



CARE LEAVERS AUSTRALASIA NETWORK

CLAN is a National, Independent, Peak Membership Body which supports, represents and advocates for people who were raised in Australian Orphanages, Children's Homes, Foster Care & Other Institutions.

Consultation Paper: Institutional Responses to Child Sexual Abuse in Out-of-Home Care

CLAN would like to thank the Royal Commission Into Institutional Responses to Child Sexual Abuse for the opportunity to respond to this consultation paper. Whilst CLAN may not be representative of those currently in 'care' we speak for those who have left the 'care' system and hope that this Commission can learn from their experiences and the mistakes of the past to ensure that children currently in 'care' will not be destined to the same legacy of use, abuse, neglect and lifelong disadvantage.

CLAN would like to comment on some general areas of your consultation paper.

1. Child Sexual Abuse in the Child Welfare System

It is disappointing that your consultation paper focuses specifically on Child Sexual Exploitation and Child- to-Child Sexual Abuse, when there are so many issues with generalised offending against children in care by adult perpetrators. Whilst these two issues are worth exploring they do not make up the majority of child sexual abuse in the child welfare system. As your paper states **"most sexual abuse of children in OOHC is perpetrated by known and often trusted adults..."** (pg. 95). The Royal Commission obviously understands the prevalence and nature of child sexual abuse in the Child Welfare System, yet have not publicly corrected your inaccurate and misleading statement by Gail Furness on 10th March 2015 pg. 22 :

"The major focus of preventing child sexual abuse in out of home care should be on efforts to prevent child to child sexual abuse rather than caregiver child sexual abuse, since this type of abuse likely represents the vast majority of observed child sexual abuse in out of home care."

This damaging statement has made its way into the media and academia and is now commonly being quoted in various news stories eg. ***Child sexual abuse by children demands more clinics, NSW Health worker says (SMH; 04/04/16)***. The Royal Commission needs to understand that people generally believe what they read or see in the media and therefore it is up to the Royal Commission to make a public statement correcting this misinformation. When this myth pervades society in general, paedophiles are given more power and child victims much less. Statements like these need to be redacted and corrected before children feel they will not be believed to disclose that an adult has abused them, and before paedophiles use this statement to coerce children and society.

CLAN acknowledges that child on child sexual abuse is an issue, as is child sexual exploitation, but more needs to be done to obtain accurate figures so that these issues can be dealt with properly and in context. When it comes to child on child sexual abuse there needs to be a greater focus on adult supervision, support, and training. In fact, CLAN recommend that a register of staff/carers who were on duty when child on child sexual abuse takes place needs to be compiled. Carers and staff in the child welfare system have a duty of care to children and therefore perhaps options need to be explored for penalties or sanctions for those carers who fail in their duty of care because a child was sexually abused by another child on their watch. It has been documented that various workers, namely Gilford, Monaghan and Valentine, at Parramatta Girls Home were brought before a NSW Public Service Board. While Gilford and Monaghan were suspended for physically abusing girls at Parramatta Girls Home, Valentine was not (***Life of Luxury for accused Paramatta Girls Home Rapist, Daily Telegraph, 2014***). Whilst this board did not adequately sanction Valentine, the idea of having an independent board to adjudicate over Government employees is a valuable one as it is an avenue that can monitor penalties and sanctions for those working in the child welfare system. CLAN would like to know whether this board still exists and if not when did it cease functioning? The reinstatement of a board like this will give the child welfare system an avenue for transparency and liability.

More focus also needs to be on providing both the child victim and the child who is sexually harming others with intensive therapy. Carers, whether in residential, foster care or relative/kinship care need to be given sufficient information about children's backgrounds and histories and need to receive the training to deal with certain behaviours. When child on child abuse is occurring it is symptomatic of the adults and the society around these children. More needs to be done to educate children in the first instance about grooming and to provide support and therapy after the abuse also for all parties involved.

The fact that this sort of abuse may occur due to a lack of adequate adult supervision and support means that these children need to be handled carefully so as to ensure that they do not grow up to become adult offenders. This means that if data is collected it needs to be done sensitively and in the context of assisting both parties, not to label these children. Any system which is developed to collate data will need

to be put under intense scrutiny in order to achieve a fair and purposeful system that does not inadvertently disadvantage certain parties, now or into the future.

There also needs to be some sort of penalty for organisations which fail to create a child safe organisation therefore enabling any sort of child abuse to take place. As evidenced in the Royal Commission's Case Study 1, Steven Larkin was enabled by the organisations own inaction when something could have been done. These sorts of situations need to be treated more seriously rather than just frowned upon. There needs to be serious consequences and penalties for failure to report child abuse. Whether these take the forms of fines, stripping of accreditation, or even funding being revoked, something needs to be in place to motivate organisations to act responsibly and **always in the best interests of the child**. We need an independent organisation to review situations that may arise in the child welfare sector which makes all organisations as well as those employed as staff or carers liable. Perhaps it would be mandatory for a Care Leaver to be instated on a panel such as this to ensure the independence and transparency of its workings.

With regard to paedophiles, whether it be in the sexual exploitation of children in the child welfare system, or in generalised sexual offending against children in the child welfare system, CLAN believes that more should be done to investigate the circumstances which may lead to these sorts of crimes. There is much focus being placed on the child welfare system, but there doesn't seem to be a great deal of analysis of society itself and how our laws and regulations may enable perpetrators to continue to abuse children in welfare system.

Firstly, there need to be harsher and more standardised penalties for those convicted of abusing children. As the Royal Commission is well aware, most children in care also experienced some form of psychological and physical abuse as well as sexual abuse. These things happened just as commonly as, if not more than, sexual abuse. It is wise to remember that at times these crimes also go hand in hand, or progress from one type of abuse to another. Laws need to be stricter and punishments heavier for those convicted of any type of abuse of a child.

Secondly, CLAN would like to see convicted paedophiles be restricted interstate travel, and refused the liberty to legally change their name. Their passports should be confiscated to protect children in other countries especially developing and third world countries from these paedophiles reoffending. A well-known paedophile from the Salvation Army – the late Captain Smith, travelled from WA to VIC to 'be with his family'. We will never know if he offended in a new jurisdiction, if his movements were monitored or what he was able to do. This has happened on numerous occasions with a number of paedophiles, from both church, charity and government Homes, Orphanages, foster care and other institutions. This has been demonstrated in the case of Ballarat Christian Brother Edward Ted Dowlan AKA Ted Bales a convicted paedophile who was able to move from Victoria to Tasmania and back to Victoria again. We need to prevent these situations from ever occurring again. Interestingly enough Brother Dowlan went on to be given a Disability Support Pension before he was once again arrested and convicted for more child sexual

assault charges. CLAN would like to point out how difficult it is for many of our members to apply for and receive the DSP, yet a convicted paedophile readily receives it.

No perpetrator should ever be allowed to work with any vulnerable person, not just children. This includes older people, those in nursing homes and those living with a disability.

There also needs to be tougher criminal sentences for those in the role of a carer who perpetrate child abuse. Whether this be in residential care, foster care, or relative/kinship care, the responsibility that comes with caring for a vulnerable child needs to be taken into account when sentencing these perpetrators, and as such the sentence should be reflective of their dereliction of their duty of care as well as the crime of abuse itself.

2. **Data on Child Sexual Usage**

CLAN understands the need for data collection in relation to children in the child welfare system. In our own work we have relied on the use of surveys to collect invaluable information on our members, their needs and wants, and gaps in service delivery. While we endorse the prospect of collecting data about abuse in the child welfare system we have a number of considerations before the proposed data model itself is endorsed.

Firstly, as we have always supported a Royal Commission into ALL forms of abuse, not just sexual abuse, we believe that data needs to be collected on all forms of abuse. It is not acceptable for children to be placed with physically violent, or emotionally abusive carers. Thus it stands to reason that allegations of this sort of abuse need to be documented in the same way that sexual abuse allegations are. A more holistic approach to collecting data will result in a more complete picture of a child's experience in the child welfare system.

Secondly, it is of the utmost importance that it is documented whether the child has had a relative in care before them. The intergenerational effect of being in care is well documented anecdotally, but continues to be disregarded in any formal research. CLAN have been pushing to have the number of Care Leavers with a child or grandchild in care quantitatively studied. Thus far there are no numbers apart from CLAN's limited research with our own members to give us an idea of how widespread the intergenerational effects of being placed in care are. Therefore we propose that there is a question on any intake or notification form routinely completed by caseworkers and others worker within the child welfare system, regarding a child's familial history of being in care. CLAN would also like to see this sort of information gathered about the perpetrators also. We must ensure though that this information is not used to label children, to pass judgement on their backgrounds or to penalise children in any way.

Thirdly, your proposed data model fails to state who exactly will have access to this data and the method in which this data will be utilised. This needs to be explored and be made explicit before any data collection model is actioned on.

Lastly, your data model under point 5 states that the data would be “used to monitor treatment and support provided, and life outcomes”. There needs to be an emphasis on the treatment which is provided and the timely manner in which it is done. This sort of thing will play a large role in determining the success of the treatment or not. Furthermore, the wording ‘**life outcomes**’ is quite vague and will need to be better defined and explained. Additionally CLAN understands that collecting this data whilst a child is in the child welfare system would be simple enough but how would the data be obtained and collated to monitor treatment and life outcomes once a child has left care?

3. Accreditation, Regulation and Oversight

Only one jurisdiction in Australia (NSW) requires government service providers to become accredited. This is unacceptable. It is unreasonable for state government departments to expect all non-government organisations to adhere to a certain standard when they themselves do not. No organisation should be allowed to care for children if they are not accredited, whether they are government or non-government. CLAN believes that that the mistakes of the past are being repeated all over again with organisations and agencies failing to be properly authorised and regulated, namely the main government department responsible for caring for children. CLAN therefore agrees with your mandatory accreditation scheme for ALL child welfare providers. **Governments need to be reminded that they are the legal guardians of children in the child welfare system**, therefore they need to be accredited and reminded of the child’s best interests.

Secondly, CLAN also feel strongly on the point of ALL carers being subject to a process of assessment, accreditation and authorisation. While it is understood that care may need to occur at short notice and therefore having the appropriate checks carried out for relative/kinship carers may be difficult, it is a necessary pre-condition for placing a child in care. More focus should be placed on expediting these checks for these sorts of situations but it is no reason and no excuse for these checks to be neglected or ignored. According to your chart 1.2, 20% of child sexual abuse in the child welfare system is occurring in relative/kinship care. Obviously more should be done to prevent this. At the end of the day it is better for a child to be kept in a safe place in the short term until checks are done rather than to be placed with a relative who may be dangerous for their wellbeing all because it was too hard and too time consuming to have a check carried out. Whilst some stakeholders argue that imposing checks on relative and kinship carers may serve as a deterrent, CLAN would argue that **whatever is in the best interests of the child is what always needs to be done**. In these cases the child’s safety always outweighs the inconvenience of having

checks done on relatives. CLAN does agree that there needs to be a national minimum mandatory pre-authorisation check for any carer. Although the Royal Commission has mentioned the United Nation Convention on the Rights of the Child, most jurisdictions and the policy makers within them seem to forget their obligations under the Convention. Therefore it is CLAN's contention that the CROC should be enshrined and embedded in child and family welfare legislation in ALL jurisdictions to ensure it is adhered to in all decision and policy making.

With regards to carers registers, CLAN feels that there should be a national register of anyone employed and paid by a government or non-government department that has any contact or responsibility for children. This would include foster carers as well as relative/kinship carers and residential workers. This is the only way to have a centralised database accessible to all jurisdictions with which to allow transparency and accountability of the child welfare system and of the carers working within it.

In terms of accreditation, CLAN would also like to see ALL carers and those working within the child welfare system be required to read *Orphans of the Living: Growing Up in 'Care' in twentieth century Australia* by Joanna Penglase. CLAN also believe that it should be in organisations funding agreements that they become members of our organisation in order to learn about the past history of the child welfare system and to learn from Care Leavers lived experiences. Part of an accreditation process is ensuring that those working within it are not only safe to do so, but have the best understanding they possibly can about the system and the children that they are caring for within it. It is impossible to understand it without understanding the past history of care, the intergenerational effects of care, and the abuse and neglect of children in that system. Carers need to be given insight into how children in care feel and cope with the separation and abandonment of being removed from their family of origin, regardless of how dysfunctional that family may have been. Carers need to be trained to be sensitive to these issues and to understand that it is still the child's family and therefore due respect needs to be given.

Furthermore, as mentioned in a previous section we are also of the opinion that organisations who fail to conduct the proper checks, or fail to properly supervise carers or children should be subject to harsher penalties which may include stripping their accreditation or having their funding revoked.

4. Information Sharing in Child Welfare Contexts

The main point CLAN needs to make in this section is that there is not enough, and has never been enough information sharing that is **in the best interests of the child**. While organisations and workers debate whether to share information and whether or not it may be in breach of privacy or confidentiality, the consideration should be and needs to be: Is this in the best interests of the child? Will the child benefit or am I putting the child in danger by not disclosing this information? The child's safety always needs to be the number one priority even if that does mean confidentiality or

privacy is breached. There are no excuses for keeping any information private if it may put a child in danger. In saying this, CLAN also believe that if something is disclosed to a carer in the best interests of a child, that carer must not breach the child's privacy, and once again must not disclose any personal information of a child's unless it is for their benefit. Foster carers should sign a contract stating this fact and suffer some sort of penalties if they are in breach of this contract.

Furthermore, past providers especially the government departments in each state, fail to share adequate information with those who have left care. Whilst this will be further discussed later on this submission we felt it necessary to make a point in this section that past care providers always err on the side of providing as little information as possible, even though that information may be crucial to a Care Leaver making sense of their identity. A lot more needs to be done in this context in releasing past information to Care Leavers that have relevance to their lives.

Cross-jurisdictional information sharing is also a big issue that needs to be dealt with. We have heard too many times from our members (and have mentioned previously in this submission) that paedophile perpetrators move from one state to another, not being detected because they rely on the lack of centralised information and databases and the poor sharing of information between Australian jurisdictions. The first thing that needs to be done is to have mandatory national registers and databases for carers and workers, as well as national databases of abuse allegations. Without these, jurisdictions rely on the whims and information laws of the workers of other jurisdictions to release information. We need to stop convicted paedophiles moving across borders, and we need to be able to monitor carers who may have allegations against them if they do decide to move interstate and become a carer or worker in their new home. Therefore, CLAN recommend a national register of child abuse perpetrators which is made available to the public. The Royal Commission may only be tasked with investigations institutional responses to child sexual abuse, but we must remember the dire need to protect ALL children in society not just those in care. There are a number of websites which do name perpetrators and give details of their crimes and other information such as MAKO, having a national database of perpetrators would not be introducing something new to society, it would just be collated from a more reliable source.

5. Preventing Child Sexual Abuse in the Child Welfare System

The first and most important point that CLAN cannot emphasise enough, is the importance of studying the intergenerational effects of 'care'. It is essential that we learn from our history and understand just how far the effects of being in care reach. There are no adequate estimates that can tell us how many Care Leavers currently have, or have had in the past, a child, grandchild, or great grandchild enter the child welfare system. Without these statistics, it is impossible to create policy that will encompass the whole experience of children in care, and it will neglect to address a very important factor contributing to vulnerability of being abused in the care

system. We raise this point as we have heard a large number of anecdotal evidence attesting to this fact. In hearing this evidence CLAN have been privy to the lived experience of Care Leavers who have had their children or grandchildren in care or who have had a parent or grandparent in care. These stories demonstrate the cycle of disadvantage and the increased vulnerability of these families to perpetrators of child abuse. Therefore CLAN also recommend that appropriate assistance is provided to those parents who lose their child to the child welfare system, in the form of support and counselling. It is important that these parents receive this assistance so as not to repeat the same mistakes with their next child which is often the case. The more children we have in the care of stable parents the less likely they are to end up abused in the child welfare system.

Following on from this point CLAN believe it is also necessary for policy makers to include Care Leavers with the lived experience of being in care in the development of policy to prevent child abuse. No one knows better than those who have had past experience, what can be done to improve the system and put less children at risk.

Educating children in care about sexual abuse, grooming, and other warning signs to watch out for may help to prevent some instances of abuse. Children in the child welfare system should also be provided with a folder with information outlining their rights, as well as support services which is age appropriate and written in simple English. CLAN also believe that all children in care (age appropriate) should be provided with a mobile phone. For many children in care they may not have access to a telephone without asking a carer and may not be able to speak privately about sensitive issues. These mobile phones should have important numbers like abuse report hotlines, kidshelpline, case workers numbers and other support services relevant to children in care stored in the phones.

Similarly, adequate training for all carers of children in the welfare system may also help to identify warning signs or early abuse signs of children who have been abused. Having trusted adults that children feel comfortable being able to disclose to is of the utmost importance in preventing abuse in the first instance and if not further instances.

Nevertheless, this Commission needs to make recommendations regarding preventing perpetrators on the whole from offending and not just focusing on what can be done to change things for children and carers. There needs to be harsher and more consistent penalties for any person that abuses a child. There also needs to be more of a willingness from DPP offices to take on cases and prosecute those who have committed these heinous crimes. One CLAN member had the Office of Public Prosecutions decline to prosecute as they did not feel they would achieve a conviction, although the perpetrator had been charged. In explaining this to the CLAN member he stated that he needs to make the decision to prosecute "based solely on well established legal principles and prosecutorial guidelines". Surely there needs to be more to these decisions than principles and guidelines, these are peoples lives which have been ruined. Furthermore this CLAN member was threatened with legal action if she shared this information and the DPP's reason's for

declining to prosecute. CLAN have not revealed the identity of the CLAN member or the DPP in order to protect this member, however we have attached a copy of the letter (with the CLAN member's permission for your information). CLAN urge the Royal Commission to look into this matter as we believe it is entirely unjust to censor a victim who is only trying to achieve justice for themselves. Until these crimes are more regularly prosecuted, the legal system is not going to act as a deterrent or help in the prevention of child sexual abuse. The legal system is only perpetuating the cycle by refusing to bring to justice these paedophiles.

Furthermore, as previously stated in this paper, convicted perpetrators should have passports removed and should not be allowed to leave the jurisdiction, allowing for greater monitoring and containment of their offending behaviour.

6. Supporting Children and Young People in Child Welfare System

CLAN strongly recommend that therapy is provided for children from the time they enter care. Having a trusted professional assisting children with the trauma of being in the child welfare system will go a long way to helping children and young people sort through their familial and identity issues. Furthermore, it will make ALL children in care less vulnerable to perpetrators. Having a professional monitor a child's progress and subsequent behaviour will help assist to identify early warning signs of a child being groomed, being dealt with inappropriately or in the worst case scenario having already been abused. If children are provided the opportunity to address the issues of being placed in the child welfare system and are supported in the correct way by professionals, they will leave care as more stable adults with better life prospects. As any professional working in trauma informed care knows, a child needs to be afforded the opportunity to deal with their trauma in the hope of preventing lifelong debilitating illnesses such as PTSD. Without this, the child welfare system is setting children up to fail as adults.

Research has also shown that children who have been in the child welfare system go on to suffer higher rates of health and social problems as opposed to the general population (**Insight, SBS, 19/04/16**). The Commission also need to acknowledge that it is not just sexual abuse which creates trauma in a child or young person's life. The mere fact of being in the child welfare system away from a child's parents (whether it was functional or dysfunctional environment) is traumatising in itself. Add in other aspects of the care system, which may include being moved from placement to placement or even emotional, physical, psychological or sexual abuse, and it creates an incredibly traumatising environment. Having these issues addressed by a professional from the get go will help create less traumatised adults.

CLAN also believe that children in care should never be interviewed on their own or with their foster carer/relative carer/kinship carer/residential carer. Instead, any time a child in care is interviewed they should be accompanied by their own advocate. This can be in the form of someone like an 'official visitor' who is

independent of the child welfare system and whose sole purpose is to advocate for the child and their best interests. CLAN can see the benefits of having official visitors, and perhaps if their visits can be carried out at a certain frequency so that children can become accustomed to this person it would provide for a valuable alternative to caseworkers. CLAN do feel strongly about the logistics in how this would be carried out, i.e. would the visits be planned or spontaneous? When carers who may be abusive know a visit is planned they may manipulate or threaten a child not to disclose anything. Similarly where would these visits take place, in the home, at school or somewhere else? If these details could be sorted out to ensure that the environment is conducive to a possible disclosure it could make for a very successful scheme.

As discussed earlier in this paper any allegation made by a child needs to be placed on a register, and this is not just for sexual abuse, but any form of abuse that a child encounters. Furthermore, any allegation that a child makes needs to be placed on their State Ward File and these allegations must be exempt from redaction (if redaction continues which we believe it should NOT). The allegations on the State Ward File also need to describe what actions were taken, the outcome of these actions and if a court case followed be provided with these transcripts. Furthermore there also needs to be a register not just of allegations but of further action taken, if charges are laid against a perpetrator and if they are convicted. Thus we should be left with two registers, one with allegations that have been followed up with charges etc, and one with allegations that may not have enough evidence to be substantiated. These allegations still need to be documented and registered as it can assist authorities and organisations when identifying perpetrators in the future.

Education and training is also essential for all those who are working in the child welfare system, whether it be in an organisation or as a carer. All those working with children in the child welfare system need to be trauma informed and educated in the best way to deal with traumatised children, and be involved in best practice to prevent any more trauma to this already vulnerable group. As previously stated those with the lived experience of being in care should be involved in policy development and all those working with children should have to read *Orphans of the Living: Growing Up in 'Care' in twentieth century Australia* by Joanna Penglase to understand the history of care and the effects of being in care on Care Leavers.

It is also important that carers are made aware of a child's past before a child enters their care. Carers need to understand their responsibility in looking after these vulnerable children, and we can only expect them to do this if they are made fully aware of the child's situation. In order to form empathic and trusting relationships with children in care it is essential that carers know the child's histories. It is only in knowing all the facts that carers can make all arrangements necessary to try and prevent the re-traumatisation of these children. CLAN is aware of the case of public servant Shannon McCool who abused a number of children as a Families SA carer. One of his victims has been returned to their biological father as 'damaged goods' and it is this sort of behaviour that only enhances the trauma of a child. CLAN would like to know if these children are having therapy and appropriate support, are have

they been left to suffer alone as many of the past Care Leavers were. Not addressing these issues as soon as they occur let vulnerable and damaged children grow into adults with unaddressed issues which can make for explosive behaviour and lifelong disabilities. Any carer needs to know these children's pasts so they can identify the most appropriate way to help and support these children.

Therefore, CLAN also argue that every time a foster care or residential placement is ceased and changed the carer must explain in a letter to be kept in a Care Leavers state ward file, the reasons for this placement ceasing. The full name of the carer and the address of the placement should also be included. It will assist Care Leavers in the future to understand what has happened and why, especially if they are too young at the time. This will also help young people to form an identity without being burdened by not knowing why they were passed from one placement to another.

CLAN would also like to bring the Commission's attention to the well known case of Kathleen Folbigg. Ms Folbigg was convicted of killing three of her infant children in 2003, between the years of 1991 and 1999. Ms Folbigg also happens to be a Care Leaver whose father murdered her mother by stabbing her to death 24 times. Ms Folbigg was only two at the time, and was then placed in a Children's Home followed by foster care. Ms Folbigg never received the ongoing psychological care or support for the trauma that she endured as a toddler, and then the ongoing trauma of being in the child welfare system in the first place with the knowledge of what brought her there. Also her foster carers were never trained or educated with how to deal with this sort of situation. Without these supports children are left as ticking time bombs. Whilst it is not CLAN's intention to excuse in any way the horrendous crimes she committed, it must be noted that her case is an extreme example of what can happen if children are not adequately supported and do not receive the correct psychological assistance while in the child welfare system. We are sure the commission are aware of a number of Care Leavers who are currently serving time in prison for various crimes. It is CLAN's contention that the correct support whilst in the child welfare system can go a long way to preventing these scenarios and ultimately benefiting society as well as the individual.

7. Leaving Care

The Care Leavers which CLAN currently assist still struggle with the way they were forced to leave care. For many, on their 18th or 21st birthday (depending on the time), or even at an earlier age, they were kicked out of their foster placement, Children's Home, orphanage or other institution and left to fend for themselves. After being deprived of an adequate education and lacking many family and life skills, most Care Leavers had no family to turn to and nowhere to go. The advice that Care Leavers often received was 'don't forget to make a will'. These situations should NEVER happen again to ANY child.

Children in the child welfare system now need to understand what is involved in leaving care and they need to slowly transition to this point. There needs to be a 'leaving care plan' executed over a period of time. Young people who are getting ready to leave care need to be made aware of their rights, of support and advocacy groups like CLAN and CREATE, of their therapeutic options and means for seeking this assistance. They should also be told about Victims of Crime Schemes and be given the option to report abuse to police, and have someone support them to do this.

When young people leave care they should also be given a copy of their state ward file without having to request it at a later date. Part of their file should include any important documents such as their birth certificate, and if baptised or christened this certificate also. There should be a family tree or genogram included in State Ward Files with as much information as possible supported by available documentation eg. death certificates if parents died etc. These documents along with anything else that has been kept for these children should be presented to them in a nice file. Whilst many younger Care Leavers may not understand the importance of having their file at the time, for others it is very important and will gain importance as they age.

As previously stated we also feel that any allegations a child makes should be listed on their state ward file and none of these names or any aspects of the report should be redacted. This can be of vital importance in time if the Care Leaver may choose to report a crime to the police, go through victims of crime or even initiate a civil suit.

Furthermore, CLAN also believe that if there are allegations on record against a particular perpetrator, if the system/courts/government departments are aware when a perpetrator dies their victims or alleged victims should be notified. For many this is a huge piece of information that can affect their mental health, some for the positive and others for the negative. One CLAN member heard about the death of his perpetrator John Maria Beyer at a Royal Commission Public Hearing. He was not told this prior even though he was a victim in the court case of this paedophile who was convicted. This was quite distressing for our member. Have the other victims from the Salvation Army Homes Bayswater and Tally Ho been informed he has died? Either way it is too important for it to be ignored and for Care Leavers not to be notified.

Lastly it is of the greatest importance that young people leaving care continue to have access to supports that they made whilst in care. Whilst it may be unreasonable to have this access for life, it should gradually decrease over a transition period so that these young people are not just cut off from everything they have ever known at once, which would only serve to re-traumatise them.

Care Leavers should be made to feel valued and that they are heroes for surviving their traumatic childhoods. We need to have a shift in the attitudes of society in order to produce fully functioning adults who participate as members of our society. This starts in the child welfare system and the way they treat and interact with

children and young people. It continues when these young people leave care and join society. It is a pivotal time and needs to be treated as such.

CLAN do essential work with Care Leavers in supporting and advocating for them, giving them a voice when they previously have had none. Our organisation is vital to the wellbeing of older Care Leavers and is becoming more utilised by younger Care Leavers. Not only do we give Care Leavers much needed support but we also aim to educate policy and decision makers such as yourselves as well as other professionals in society to ensure awareness of Care Leaver issues and to try and obtain the best outcomes for Care Leavers as possible. Unfortunately CLAN do not receive adequate funding outside of the Royal Commission. Although we help Care Leavers in ALL states of Australia, not one state gives CLAN enough funding that it would be able to operate without the Royal Commission funding. CLAN receives the following funding from the states:

- ACT: \$3000
- NSW: \$35000
- SA: \$15 000 donation
- VIC: \$17 500

These paltry amounts leave CLAN greatly under-resourced. Whilst DSS also funds CLAN through their Find and Connect programme this amount would not be enough to keep CLAN operating should we receive no further funding through the Royal Commission. Unfortunately it would not be feasible for CLAN to carry out all the elements of the important work that we do under our current funding if the Royal Commission funding was to cease. We would then have to make the decision to close our doors and this would not be in the best interests of any Care Leavers, past, present, or future.

CLAN hope that the Commission is able to take our submission under advisement and recommend for the implementation of all of the changes we have recommended. It must be remembered that these changes come from the recommendations of Care Leavers with the lived experience of being in care and suffering ALL forms of abuse and neglect throughout their entire lives. CLAN do not want to see the mistakes of the past repeated for the children currently in the child welfare system, or for those who will be part of it in the future.