementation of these principles are congruent with the practice model principles as outlined above
- Attention has been drawn by the Royal Commission’s public hearings to the widespread inadequacy and pettiness of many past care providers in terms of facilitating record release. To Forgotten Australians access, via their record of time in care, to their childhood and to family are very important means of understanding and reconciling the past.

### ***Principles relating to records access and support***

Briefly these principles are:

1. Moral ownership of the records (as distinct from legal owner) belongs to the child/adult who the record is about. This is their story, their history, their identity.....
2. Given the assertion of ownership of the record the Forgotten Australian has the sole right to determine who should have access to that record.
3. The moral owner of the record is no longer a child; therefore redaction practices must never be used to “protect” the recipient of the record from the information the record contains.

### ***Moral ownership***

A recurrent theme for Forgotten Australians getting their records is bewilderment and anger at the fact that others have read their record and then have determined what should or should not be released. Forgotten Australians regard themselves as the “owner” of their records. The record describes their early life, their reasons for coming into carer and some details of family connection. It is for many incomprehensible that these matters should be scrutinized by someone from the agency that created the record and then, seemingly arbitrarily, redact aspects of this record.

Effectively what this means is that the moral owner of the record must always ask someone else for access to their personal story and history. This makes it difficult for those who were in care to claim a normative life history that is available to those who were not in care. Ultimately it is about the exercise of power. In the past agencies, for better or worse, exercised great power over children in their care. This power is still being exercised today by controlling the release of information about the child's past. The record in the archive is the property of the person who is the subject of the record.

### ***Status of record seekers***

As indicated above, the Forgotten Australians seeking their records are adults. The owner of the record is an adult and must be treated as an adult. Notions of protecting the vulnerable are patronizing and paternalistic. Support may be needed but lack of support is not an excuse to redact material.

### ***Summary***

Access to records of time in care (and then to subsequent avenues of further inquiry that can open up family history and connections) is an essential component of a holistic support response to the circumstances facing Forgotten Australians.

## **Counselling**

Open Place has developed a counselling model that makes counselling an accessible and stress free resource for Forgotten Australians. The approach to counselling that Open Place has created has been crafted over the years in conjunction with the suite of services provided to Forgotten Australians through Open Place. Furthermore it has been built on the foundation of lived experience of Forgotten Australians, with the model growing from the original idea of Caroline Carroll, now AFA chair. This approach has built the reputation of counselling as a useful resource among the Forgotten Australian community and has encouraged many people to give counselling a go.

The model is built on easy access (no requirements other than being a Forgotten Australian), sufficient sessions for most people (up to 20 counselling sessions per financial year, ongoing) and an extensive network of capable senior counsellors (built up over five years) who are motivated to work with Forgotten Australians. This network is based on the ability to outsource counselling services via brokerage funding. Instead of Open Place establishing offices and employing staff in a number of regional and rural parts of Victoria, Open Place optimizes the existing spread of counsellors; both private and public.

Supporting this network and facilitating external referrals is a small team of specialist counsellors at Open Place. In addition to this work, the Open Place counselling team work with Forgotten Australians who have special needs that make external referrals impractical.

Our own counsellors respond to every enquiry. We speak to every Forgotten Australian who expresses interest and explain that counselling is a resource in their hands, that others have told us it helps and to make the process quick and easy.

The whole of the Open Place counselling approach is designed to minimise stress. Forgotten Australians can choose their own counsellor, or we can help find someone suitable that meets their requirements.

Our outsourced counsellors are aware of the context and history of Forgotten Australians, they are skilled and experienced, they are conveniently located and they want to work with Forgotten Australians. These are the issues that Forgotten Australians have told us matter the most to them and we have built this capacity throughout our counsellor network.

Forgotten Australians need counsellors who are adaptable and flexible, who are not scared off by the work, who can work with trauma in all its different guises, who can stand with the pain and the anger and the grief. This is a big stretch past the usual private practice middle class clientele; the counsellor wanting to do this work is critical.

The counselling 'lens' itself is not that important; neither psychology or any other professional world view or expertise holds the solution. There is no specific benchmark to qualify the counsellor. Forgotten Australians have lived unassisted for decades, their childhood experience is now molded within a myriad of survival strategies, some that hinder and some that help. There is no simple solution. The ability to stick with clients over time, to bear witness to their pain, to hold the hope, to see the person for who they are behind their protective coatings; these are what make for quality and effective counsellors.

Counselling 'works'. We know counselling works because we are told so by Forgotten Australians. We know it works because Forgotten Australians 'vote with their feet' and go to counselling in ever increasing numbers (In the 2014-2015 financial year Forgotten Australians supported by Open Place attended 4,700 sessions with external counsellors). We know it works because we see Forgotten Australians recommend to their friends and families that they try counselling because it helps them in a practical and down to earth way. We know it works because we see every day, in our direct work with Forgotten Australians, that relationships, hopes and lives can be reclaimed from the overwhelming consequences of childhood harm. The impact is devastating, but not hopeless.

***What does not work or can make things worse or be harmful for survivors? What do survivors need but not receive?***

Anything that makes for a stressful experience will make things worse. The evidence is uncontested that childhood harm leads to adults vulnerable to adverse reactions to stress.

Forgotten Australians experienced childhood harm. Any system designed to assist Forgotten Australians needs to bear this in mind.

One aspect of the Open Place counselling model is that there is no requirement on the service user to demonstrate a 'deficit' to access the service. In acknowledgment of the impact experienced by Forgotten Australians evidenced in the various reports, there is no pathologising, no diagnosing and no requirement to give any account of trauma just to be eligible for counselling services.

***What helps or facilitates access so survivors receive what they need? What are the barriers? How are the barriers addressed?***

What survivors need is impossible to give; they need their childhood back!

Everything else needs to be facilitated through a rights based approach; something happened to Forgotten Australians, nothing is wrong with them. They have a right to restorative services because they were harmed by what happened to them.

There are two significant barriers to accessing publically funded counselling services. The first is that Medicare provided programs are available to persons who have "an assessed mental health disorder". For many survivors who are not able to articulate the impact of their childhood experiences and who are afraid of being "pathologised" by their GP (who will make the referral on mental health diagnostic grounds) these publically funded services are out of reach.

Professionals and public servants need to get out of the way; they have done their share of damage in the past, thinking they knew what was best for children in their 'care'. These planners and program developers can do most good now by simply providing ample resources. If Forgotten Australians think they might try counselling, it will be readily available, without hurdles to jump. It will be facilitated by someone who knows what they are talking about and who is about able to respond quickly, respectfully and in language that is accessible.

***How well do services currently respond? What about family members?***

The Open Place counselling model has proved itself over more than five years as an accessible, low stress and effective model for delivering counselling services to Forgotten Australians.

Open Place provides for up to 12 counselling sessions as a 'one-off' for direct family members of Forgotten Australians. The need for family support is illustrated eloquently in the letter given in evidence given by the son of a Forgotten Australian (David Wright, now deceased) at the Royal Commission hearing on the Salvation Army southern Command in Adelaide in October;

*"The result of what happened to my father in the children's home was the destruction of my whole family, every connection and every relationship in my family, and even the continuance of my family"*



Counsellors working with family members need the same attributes as those working with Forgotten Australians. Counselling service delivery could be shaped to match that available to Forgotten Australians.

### ***Diverse survivors?***

The history and context of Forgotten Australians is unique, little understood and often forgotten. This creates a special cultural context where knowing what happened and validating this is a fundamental requirement of any service delivery.

Open Place is one of a few specialist services that are completely “with and for” Forgotten Australians. These specialist services need to be treasured; they are one of the limited assets that Forgotten Australians currently hold.

### ***Survivors in prison and on release?***

Open Place counsellors have worked extensively with Forgotten Australians in prisons. We hold the principal that services should be made as available as possible for Forgotten Australians who have been so severely impacted by their childhoods experience that they can't live in the 'outside' world. Open Place has services freely accessible for Forgotten Australians upon release.

How to better help? The answer is simple; make more resources available – a lot more resources. Working with Forgotten Australians around Victorian prisons requires a massive investment of time, as well as developing and supporting dedicated staff able to make a difference for Forgotten Australians in prison.

### ***Geographic challenges***

Forgotten Australians are spread across the country, there are few concentrations that make it easy to locate resources close by. To meet this requirement Open Place has developed a network of counsellor's right across Victoria, as well as a more limited network interstate.

Currently Open Place has 553 counsellors on our system (405 in Victoria - Qld has 66 and NSW 46 - the other states and territories having a few each) and 559 Forgotten Australians are attending counselling in 333 different locations.

Importantly this network was developed over years, driven by service user demand. Counsellors were located, evaluated, informed and added to the system one by one. Counsellors who would work outreach, or do phone or skype counselling were located and are fully utilised.

With this system Open Place has been able to meet the counselling requests of Forgotten Australians across the country and grow slowly as service user demand expands. Any counselling service and support model should understand this issue; it is quality that matters and quantity is something that comes with time, understanding, support and effort.

The same ease of access however does not apply to Forgotten Australians living in remote regional areas who are needing advocacy and access to local support services. Open Place's Co-ordinated Support team has the ability to provide interim support for those who are on waiting lists for others services; this may include outreach, advocacy and assistance with various social and health related matters. Open Place is unable to provide this direct service to those living outside of the metropolitan area. Open Place in these circumstances is reliant on the willingness and capacity of hundreds of local services to respond to the needs and presentations of Forgotten Australians. This team advocates for and facilitates access to services on a case by case basis. Forgotten Australians in regional areas who are often considered the most isolated and in need of both social and health connection may often end up less well attended to.

### ***Service system issues***

Forgotten Australians have been comprehensively failed by professionals and public servants. There is very little genuine understanding of their issues in spite of the inquiries and incontestable evidence. Services that understand the history and context of Forgotten Australians are essential in service delivery to Forgotten Australians.

### ***Practitioners' skills***

A baseline of a relevant counselling qualification, extensive and diverse experience and membership of a relevant professional body for private practitioners is all that's required. There is no 'training package' or 'module' that will enable any counsellor to have some privileged knowledge for effective work with Forgotten Australians.

The single most common complaint we field about counsellors is that they want to develop goals rather than listen. The attributes of a counsellor who can work effectively with Forgotten Australians are described above, but to reiterate;

Forgotten Australians have and need counsellors who are adaptable and flexible, who are not scared by the work, who can work with trauma in all its different guises, who can stand with the pain and the anger and the grief. This is a big stretch past the usual private practice middle class clientele; the counsellor wanting to do this work is critical. Many counsellors provide an outreach service and perform tasks that many may consider lie beyond the role of the 'clinical specialist'. For example one highly respected and credentialed counsellor assisted his client in taking her dog to the vet.

The counselling 'lens' itself is not that important; neither psychology or any other professional world view or expertise holds the solution. There is no specific benchmark to qualify the counsellor. Forgotten Australians have lived unassisted for decades, their childhood experience is now molded within a myriad of survival strategies, some that hinder and some that help. There is no simple solution. The ability to stick with clients over time, to bear witness to their pain, to hold the hope, to see the person for who they are behind their protective coatings; these are what make for quality and effective counsellors.

### ***Counselling approaches/models of 'best practice'***

As described above there is no one (or two or three) approaches that work best. Counsellors working with Forgotten Australians are not just working with the childhood harm, but with the influence of a lifetime of survival strategies that are both adaptive and problematic. More than anything else the counsellors need to be able to stand 'with and for' their clients over time.

There is no simple formula, there is no 'evidence based practice' for Forgotten Australians, there is only the practice wisdom accumulated by those of us who have been specialising in this work for many years. This practice wisdom is being built in services like Open Place and with our external counsellor network.

### ***Summary***

Open Place has over five years' experience in delivering counselling services to Forgotten Australians. The evidence is that counselling is an important and useful resource, utilised and valued by many Forgotten Australians. Open Place has developed an effective model that makes accessing counselling easy and stress free for Forgotten Australians, wherever they might live and whatever issues they might want to bring to counselling. Importantly this model has been developed slowly, step by step, with the input and insight of Forgotten Australians, of our external counsellors and with the privileged 'inside knowledge' gained by working exclusively with Forgotten Australians, their families and supporters over the years.

### **Social support and connection**

Many Forgotten Australians live lonely and isolated lives, often without family and social connection. Many struggle to access community and health services.

An important element of the Open Place approach is to create opportunities for Forgotten Australians to both better utilize existing social and community services and to enjoy social and communal experiences with each other. However it must be recognised that access to social and community services is a responsibility that ultimately must be carried by governments, at both state and federal levels.

Ten years ago the Senate Report, *Forgotten Australians*, wrote that "a fundamental, ongoing issue of being raised in care related to the lack of trust and security, through lack of life and interpersonal skills that are acquired through a normal family upbringing, especially social and parenting skills" (p.145). It went on to say "it is imperative to recognise and acknowledge the magnitude of contemporary social problems which are the long term effects stemming from the past experiences of fear, intimidation, humiliation and abuse endured by the care leaver as a child" (p.145).

The *Adverse Childhood Experiences Study* (ACE Reporter, Vol 1, No. 1, 2003) speaks directly to the circumstances faced by many Forgotten Australians. The study identified a number of adverse childhood experiences (including placement away from home) that contribute to increased levels of morbidity and earlier mortality. The study found that the impact of these experiences was cumulative. These experiences in adulthood will often go undetected and unacknowledged because of shame and secrecy. Many Forgotten Australians with these adverse childhood experiences develop adaptive behaviours that may, in the short term, mask the underlying problem but in the longer term may become detrimental.

The Senate Report recognised the long term destructive impact of institutional care by making a number of recommendations (25-28) relating to health care, housing and aged care and to a whole of government approach to the provision of services across policy areas such as health, housing and welfare and community services (33). None of these recommendations have been implemented. This is a shameful reflection on governments at both a state and federal level.

The failure of governments to implement the Senate Reports recommendations means that support services like Open Place continue to fight and advocate for better access to services (medical, dental, allied health, aged care, housing) on a case by case basis. Open Place has access to a small amount of brokerage (supplied by the Victorian Department of Health and Human services) that makes a contribution to some health requirements of Forgotten Australians. This can, at times, provide more rapid access to a range of health services. But it also raises issues of equity and access. With over 3000 Forgotten Australians registered at Open Place a simple division of available funds allocated for health purposes to all registered service users will provide each with \$120 per year (an amount that will continue to decline as applications for service continues to grow).

Open Place questions the practice of having a limited fund available that is unable to meet costs of treatment, particularly when many agencies, including government, are making referrals to Open Place that imply that Open Place can meet all costs of treatment. It simply raises expectations that cannot be met.

This situation is far removed from that envisaged by the Senate Report when it provided its recommendations to the Federal Government including a whole of government approach to the provision of health and community services.

***The best response to the support and therapeutic needs (which must include health) of Forgotten Australians is to ensure that this group of adults is provided with priority access to medical, dental, aged care and housing.***

An essential element of the Open Place approach is to provide opportunities for social connections. The drop in centre provides a venue of safety where Forgotten Australians can meet with each other and with staff to enjoy a weekly meal and a range of activities. Open

Place is a state wide service therefore attention must be paid to our regional and rural areas. Open Place facilitates 13 Social Support groups across Victoria. These provide an opportunity for Forgotten Australians to meet, to share experiences and to undertake activities that enhance wellbeing and health. These groups are inclusive and open to all Forgotten Australians. Over time each group has built up a culture based on enjoyment of shared outings and recreational experiences.

### ***Summary***

A factor that appears commonly among Forgotten Australians is “early ageing”. This is commensurate with an adult life survived and lived, often faced with some of the needs mentioned above. “Early ageing” is a result of the childhood experiences of institutionalization. The ageing process poses significant challenges and fears for Forgotten Australians. Many are approaching old age having battled through their adult life facing many of the difficulties that have been noted above. Many are lonely and isolated and are living without family support. For many their inability to maintain consistent employment has led to the situation where they are “ageing without resources”. The question for many of them is: “Who will care for me and how will I be cared for”. Given the nature of their institutional care as children it is not unreasonable that many ageing adults would be fearful of this prospect in old age; particularly as many of the aged care providers were once providers of care for children. There is a role for government in prioritizing access to specialist aged care services for this population

### **Conclusion**

There is incontrovertible evidence from multiple sources, going back over a decade that the treatment of children in our twentieth century institutional child welfare system inflicted serious harm on thousands of children.

Again there is incontrovertible evidence that the response of the State and the community services agencies who ran these institutions to the now widely known needs of this ageing group of adults has been, at best, patchwork and, at worst, dismissive.

The role of specialist support service is critical in creating and maintaining hope amongst a large group of ageing adults who for too long have had their history and their needs ignored.

The Senate Report is now ten years old. Most of its recommendations have been studiously overlooked by government. There is still time for governments at both state and federal levels to live up to the expectations created by the Senate Report. The moral authority and national reach of the current Royal Commission into Institutional Responses to Child Sexual Abuse has a vital role to play in influencing those with political power.

## **References**

ACE Reporter: *Effects of Adverse Childhood Experiences on Adult Health and Wellbeing*, Vol 1, No. 1, April 2003

Community Affairs Reference Committee: *Forgotten Australians, A Report on Australians who experienced institutional or out of home care as children* (2004)

Family and Community Development Committee: *Betrayal of Trust, Inquiry into the handling of Child Abuse by Religious and Other Non – Government Organizations* (2013)

## **Acknowledgement**

Open Place acknowledges the contribution Forgotten Australians have made to this submission.