

Victorian Government response
to the *Forgotten Australians*
report recommendations

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Authorised by the State Government of Victoria, 50 Lonsdale Street,
Melbourne.

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Introduction

The Victorian Government is pleased to provide this response to the recommendations contained in the report *Forgotten Australians: A Report on Australians who experienced institutional or out of home care as children*.

The report deals with a shameful part of Australian history. Many of the experiences detailed in the report are ones of great sadness. It is in recognition of this that the Victorian Government apologised to care leavers in August 2006.

The Victorian Government hopes that the response provided here, and in particular the establishment of Victoria's first service specifically for care leavers, goes some way to recognising the needs and entitlements of the *Forgotten Australians*.

As the attached response details, the Victorian Government supports or has, in fact, already actioned the great majority of the Report's recommendations relating to State Governments. There are several recommendations where Victoria will endeavour to further improve our response to the issues they raise.

The new care leaver service will go some way towards ensuring that those care leavers with genuine claims against any party are supported to have these claims heard via the legal process. It will also be of practical assistance to care leavers in need of various types of support, and will provide this support in a sensitive and appropriately understanding way.

Statements of acknowledgement and apology

Recommendation 1

That the Commonwealth Government issue a formal statement acknowledging, on behalf of the nation, the hurt and distress suffered by many children in institutional care, particularly the children who were victims of abuse and assault; and apologizing for the harm caused to these children.

This is a matter for the Commonwealth Government.

The Victorian Government welcomes the recent announcement by the Commonwealth Government to issue a formal statement of acknowledgement and apology, on behalf of the nation by the end of 2009. The Victorian Government is willing to assist in the development of an appropriate and meaningful national apology for people affected by past practices of care.

Recommendation 2

That all State Governments and Churches and agencies, that have not already done so, issue formal statements acknowledging their role in the administration of institutional care arrangements; and apologizing for the physical, psychological and social harm caused to the children, and the hurt and distress suffered by the children at the hands of those who were in charge of them, particularly the children who were victims of abuse and assault.

The Premier of Victoria made an apology to care leavers in the Parliament on 9 August 2006. The Government of Victoria recognises this as an important step in the healing process for people who grew up in care and encourages Churches and Agencies who have not already done so to consider such a step.

Addressing legal barriers

Recommendation 3

That State Governments review the effectiveness of the South Australian law and consider amending their own statutes of limitation legislation to achieve the positive outcomes for conducting legal proceedings that have resulted from the amendments in the South Australian jurisdiction.

This recommendation relates to the South Australian Government decision to remove the statutory limitation period for certain sexual offences. This recommendation is not relevant in Victoria as the Crimes Act 1958 does not apply any limitation period to the prosecution of sex offences and therefore analogous legislation is not required in this state.

Recommendation 4

That in recognising the difficulty that applicants have in taking civil action against unincorporated religious or charitable organizations, the Government examine whether it would be either an appropriate or a feasible incentive to incorporation, to make the availability of federal tax concessions to charitable, religious and not-for-profit organizations dependent on, or alternatively linked to, them being incorporated under the corporations act or under state incorporated associations statutes.

This is a matter for the Commonwealth Government. However, it should be noted that one of the functions to be carried out by the care leaver service established in Victoria will be to provide assistance and support to care leavers with a potential legal claim for past abuse.

Recommendation 5

That the Commonwealth Government examine the desirability and feasibility of introducing whistleblower legislation for the not-for-profit religious and charitable sectors.

This is a matter for the Commonwealth Government. The Victorian Government notes this recommendation and supports in principle the desirability and viability of considering a range of mechanisms for managing and investigating complaints.

Recommendation 6

That the Commonwealth Government establish and manage a national reparations fund for victims of institutional abuse in institutions and out-of-home care settings and that:

- the scheme be funded by contributions from the Commonwealth and State Governments and the Churches and agencies proportionately;
- the Commonwealth have regard to the schemes already in operation in Canada, Ireland and Tasmania in the design and implementation of the above scheme;
- a board be established to administer the scheme, consider claims and award monetary compensation;
- the board, in determining claims, be satisfied that there was a 'reasonable likelihood' that the abuse occurred;
- the board should have regard to whether legal redress has been pursued;
- the processes established in assessing claims be non-adversarial and informal; and
- compensation be provided for individuals who have suffered physical, sexual or emotional abuse while residing in these institutions or out-of-home care settings.

This is a matter for the Commonwealth Government. It is noted that their response to this recommendation was that reparation schemes are the responsibility of the State and Territory Governments, charitable institutions and Churches.

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Victoria is not establishing a reparation scheme. Such schemes are often inequitable and problematic.

In Victoria a person who has been abused whilst in care can make a claim against the State Government. These claims are dealt with on a case-by-case basis in a sensitive manner. This process will continue in Victoria.

To further strengthen Victoria's approach to this issue, one of the functions to be carried out by the care leaver service established in Victoria will be to provide assistance and support to care leavers with a potential legal claim for past abuse. This function recognises the difficulty that some care leavers with genuine claims may have in bringing legal action. By supporting care leavers in this way, the Victorian Government is demonstrating its commitment to ensuring rightful claims are dealt with sensitively and equitably via appropriate legal processes.

Internal Church redress process

Recommendation 7

That all internal Church and agency-related processes for handling abuse allegations ensure that:

- **informal, reconciliation-type processes be available whereby complainants can meet with Church officials to discuss complaints and resolve grievances without recourse to more formal processes, the aim being to promote reconciliation and healing;**
- **where possible, there be independent input into the appointment of key personnel operating the schemes;**
- **a full range of support and other services be offered as part of compensation/reparation packages, including monetary compensation;**
- **terms of settlement do not impose confidentiality clauses on complainants;**
- **internal review procedures be improved, including the appointment of external appointees independent of the respective Church or agency to conduct reviews; and**
- **information on complaints procedures is widely disseminated, including on Churches' websites.**

This is a matter for Churches and agencies to consider. Several Community Service Organisations in Victoria have established a range of services to provide support and assistance to people who grew up in their care.

Recommendation 8

That the Commonwealth establish an external complaints review mechanism, such as a national commissioner for children and young people who would have the power to:

- **investigate and mediate complaints received by complainants dissatisfied with Church processes with the relevant Church authority;**
- **review the operations of Church sponsored complaints mechanisms to enhance transparency and accountability;**
- **report annually to the Parliament on the operation of the Churches' complaints schemes, including data on the number and nature of complaints; and**
- **publicize the existence of Church-sponsored complaints mechanisms widely throughout the community.**

This is a matter for the Commonwealth Government. However, the Victorian Government does not support this recommendation and has concerns that a national commissioner for children will duplicate existing state mechanisms.

In Victoria the Child Wellbeing and Safety Act 2005 established the Office of the Child Safety Commissioner to promote continuous improvement and innovation in policies and practices relating to child safety and the provision of out of home carer services for children. The Commissioner was appointed on 5 May 2005.

The key public accountability mechanism for the child and family welfare system in Victoria is the Victorian Ombudsman. The Victorian Ombudsman is the primary external and independent review body that investigates complaints concerning the actions of child protection and family services providers. The Ombudsman investigates the administrative actions of statutory and non-statutory agencies and makes recommendations where those actions are judged as requiring redress, amendment or improvement.

The Ombudsman's role in reviewing and investigating complaints against child welfare and child protection agencies in Victoria has been strengthened in 2007 with the implementation of the Children, Youth and Families Act 2005. The Act provides for the Ombudsman to enquire into or investigate the administrative actions of community service organisations providing

services to children and families on behalf of the Secretary of the Department of Human Services.

Recommendation 9

That the Churches and agencies publish comprehensive data on all abuse complaints received to date, and then subsequently on an annual basis, and that this information include:

- **numbers of complainants and type of complaints received;**
- **numbers of Church/agency personnel involved in complaint allegations; and**
- **amounts of compensation paid to complainants.**

This is a recommendation for churches and agencies to consider. The Victorian Government notes this recommendation and while supporting accountable and transparent services, it is acknowledged that there may be sensitivities in relation to this recommendation particularly in disclosing the amounts paid in compensation to individuals and privacy issues for complainants.

Recommendation 10

That information on the above matters be provided annually (including any reasons for non-compliance) to the national commissioner for publication in a consolidated form in the commissioner's annual report.

As noted above, the Victorian Government has reservations about appointing a national commissioner. The Victorian Government will participate in any future discussions about whether the national consolidation of data is possible through existing mechanisms.

Royal Commission

Recommendation 11

That the Commonwealth Government seek a means to require all charitable and church-run institutions and out-of-home care facilities to open their files and premises and provide full cooperation to authorities to investigate the nature and extent within these institutions of criminal physical assault, including assault leading to death, and criminal sexual assault, and to establish and report on concealment of past criminal practices or of persons known, suspected or alleged to have committed crimes against children in their care, by the relevant authorities, charities and/or Church organizations;

And if the requisite full cooperation is not received, and failing full access and investigation as required above being commenced within six months of this Report's tabling, that the Commonwealth Government then, following consultation with state and territory governments, consider establishing a Royal Commission into State, charitable, and church-run institutions and out-of-home care during the last century, provided that the Royal Commission:

- **be of a short duration not exceeding 18 months, and be designed to bring closure to this issue, as far as that is possible; and**
- **be narrowly conceived so as to focus within these institutions, on**
- **the nature and extent of criminal physical assault of children and young persons, including assault leading to death;**
- **criminal sexual assault of children and young persons;**
- **and any concealment of past criminal practices or of persons known, suspected or alleged to have committed crimes against children in their care, by the relevant State authorities, charities and/or Church organizations.**

This is a matter for the Commonwealth Government. The Victorian Government does not support the establishment of a Royal Commission. The offences described above are offences under Victorian Law.

Recommendation 12

That government and non-government agencies holding records relating to care leavers, implement and fund, as a matter of priority, programs to find, identify and preserve records including photographs and other memorabilia.

This recommendation is supported and the Victorian Government recognises the importance of records, photographs and other memorabilia for care leavers.

In 2001, the Department of Human Services funded the development of the Guide to Out of Home Care Services in Victoria 1940 – 2000. The guide provides a brief description of the agency or Government home and gives the agency contact details for people wanting to obtain their records or information. Work has commenced through a Sector Working Group established by the Centre for Excellence in Child and Family Welfare, which has representatives from care leaver organisations and service providers, Community Service Organisations and the Department of Human Services to update this Guide and to make it widely available.

The Department of Human Services established archives in 1990 and at that time gathered together records from the various institutions and Regions. As far as can be determined, all Government records relating to care leavers are under professional archival control.

A call for memorabilia from current and former staff from the Department of Human Services was undertaken in January 2005 and while some further information was obtained, very little memorabilia has come to light.

A search of the Department records in 2004 was undertaken in regard to photographs. Some of the Department's older Annual Reports contain photographs of institutions but no other photographic records were found.

Recommendation 13

That all government and non-government agencies immediately cease the practice of destroying records relating to those who have been in care.

The Victorian Government supports this recommendation. Records of former wards are not destroyed. However, the Department of Human Services does not hold records for children who were in voluntary placements, although Community Service Organisations that operated services in the past may hold these records.

In the early 1990s, the Department established disposal schedules for all client records. The records of former wards were identified for permanent retention. A very small number of records relating to child protection clients who had returned to the juvenile justice system were authorized to be destroyed at the time. The Department now holds all client records permanently.

Recommendation 14

That all State Governments and non-government agencies, which have not already done so:

- **provide dedicated services and officers to assist care leavers in locating and accessing records, both government and non-government; and**
- **compile directories to assist in the locating and accessing of records relating to care leavers and the institutions into which they had been placed.**

The Victorian Government supports this recommendation. The Department of Human Services Archival Services has listed and indexed all records of former wards making them accessible on request through an application under the Freedom of Information (FOI) Act 1982.

The Department's Adoption and Family Records Service (AFRS) provides counselling and support services to former wards when accessing their records under FOI and information and assistance to former wards to access other government and non-government client records. Since 1997 there have been no costs for former wards who want to access their records.

In 2001, the Department of Human Services funded the development of the Guide to Out of Home Care Services in Victoria 1940 - 2001. The guide provides a brief description of the agency or Government home and a search tool to locate records. This is being updated and will be made publicly available.

A number of Victorian Community Service Organisations provide services to care leavers accessing their records.

The new care leaver service will further assist care leavers in understanding and managing the search process.

Recommendation 15

That a dedicated information and search service be established in each State and Territory to:

- **develop a complete register of all records held by government and non-government agencies;**
- **provide assistance to care leavers to locate and access records;**
- **provide advocacy and mediation services to care leavers accessing records; and**

- **ensure that all agencies holding records identify, preserve and make available all surviving records relating to care leavers and the institutions that housed them.**

This Victorian Government supports this recommendation. The Department of Human Services Archival Services has listed and indexed all records of former wards. The records are accessible via FOI. The Department's Adoption and Family Records Service (AFRS) provides counselling and support services to former wards when accessing their records under FOI as well as search and intermediary services to former wards or family members who have been separated due to wardship. Furthermore, AFRS works closely with a range of non-government past care providers and care leaver support and advocacy groups in the delivery of search and support services. Since 1997 there have not been any costs for former wards to access their records.

Information for former wards is located on the Department's website. Care leavers who apply for their records through the Department of Human Services are provided with information about services in Victoria and the contact numbers for advocacy and support organisations.

In 2000, the Department funded the development of the Guide to Out of Home Care Services in Victoria 1940 – 2001. The guide provides a brief description of the agency or Government home and a search tool to locate records. This is currently being updated.

Since 1996, VANISH, a Community Service Organisation has received funding to assist care leavers with the search process.

The Department provides some funding to CLAN to provide support and advocacy to Victorian care leavers wishing to access their records or other services.

A number of Victorian Community Service Organisations provide services to care leavers to locate and access records and in many cases those agencies provide advocacy and mediation services to care leavers accessing records.

The new care leaver service will further assist care leavers in understanding and managing the search process.

Recommendation 16

That all government and non-government agencies agree on access guidelines for the records of all care leavers and that the guidelines incorporate the following:

- **the right of every care leaver, upon proof of identity only, to view all information relating to himself or herself and to receive a full copy of the same;**
- **the right of every care leaver to undertake records searches, to be provided with records and the copying of records free of charge;**
- **the commitment to a maximum time period, agreed by the agencies, for the processing of applications for viewing records; and**
- **the commitment to the flexible and compassionate interpretation of privacy legislation to allow a care leaver to identify their family and background.**

The Victorian Government supports this recommendation. In relation to access to records under the Freedom of Information Act 1982, former wards have the right to apply for:

- access to information about them without unreasonably disclosing personal information about other people;
- access to records by viewing or copying them;
- a decision about their request provided within 45 days of receipt.

Former wards do not pay application fees and need only prove their identity in relation to the records to access information about themselves.

Information that identifies other family members and their backgrounds is routinely provided to former wards who apply for their records. A compassionate understanding about the experiences of many former wards helps to inform the decision-making about the release of information about other family members. Issues that relate to privacy are considered in terms of what information is reasonable to release about another person.

Information and records release regimes of non-government agencies are informed by the Information Privacy Act 2000.

The new care leaver service will further assist care leavers in understanding and managing the search process.

Recommendation 17

That all agencies, both government and non-government, which provide access to records for care leavers, ensure adequate support and counselling services are provided at the time of viewing records, and if required, subsequent to the viewing of records; and that funding for independent counselling services be provided for those care leavers who do not wish to access services provided by a former care agency.

In Victoria, the AFRS provides counselling and support services to former wards who require additional support when accessing their records under FOI.

Funding was also provided to VANISH for search and support services to care leavers and also for the provision of brokerage counselling services to care leavers.

A number of Community Service Organisations in Victoria provide support access to records for care leavers.

The new care leaver service to be established will provide an additional source of sensitive, targeted support for care leavers involved in this process.

Recommendation 18

That the Commonwealth requests the Council of Australian Governments to review all Federal and State and Territory Freedom of Information regimes to ensure that they do not hinder access by care leavers to information about their childhoods and families.

This is a matter for the Commonwealth Government.

The Victorian Government understands the importance of providing information to former wards and AFRS strives to provide a compassionate and sympathetic approach to access and release of records. There are issues in regards to releasing personal information about a third party. There is provision under the FOI legislation to exempt the unreasonable disclosure of the information relating to the personal affairs of any person. However, the legislation also allows AFRS to release a document about a third party. Where this is being considered and where practicable, attempts are made to contact the third party to advise that this information is to be released. The person then has the right to appeal to the Victorian Civil and Administrative Tribunal against the decision to release their information.

Advocacy and support groups

Recommendation 19

That the Commonwealth fund a national conference of service providers and advocacy and support groups with the aim being to establish a professional national support and advocacy body for care leavers; and that this body be funded by the Commonwealth and State Governments and the Churches and agencies.

The Commonwealth Government has responded to this recommendation with the formation of the Alliance for Forgotten Australians (AFA) .

Recommendation 20

That the Commonwealth and State Governments and Churches and agencies provide on-going funding to CLAN and all advocacy and support groups to enable these groups to maintain and extend their services to victims of institutional abuse, and that the government and non-government sectors widely publicize the availability of services offered by these advocacy and support groups.

The Victorian Government supports this recommendation. Since 2003/04 the Department of Human services has provided a number of one-off grants to CLAN.

In December 2005 the then Minister for Children and Minister for Community Services approved recurrent funding of \$15,000 to CLAN to be used to provide practical support and advice to Victorian care leavers. A one-off grant of \$85,000 was also provided at that time. In addition, the Department of Human Services provides annual funding for a 1800 number for all care leavers living in Victoria to contact CLAN at the cost of a local call.

As noted above, VANISH received funding from 1996 for care leaver services until 30 June 2009 when VANISH ceased to provide support services to care leavers. From 1 July 2009, the Interim Service, based at the Centre for Excellence in Child and Family Welfare, has been funded to provide support services for care leavers.

The new care leaver service will further strengthen the advocacy capacity for care leavers in Victoria.

Provision of support services

Recommendation 21

That all State Governments, Churches and agencies provide a comprehensive range of support services and assistance to care leavers and their families.

The Victorian Government supports this recommendation and through the AFRS provides access to wardship records within a context of support services, including counselling and support, search and referral services. The Department provided funding to VANISH for counselling, search and support services for care leavers as noted above. The Department also provides funding to CLAN for support and advocacy services to Victorian care leavers.

A number of Victorian Community Service Organisations provide services and assistance for care leavers.

To strengthen this response, recurrent funding of \$2 million has been approved for the establishment of a care leaver support service in Victoria. Consultation with care leaver representatives and others has occurred and the support services will include:

- Allocation of brokerage funds to enable access to counselling services health services, housing, life skill and educational services and assistance in purchasing material goods that clients may need in a crisis;
- Funding to assist people to attend reunions of the homes they grew up in;
- Search services and access to funds to help care leavers travel to meet family they may have lost contact with;
- Support to access other services such as housing, Centrelink and other Commonwealth and State services, alcohol and drug services;
- The operation of appropriately facilitated peer support groups for care leavers and their families;
- The provision of information and support to people who wish to pursue a legal claim for compensation against any party for abuse suffered whilst in care;
- A policy and awareness raising role, including the development of materials and education for the wider service system to inform the sector about the needs and experiences of care leavers, and issues that service providers should be cognisant of when delivering services to care leavers.

Recommendation 22

That all State Government funded services for care leavers be available to all care leavers in the respective State, irrespective of where the care leaver was institutionalized; and that funding provisions for this arrangement be arranged through the Community and Disability Services Ministerial Council.

The Victorian Government is supportive of reaching a general agreement across jurisdictions about the need to strengthen connections and flexibility to meet the needs of care leavers for access to information, counselling and support within the State or Territory in which they reside. It is noted that this will require further consideration by all States and Territories through the Community and Disability Services Ministerial Advisory Council to reach an agreement.

Services offered by the new care leaver service to be established will be available to Victorian care leavers and their immediate families, regardless of where they now reside.

Recommendation 23

That all State Governments, Churches and agencies fund counselling services for care leavers and their families, and that those currently providing counselling services maintain and, where possible, expand their services including to regional areas. The counselling services should include:

- **the extension of specialist counselling services that address the particular needs of care leavers;**
- **their provision to clients on a long-term or as required basis; and**
- **the provision of external counselling as an option.**

The Victorian Government supports this recommendation. Brokerage funding has been provided to VANISH for counselling services and care leavers can access up to 20 counselling sessions per person or to a limit of \$2,000. However, where VANISH identified a need for ongoing sessions additional funding is considered on a case-by-case basis. The Interim Service has continued this service.

Care leavers can select their counsellor providing they are a registered psychologist or psychiatrist. This allows for a responsive service for care leavers particularly for those living in rural regions or interstate.

The new care leaver service will strengthen the availability of appropriate services and supports for care leavers and their families, subject to further consultation on the nature of services to be provided and eligibility criteria.

Recommendation 24

That specialist higher education courses be available for the training of health professionals in areas related to the particular psychological and psychiatric effects of institutional abuse.

This is a matter for the Commonwealth Government. The Victorian Government supports this recommendation.

Materials produced by the new care leaver service may assist in informing knowledge of these issues across professions.

Health care, housing and aged care programs

Recommendation 25

That the Commonwealth and State Governments in providing funding for health care and in the development of health prevention programs, especially mental health, depression, suicide prevention and drug and alcohol prevention programs, recognize and cater for the health needs and requirements of care leavers.

It is acknowledged that mainstream health services should generally be able to recognise and respond to the needs of care leavers and more effective service provision in the area of health care could come from improved understanding by health care professionals of the history and needs of the Forgotten Australians. Conversely, it is important that care leavers have an understanding and access to services.

Materials produced by the new care leaver service may assist in informing knowledge of these issues across professions. The new service will also assist care leavers to access those services already provided by the State Government.

It is noted that the development and provision of information on the history and needs of Forgotten Australians has been published by AFA in the booklet titled *Forgotten Australians: Supporting survivors of childhood institutional care in Australia*. This publication provides helpful information to the wider service sector.

Victoria would work with other jurisdictions to explore options for better meeting the health needs of care leavers under existing inter-jurisdictional arrangements.

Recommendation 26

That the Department of Health and Ageing fund a pilot program under the Aged Care Innovative Pool to test innovative models of aged care services focusing on the specific needs of care leavers.

This is a matter for the Commonwealth Government. The Victorian Government supports this recommendation and recognises that there are particular issues for care leavers in entering a residential care environment that may invoke memories of traumatic childhood experiences for them. This may be particularly so for people who have chronic psychological conditions or those who have dementia or other cognitive deficits.

Accordingly, Victoria would support the Commonwealth considering a pilot under the Aged Care Innovative Pool arrangements. Such a pilot could consider both adapted residential care models and particular approaches to the provision of community care for people for whom residential care is otherwise a recommended option. The lessons from such pilots would not necessarily lead to establishment of separate services for care leavers.

Recommendation 27

That the Home and Community Care program recognize the particular needs of care leavers; and that information about the program be widely disseminated to care leaver support and advocacy groups in all States.

Victoria supports this recommendation. Circulation of information about the HACC program to care leaver support and advocacy groups is supported as many care leavers may fall into the HACC target group. Promotion of these services is one task that can be undertaken by the new care leaver service. Materials developed by that service will be used to inform HACC providers.

Recommendation 28

That the Supported Accommodation Assistance Program recognize the particular needs of care leavers; and that:

- **data on the usage of the Program by care leavers be collected; and**
- **information about the Program be widely disseminated to care leaver support and advocacy groups in all States.**

Victoria supports this recommendation in principle. Assistance to people who are homeless or at risk of homelessness in Victoria is provided through programs including the Supported Accommodation and Assistance Program (SAAP). Services provided under SAAP include crisis accommodation, transitional support, telephone information and referral services and homeless persons support centres. The current national data collection collects minimal data about care leavers.

With regard to current care leavers, the Department of Human Services has increased the level of support provided to young people currently leaving care through the Leaving Care program.

Education

Recommendation 29

That the Commonwealth and State Governments widely publicize the availability of adult literacy and numeracy services and associated adult education courses to care leavers and care leaver support groups.

This recommendation is supported. The Australian Government provides considerable funding for adult learning and a wide range of adult literacy and numeracy programs are already provided in Victoria and in many cases are free or a small fee is charged. The Commonwealth provides training in literacy and numeracy for people seeking employment opportunities. The availability of these courses could be advertised through Community Service Organisations in Victoria and CLAN.

Promotion of such courses is also a function that will be undertaken by the new care leaver service.

Recommendation 30

That State Governments investigate options for alternative entry pathways to higher education courses for ex-residents of institutions and their children.

The Victorian Government does not support creating alternative pathways for children of care leavers. Access and assistance to higher education are primarily a matter for the Commonwealth Government.

Data collection

Recommendation 31

That the Commonwealth, in conjunction with the States, develop procedures for the collection of data on people who have been in care on forms that are already used to elicit client information such as Medicare and Centrelink forms and admission forms to prisons, mental health care facilities and aged care facilities.

This is a matter for the Commonwealth Government.

Victoria supports this recommendation whilst noting the reservations around potential stigmatisation of care leavers raised in the report and the methodological flaws of the data gathering process proposed.

Recommendation 32

That Commonwealth and State programs across a range of social policy areas, including health and aged care and social welfare services generally, explicitly recognize care leavers as a sub-group with specific requirements in the publications and other material disseminated about programs.

Victoria does not support this recommendation. However, awareness of care leaver issues by service providers is considered important and the development of information material specific to care leaver issues is something the new care leaver service will provide. This task may also fall within the scope of AFA.

The Department of Human Services will examine this issue further and consider the programs where there would be a demonstrated advantage to explicitly recognize care leavers as a sub-group in publications. For the reasons set out in the response to Recommendation 26, residential aged care may be a particular area where this is warranted.

Whole of Government Approach to program and service delivery

Recommendation 33

That the Commonwealth and the States commit, through the Council of Australian Governments, to implementing a whole of government approach to the provision of programs and services for care leavers across policy areas such as health, housing and welfare and community services and other relevant policy areas.

Victoria supports the provision of coordinated services and the importance of adopting a whole of government approach in the delivery of services to all members of the community. However, many of the issues requiring a whole of Government approach may be better dealt with by the Community and Disability Services Ministerial Advisory Council.

Victoria is committed to continuing to work at the State and Territory level to better coordinate the delivery of human services for all citizens.

Recognition through memorials and exhibitions

Recommendation 34

That the Commonwealth and State Governments, in conjunction with the Churches and agencies, provide funding for the erection of suitable memorials commemorating care leavers. Where possible, memorials could take the form of:

- memorial gardens constructed in conjunction with local councils;
- the placement of plaques at the site of former institutions; and/or
- the construction of heritage centres on the site of former institutions.

The Committee further recommends that the appropriate form and location of memorials should be determined after local consultation with care leavers and their support and advocacy groups.

Victoria supports this recommendation and recognises the importance of monuments and symbols which acknowledge the experiences of care leavers. The Victorian Government has committed \$30,000 in addition to the funding the Commonwealth Government has contributed towards the cost of suitable memorials proposed by States.

The Centre for Excellence in Child and Family Welfare established a Sector Working Group in October 2004 to consider the recommendations from the *Forgotten Australians* report. In October 2006 a small working party was established under the auspice of the Sector Working Group to undertake the work associated with the memorial. A broad consultation with care leavers to seek their views on an appropriate form and location for a memorial was completed in March 2008.

Melbourne City Council (MCC) has worked collaboratively on the development and location of the memorial, which will be located at Southbank, close to the Queensberry Bridge. The mosaic artist Ms Helen Bodycomb, in collaboration with care leavers, has developed a memorial that will be a meaningful acknowledgement of the experience of care leavers. It is envisaged that the memorial will be unveiled in late 2009.

Recommendation 35

That the National Museum of Australia be urged to consider establishing an exhibition, preferably permanent, related to the history and experiences of children in institutional care, and that such an exhibition have the capacity to tour as a travelling exhibition.

This is a matter for the Commonwealth Government. The Victorian Government supports this recommendation.

Recommendation 36

That the Commonwealth Government provide funding for the National Library of Australia to undertake an oral history project to collect the life-stories of former residents in institutional and out-of-home care.

This is a matter for the Commonwealth Government. The Victorian Government supports this recommendation.

Recommendation 37

That the Commonwealth Government fund research either through the Australian Institute of Family Studies or other relevant research bodies or universities into the following areas:

- **historical research into institutional care, including the role of institutional care in Australia's social history; the history of institutions and the commissioning of personal histories of former residents; the social and economic impact and cost of institutional care; and**
- **inter-disciplinary research into the relationship between child welfare/child protection and areas such as welfare dependency, social problems such as drug and alcohol abuse and family relationship breakdowns.**

This is a matter for the Commonwealth Government. The Victorian Government supports this recommendation.

The Victorian Government is also currently supporting, through cash and in-kind contribution, the University of Melbourne research project titled 'Who am I? The archive as central to quality practice for current and past care leavers.' This research, funded by the Australian Research Council is supported by a number of Victorian service providers and care leaver organisations.

This important research will provide care leavers with a web-based gateway to historical resources relating to institutional and out-of-home care in the state of Victoria, making accessible information about organisations, practices and legislation to document the historical context of 'care'. In addition, the research will assist community service organisations to improve their archiving and recording keeping practises.

Recommendation 38

That the Australian Institute of Family Studies National Child Protection Clearinghouse be funded by the Commonwealth Government to collect publications related to historical studies of institutional and other forms of out-of-home care and that this information be widely disseminated.

This is a matter for the Commonwealth Government. The Victorian Government supports this recommendation.

Recommendation 39

That the Commonwealth, in co-operation with State Governments, establish courses of study at selected tertiary institutions that focus on child protection and related issues, especially early childhood and family studies, psychology, conflict management, the impact of institutional care and social policy to address issues in these areas.

This recommendation is supported in principle. Victoria notes that courses in child protection, early childhood, family studies, psychology and conflict management are already provided in Victorian Tertiary Institutions and there is the potential where appropriate to include information about the impact of institutional care on children.