

# Remembering the 'forgotten' Australians

## The Care Leavers of Australia Network and the Senate Inquiry into Institutional and Out-of-home Care

Philip Mendes

*This study examines the findings of the recent Community Affairs Reference Committee report into institutional and out-of-home care. Attention is drawn to the key role played by the Care Leavers of Australia Network (CLAN) in pushing the concerns of older care leavers onto the public agenda, successfully lobbying for the Senate Inquiry, and providing services and supports to care leavers.*

*The report highlighted the historical failure of state authorities to protect the well-being of children and young people placed in alternative care. Many of those children have subsequently experienced significant emotional and psychological problems, the results of which include psychiatric illness, depression, suicide, substance abuse, illiteracy, impaired relationship skills and marriage breakdown, and incarceration.*

*The report also has contemporary implications. In order to achieve better outcomes for care leavers in the future, we need to ensure that child welfare services are adequately funded, employ properly trained and qualified professional staff, promote a gradual and functional transition from dependence to independence, and ensure accountability to external bodies including consumer groups.*

Over the last decade, there has been increasing public concern and debate about the past abuse and neglect of children in state care institutions. Much of this debate has been played out in the media.

During April-June 1997, for example, the Melbourne *Age* published a series of articles exposing the past maltreatment of wards of the state in Victorian institutions. These reports alleged that children were 'routinely beaten, starved, humiliated and emotionally abused'. Reference was made to cold bath punishments, and to beatings with straps and canes (Ryle & Hughes 1997a). Further allegations referred to babies being pinned to their beds at night, children locked in cupboards, bedwetters made to stand outside a church in their wet nightgowns, and the exploitation of wards by medical researchers undertaking trials of potentially unsafe new vaccines (Hughes & Ryle 1997a, 1997b; Ryle & Hughes 1997b, 1997c, 1997e).

These revelations provoked the formation of a group of former state wards called Innovate (or alternatively LOSS: Lives of State Shame) to demand funding for psychological, medical and educational assistance and research for those who had lived in children's homes. Claims were also made for financial compensation. In response, the Victorian Government agreed to provide specialist counselling for former wards through VANISH, the Victorian Adoption Network for Information and Self-Help (Barrowclough 2000; Ryle & Hughes 1997d, 1997f; Shaw 1997).

Media investigations were paralleled by government reports. The 1999 Commission of Inquiry into the Abuse of Children in Queensland Institutions documented the systematic abuse, neglect and deprivation of children in state care. Long-term implications included low self-esteem, illiteracy, poor personal relationships, broken marriages, mental health problems, and time in prison (Forde 1999). A recent Ombudsman's inquiry into the abuse of Tasmanian children in state care recorded similar findings (Tasmanian Ombudsman 2004:36), and the South Australian Government has similarly announced a judicial inquiry into allegations that wards of the state were sexually abused (CLAN Newsletter Nos.16 & 22; CARC 2004:13-14).

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## FORMATION OF THE CARE LEAVERS OF AUSTRALIA NETWORK

The Care Leavers of Australia Network (CLAN) is a national self-help support and advocacy group for people aged over 25 years who grew up or spent time during their childhood in orphanages, children's homes and other institutions, whether as state wards, home children, or as foster children.

Formed in Sydney in June 2000 by two care leavers, Leonie Sheedy (originally from Victoria) and Joanna Penglase, the group was established to raise public awareness of the negative experiences of state wards including 'continuing trauma and suffering' (CLAN Newsletter No.1, p.2). Many state wards had grown up in a 'child welfare system which – unlike today – didn't take any account of children's feelings, needs, or family ties' (CLAN Newsletter No. 1, p.2). Key objectives of CLAN include:

- providing a network for former wards to share their experiences
- raising public consciousness of the experiences of state wards commensurate to knowledge of the Aboriginal stolen generations and British child migrants
- lobbying state governments to provide acknowledgement and support for former wards, and
- creating support services (CLAN Newsletter, No.1).

According to CLAN, many care leavers:

... are now middle-aged or older but still carry the burden of unresolved issues from this past. Many are afraid to tell their friends, even their children that they were in the care system because of the stigma that it carried. Many were cut off from all contact with family members, and are still looking for them. Most left the care system without any preparation or assistance for adulthood or for parenthood. We are the forgotten survivors of an unfeeling child welfare system which deprived us of a sense of identity, of self-worth, and of a rightful place in our society (CLAN 2003).

Some of the strategies used by CLAN to promote their objectives include:

- publication of a bi-monthly newsletter
- public forums
- social get-togethers and fundraisers, including a showing of the 'Magdalene Sisters' film on the abuse of children in care in Ireland
- promoting reunions of ex-wards from particular homes or institutions
- meetings with politicians and past service providers
- informing members of support services available

- running a retreat
- recording personal stories
- submissions to relevant government inquiries such as the NSW Inquiry into the education of children in out-of-home care
- participation in a conference on the mental health repercussions of family separation
- regular media interviews, and
- establishing links with similar groups in Canada and the UK.

CLAN offers a telephone support service for members 'to share your thoughts and feelings with', but emphasises that the service is staffed by volunteers rather than trained counsellors (CLAN 2003).

The first public forum held by CLAN in October 2000 attracted 200 people, and was addressed by the Reverend Bill Crews from the Exodus Foundation, and a number of CLAN members (CLAN Newsletter No.2). CLAN also documented the links between care experiences and involvement in the criminal justice system, and sought to establish an outreach service to prisoners from care backgrounds (CLAN Newsletter No.4).

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After starting with an initial base of only 38 members, CLAN has grown to a sizeable membership of approximately 520 people, aged 26-87 years, from all states of Australia, including former state wards and home children, foster children, some adult children whose parents were in homes, and a small number of past service providers. Some service providers are also represented on the CLAN Advisory Committee which provides CLAN with specialist knowledge of the welfare service sector, and financial and other practical advice as requested (CLAN Newsletter Nos. 13-14 & 20).

One key CLAN initiative involved writing to all state governments requesting support and services for former state wards including information services, counselling, peer support networks, and education services. This request was supported by the Reverend Bill Crews who noted:

Many of the people who came to me at the Wayside Chapel and then at the Exodus Foundation seeking assistance were from

this background. Their problems can be directly traced to their traumatic experiences as children in care which have handicapped them in establishing independent and emotionally sustaining adult lives (CLAN Newsletter No.10).

As a result, the NSW Department of Community Services agreed to provide CLAN with a \$10,000 seed grant. Some funding also came from the Victorian, Western Australian, ACT and South Australian Governments, but none from the Commonwealth Government (CARC, 2004:294-295; CLAN Newsletter Nos. 14-15, 17-18 & 24).

A complementary initiative involved submissions to past service providers. In response, most of the non-government organisations which previously operated children's homes, including the United Protestant Association, Wesley Dalmar, Uniting Care Burnside, Centacare, Anglicare, Barnardos and the Benevolent Society in NSW, Anglicare South Australia, Uniting Care Wesley Adelaide, and Berry Street and MacKillop Family Services in Victoria, have provided financial assistance to CLAN. However, CLAN has noted with disappointment that the Salvation Army, which operated a number of the major children's homes in NSW, has consistently refused requests for donations (CARC 2004:294-295; CLAN Newsletter Nos. 11-12, 17, 20 & 22). This funding has enabled CLAN to establish a small office in Sydney which includes Leonie Sheedy as full-time policy officer, and a library. The office was officially opened by Senator Andrew Murray in March 2004.

CLAN presented a written submission and oral evidence to the Senate Inquiry into Child Migration seeking to draw attention to the similar experiences of children in institutional care. CLAN hoped to convince the Senators that there was a

... pressing need for another inquiry, this time into the oppressive and abusive system that hundreds of thousands of children across Australia were subjected to in this era when their own families could not care for them (CLAN Newsletter No.5).

The Child Migration Inquiry subsequently recommended as a priority that:

the Commonwealth Government urge the State and Territory Governments to undertake inquiries similar to the Queensland Forde Inquiry into the treatment of all children in institutional care in their respective States and Territories (cited in CLAN Newsletter No.7).

These concerns were also raised in the Commonwealth House of Representatives. In December 2002, three ALP members – Julia Irwin, Mark Latham and Annette Ellis – spoke in favour of a private motion calling on the government to recognise the physical and sexual abuse and emotional deprivation experienced by children placed in care prior to the 1970s (CLAN Newsletter No.13).

Australian Democrats Senator Andrew Murray, who had participated in the Child Migration Inquiry, lobbied Parliament for an additional Senate inquiry into children in care. Murray argued that the need for an inquiry became evident during the inquiry into the child migrant schemes. According to Murray, the Committee

... discovered that many Australians who were not the target of the earlier inquiries into child migration and the Aboriginal stolen generation felt they had been forgotten and did not have a forum to express their experiences. One prominent example is the Care Leavers of Australia Network, a support group for survivors of a child welfare system that deprived tens of thousands of people of a sense of identity, of self-worth, and of their rightful place in society (Murray 2003).

Murray's efforts were vigorously supported by CLAN which wrote to all 76 Senators, met with key Senate leaders plus the Commonwealth Minister for Family and Community Services and the ALP Shadow Minister, urged CLAN members to meet with local federal MPs, and provided information to sympathetic journalists such as Adele Horin of the *Sydney Morning Herald* and Rosemary Neil of the *Australian* (CLAN Newsletter Nos. 10-12).

*The abuse of children in care reflected a number of factors including a culture of silence, bullying, power and personal control, and non-accountability within the institutions ...*

In March 2003, despite opposition from the Liberal Party, the Senate voted in favour of the proposed Inquiry (Szego 2003). CLAN actively publicised the Inquiry, assisted CLAN members with preparing their submissions, and presented a major submission including oral evidence to the Inquiry. The CLAN President, Dr Joanna Penglase, described the survivors of the care system as 'another lost generation', and claimed that thousands of Australian children were 'emotionally, physically and sexually abused, often by members of the clergy or religious orders and by state officials' (Penglase 2004).

When the Senate report was launched in August 2004, CLAN organised the presence of about 150 members for the tabling of the report at Parliament House. CLAN urged members to lobby their local members of Parliament to support the implementation of the Report's recommendations including particularly the introduction of national support services for older care leavers.

A pro forma letter distributed by CLAN stated:

This landmark report requires action by the federal government so that the survivors of these traumatic childhood experiences receive the social justice that is long overdue to them. My vote will go to the party which commits to righting the wrongs of the past for so many forgotten and mostly elderly Australians (CLAN Newsletter Nos. 20-21 & 23).

## THE FORGOTTEN AUSTRALIANS REPORT

The Terms of Reference of the Senate Inquiry report address a number of key questions: the extent to which children in care were exposed to unsafe, improper or unlawful treatment; the long-term social and economic impact of such child abuse and neglect; whether governments should formally acknowledge or provide reparations to compensate for such abuse; and the implications for current child welfare policies and practices (CARC 2004:1-2).

The report is based on 440 public submissions, 174 confidential submissions, and 171 oral presentations at eight public hearings which easily constitutes the largest volume of evidence generated by a Senate Inquiry (p.4).

Respondents included large numbers of care leavers, and a significant number of former and existing service providers who were willing to acknowledge the faults in their earlier care of children (pp.341-350). The term 'forgotten Australians' is used to describe those children who were in out-home-care because:

children were for many reasons hidden in institutions and forgotten by society when they were placed in care and again when they were released into the outside world (p.6).

The report estimates that more than 500,000 Australians experienced some form of out-home-care during the twentieth century. Children were placed in a number of different facilities including orphanages, homes, industrial or training schools, religious bodies, and other charitable or welfare institutions (pp.36-64). Children were admitted to care due to a number of factors including being orphaned, born to a single mother, family poverty or breakdown, parental mental illness or alcoholism, and exposure to family violence or abuse. Prevailing social policies and attitudes, including the lack of income security support for single mothers, the social stigma associated with unmarried motherhood, and the negative attitudes towards fathers as caregivers, were contributing factors (pp.72-73). As noted by the report:

regardless of the reason for being placed in care, for many the experience was often worse or at least no better than staying with their family (p.83).

To be sure, a small number of care leavers reported positive or at least neutral stories of their time in care, and as the report notes 'people of this view generally do not see a need to come forward and tell their story' (p.7). It also needs to be acknowledged that the prevailing social values and attitudes

concerning the rearing and discipline of children were very different to today. But the great majority of the stories presented to the Inquiry documented experiences of severe neglect and deprivation, and overt emotional, physical and sexual abuse that went well beyond what may be termed a harsh upbringing.

Specific reference was made to separation from extended families, separation from siblings, suppression of identity and individuality, sexual and physical assault, forced adoption of babies, lack of education, unmet health needs, exploitation of children's labour, medical experimentation, placement in adult mental hospitals, and the lack of any preparation for leaving care or after care support (pp.85-126). Children were subjected to acts of abuse that, 'if perpetrated by a parent or relative, would have resulted in the child being taken into state care in the first place' (p.141). The overwhelming consensus was that children in care were not provided with the 'love, affection and nurturing' necessary for adequate personal and emotional development (p.xv).

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One submission to the Inquiry commented succinctly:

For most of my adult life I have always wondered how events may have been different had there been strong support, resources and encouragement given through the government between the expiry of my state wardship at 17 to the age of 21. The inherent problem is realizing that institutions in my time instilled the traits of being rebellious, fearful, self-dependent, non-emotional, and not relying on anyone for help. Tools not particularly helpful in dealing with the outside world, social interactions and relationships (Harrison 2004).

The abuse of children in care reflected a number of factors including a culture of silence, bullying, power and personal control, and non-accountability within the institutions; the poor education and training of staff which in turn reflected the inadequate funding of the institutions; and the societal attitudes of the day which failed to respect and uphold the rights of children (CARC 2004:127-143).

This abuse and neglect had severe long-term implications for former wards including low self-esteem, poor interpersonal and life skills, relationship problems with partners and children, poor literacy and numeracy skills, depression, substance abuse, prostitution, crime, and contemplated or actual suicide. Ongoing physical and health problems and

difficulties with housing and employment were also commonplace (pp.145-170). Reference is also made to enormous social and economic costs to society including medical care for injuries, medical care for long-term effects, mental health care, substance abuse treatment, costs to the criminal justice system, and the costs of welfare services and programs (p.166).

## RECOMMENDATIONS

The report makes a number of key recommendations. Foremost is the proposal that governments, the churches and other agencies should issue formal statements acknowledging and apologising for their role in past institutional care policies and practices and the harmful impact this had on the lives of many care leavers (pp.171-198). In addition, the report argues that a national reparations fund for victims of institutional and out-of-home care abuse should be established.

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Other key recommendations pertain to preservation of and access to personal records; addressing legal barriers to litigation; providing more effective and accountable complaints mechanisms for handling abuse allegations; recognising care leavers through the undertaking of an oral history project to collect life stories and via memorials and exhibitions; and the provision of specialised support services including counselling and health, education, housing and aged care programs to care leavers and their families. The report specifically applauded the valuable work of CLAN and other advocacy and support groups, and proposed the establishment and funding of a national support and advocacy body for care leavers as favoured by CLAN. Reference was also made to the need for research to be undertaken to explore the role of institutional care in Australia's social history, the social and economic costs of abuse and neglect of children in care, and the relationship between care experiences and later reliance on the welfare system (pp.199-337).

## RESPONDING TO THE INQUIRY REPORT

The report was jointly launched on 30 August 2004 by Senators McLucas, Knowles, and Murray. Both McLucas and Knowles were reported as breaking down in tears at the press conference (Karvelas & Banks 2004; Wroe 2004).

Senator Jan McLucas commented that the report had brought

... a sense of healing to care leavers that has not been evident in their dealings with government, the churches and institutions to date. It has provided the opportunity to share their experience, to be given recognition of the pain they have experienced, and to put some of the past behind ... A recurring message in the submissions is that the person making the submission was doing it not for himself or herself but for those who could not – for those who could not because the pain in reliving their experience was too great, because the hurt they have lived has manifested into mental illness that renders them incapable of participation, or because they have passed on through illness, age or, even more tragically, suicide.

She specifically thanked Leonie Sheedy of CLAN 'for the leadership, compassion and enormous understanding that she provides to care leavers and their families'.

Senator Sue Knowles noted that:

... for a child to be placed into care, separated from their parent or parents and often from siblings, and then have to face all types of abuse, child slavery, cruelty, hunger, a lack of education, a lack of warm clothing and, probably worst of all, the total absence of love and nurturing is just profoundly sad.

And Senator Andrew Murray subtly summarised the findings of the report:

If you badly harm a child you will have decades of a badly harmed adult to cope with. It does not end there. The effects of the harm are often transferred to the victim's children, creating generational social problems (Senate Hansard 2004).

Dr Joanna Penglase, the President of CLAN, argues that 'we now have a government report that confirms what we have always felt and tried for so long to tell others: that our childhood in 'care' scarred us for life' (Penglase 2004:32).

The report received substantial media coverage in both the print and broadcast media including ABC radio and television, although coverage in the commercial radio and television stations and tabloid newspapers seems to have been minimal (CLAN Newsletter No.23). Much of the media reporting was sympathetic, and referred in detail to care leavers' experiences of neglect and abuse (Gawenda 2004; Halliday 2004; Lewis 2004; Roberts 2004; Yallop 2004a).

However, the editor of the *Australian* strongly criticised the proposal for a national apology and compensation, arguing that:

guilt should be attributed solely to the people and organizations who did the damage. Nor is there a convincing case for a national reparation scheme supported, even in part, with federal funds ... The Senate has done past victims of child abuse a great service in explaining their suffering. But what was done cannot be undone (Mitchell 2004).

This editorial was denounced as 'shameful' by CLAN which claimed the paper had 'shown a complete and utter ignorance of the issues and their importance to all Australians' (CLAN Newsletter No.23).

The churches have begun to consider their responses to the Senate report, and particularly the recommendation that they acknowledge and apologise for their role in the abuse of children in care. The Uniting Church has already 'apologized unreservedly for any physical, psychological or social harm that might have occurred' in church-run institutions. Similar apologies have come from the Anglican Church and the Salvation Army. It has been reported that the Catholic Church is also considering a response (CLAN Newsletter No.24; Yallop 2004b; Zwartz 2004).

The Federal Government recently announced (in December 2004) funding of \$100,000 to enable CLAN to provide counselling services to care leavers. The government stated that 'the counselling support will assist people who are having difficulty resolving past hurts and forming solid and stable relationships now' (CLAN Newsletter No.24).

*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.*

## IMPLICATIONS FOR CONTEMPORARY PRACTICE AND POLICY

The Senate report suggests a number of implications for contemporary child welfare practice and policy.

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.

Secondly, government and non-government agencies need to employ properly trained and qualified professional child welfare staff.

Thirdly, state authorities need to adequately prepare young people for leaving care, and ensure that they are provided with ongoing support during the long transition from dependence to independence.

Finally, child welfare services need to be accountable to independent external bodies including consumer groups. It is only because of the intense lobbying by CLAN that the past abuse of children in care was placed on the public agenda. Equally, it is crucial that consumer groups such as the Create Foundation be adequately funded in order to provide monitoring and advocacy services for children and young people currently in care (Mendes 1998).

## CONCLUSION

Over the past decade, concerns about the past abuse of children in care have attracted some public attention as a result of intermittent media reports, and state government inquiries. But it required the dogged persistence of the newly formed consumer group, the Care Leavers of Australia Network, to place this issue firmly on the national political agenda. The Senate report which resulted has documented beyond any doubt the failure of the state over a long period of time to meet their moral and legal obligation to protect the needs of children and young people in care.

As noted by Senator Murray:

the overall lack of justice and support for those who suffered in institutional care as children is scandalous ... Both the church and state duck for cover and argue over who should be responsible. Much more important than monetary compensation is the provision of targeted services for those who were harmed as children. Nevertheless monetary compensation is appropriate in many cases. Although some progress has been made here in Australia ... it is the politicians that are holding back the provision of adequate targeted services, and adequate reparations for those harmed in care (CLAN Newsletter No.20).

It is to be hoped that the Commonwealth Government will give serious consideration to implementing the key recommendations of the Senate report, and that the Forgotten Australians will not be forgotten again. ❖

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