

Commission of Inquiry into Abuse of Children in Queensland Institutions

The Forde Report

An overview

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In recent years, a number of Australian government and media reports have documented the abuse of children in state care.

For example, the 1996 Victorian Auditor-General's report found that government cuts to placement and support services had led to children experiencing 'system abuse', that is, 'preventable harm had been done to children as an indirect result of policies or programs designed to provide care and protection' (Auditor-General 1996:129).

Similarly, a 1997 Australian Law Reform Commission (ALRC) report found that many children in state care systems had been exposed to 'insensitive, neglectful or exploitative practices within government and non-government agencies set up to assist and protect children' (ALRC 1997:422).

In addition, media reports have documented the past sexual, psychological and physical abuse of state wards in children's homes and orphanages (Ryle & Hughes 1997; Robbins 1999; Barrowclough 2000). Currently, a group of 200 former Victorian wards are pursuing a class action against the Victorian Government and various religious orders based on allegations of serious abuse whilst in care (Daly 1999).

THE FORDE REPORT

The most systematic documentation of the abuse of children in state care, however, is provided by the recently released report of the Commission of Inquiry into the Abuse of Children in Queensland Institutions (Forde 1999).

This lengthy report (380 pages) contains 12 detailed chapters on both

the past and present abuse of children in state institutions. Attention is drawn to the emotional, physical, sexual and systems abuse of children in state care.

Examples of past emotional abuse cited include both the long-term neglect of children's developmental and emotional needs, and the regular demeaning and humiliation of children in care (pp.277-278).

Examples of physical abuse cited include excessive regimes of corporal punishment, extending at times to a culture of physical punishment and brutality engendered or tolerated by management (pp.70-76).

Examples of sexual abuse cited include serious incidents of interference, rape and assault in almost all the institutions under consideration (pp.87-91).

The report defines systems abuse as occurring 'when a child's needs are simply not considered; they are, effectively invisible'. Examples of systems abuse cited include the inappropriate placement of children who had not been convicted of criminal offences in correctional facilities primarily serving convicted children; the lack of provision of adequate food or clothing; inadequate personal hygiene arrangements; little provision of medical or dental treatment; minimal family contact; exploitation of children's labour; and the poor quality of education offered (pp.66-86). Many children left care with limited or non-existent literacy skills, and little instruction in life skills.

The report attributes systems abuse to a number of factors including ignorance on the part of service providers regarding the needs of children, failures in the system to monitor and track the needs of individual children, and a lack of commitment by government to

provide adequate resources for the support of children in care.

In particular, the report notes that the levels of funding provided to the licensed institutions were totally insufficient to provide adequate individual care. The report also criticises churches for agreeing to accept children into their institutions despite the overcrowding and lack of adequate resources. Many of the carers used were poorly trained and poorly paid, and provided with little supervision or support. Yet these caregivers wielded 'almost unlimited power over children'. Standards and procedures were virtually absent prior to the 1970s, and only minimal monitoring or inspection was offered by the Department (pp.91-94).

The report vividly describes the 'powerlessness' of children exposed to abuse in care. Even when abuse was found to exist, persons in authority were often reluctant to acknowledge or deal with the abuse. The report describes the official response as:

... showing more concern for the protection of the institution and the abusers than for the safety of the children, particularly where cases of sexual abuse have not been referred to the police for prosecution.

CONSEQUENCES FOR VICTIMS OF ABUSE

Witnesses to the inquiry spoke of 'severe and prolonged trauma' arising from their care experiences. Long-term consequences included low self-esteem, inability to trust others, poor personal relationships, broken marriages, and mental health problems. Some had attempted suicide. Others had spent time in prison (pp.284-285).

PRESENT ABUSE

Whilst arguing that contemporary care facilities are significantly improved, the report still draws attention to current practice deficiencies that may place children at potential risk of harm.

Particular risk areas cited include:

- the isolation of residential care institutions;
- inadequate recruitment and selection procedures;
- deficiencies in the design of the physical environments in some facilities;
- the absence of clear standards; and
- inadequate procedures and mechanisms for reporting and managing abuse.

In addition, the report identified a number of important shortcomings in the current legislative provisions for care and protection of children in institutions including:

- the absence of a mandated reporting process for abusive incidents;
- the lack of a requirement for regular supervision or inspection of care centres;
- the absence of any duty to collect data on abuse of children in care; and
- no obligation to provide advocacy services for young people in care.

Attention is also drawn to continuing resource deficits which detrimentally impact on the staff and services provided (pp.119-120).

POLICY IMPLICATIONS

The Queensland report suggests a number of implications for child welfare policy, some of which are reflected in the report's recommendations.

Firstly, it is essential that child welfare services and programs be adequately funded. If governments are to intervene in families and remove children, then they need to be able to provide demonstrably better or more adequate parenting than that offered by natural parents. As the report notes, we must

'ensure that when children are in our care we do them no harm'.

Secondly, governments need to employ properly trained and qualified professional child welfare staff.

Thirdly, child welfare services need to be accountable to independent external bodies. Children's Commissioners and consumer groups for young people in care such as Create Foundation need to be adequately funded in order to provide monitoring and advocacy services for children and young people in care.

Finally, as suggested by the report (p.288), governments have an obligation to apologise to and compensate those who have experienced past abuse in care. □

REFERENCES

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