

3 CHILDREN IN STATE CARE COMMISSION OF INQUIRY

Chapter 3 Allegations of sexual abuse

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This chapter presents the allegations of child sexual abuse made by people who came forward to the Inquiry and were children in State care at the time of their allegations. The allegations date from the 1940s to 2004 and are presented according to where the person was placed at the time of the alleged abuse. The placements included institutional care (large congregate care), smaller group care (cottages, hostels and shelters), residential units (admission, assessment and community units), foster care, the family home (on probation to parents) and secure care.

Of these people, 114 said they were sexually abused while placed in institutional care, 49 in smaller group care, 18 in residential care units, 103 in foster care, 34 on probation in the family home and 62 in secure care facilities. There were 133 people who alleged they were sexually abused in more than one placement.

Each person's allegations are summarised under the placement in which they alleged sexual abuse. The summaries are written to preserve the complainants' anonymity—instead of names, the Inquiry has adopted the general term 'person in care', abbreviated to PIC/s.

Each summary sets out brief information about when, how and why the person was placed in State care; their circumstances before being placed in State care; in what placements they alleged sexual abuse; the allegation/s of sexual abuse while in a particular placement; whether they told anyone about the sexual abuse when they were a child and, if so, what response was received; and whether the disclosure was recorded in relevant files and, if so, the recorded State response.

A history of types of care for children in State care

Before 1860, children in need of care were placed in the Destitute Asylum alongside adults. However, public concern about worsening physical and moral conditions in the asylum and the need to segregate children from adults led to the passing of an Act that gave the government power to establish industrial schools and reformatories specifically for children. The Magill Industrial School and reformatories for boys and girls were opened soon after.

However, large congregate care of children in institutions (institutional care) was not regarded as the only, or the best, form of care for children. Children were also boarded out in private homes in the mid 19th century. This practice later became known as foster care and, although it was founded on the idea that children in need would be better cared for in a family home, many children were sent out to service as labourers and domestic servants.

The use of children as labourers was one of the catalysts for the first South Australian inquiry into the care of State children, known as the Way Commission (1883–85). Its findings led to the establishment of the State Children's Council (SCC), a government body charged specifically with overseeing the care of children. New legislation introduced the term 'State child'. The SCC and its successor in 1927, the Children's Welfare and Public Relief Board (CWPRB), continued to place children in need of care in institutions and into foster care. The government increasingly used the services of non-government agencies, particularly religious bodies, to provide institutional care. Conditional subsidies were provided and the institutions were supervised by the State.

In 1938–39, another inquiry was appointed to investigate the care of State children, with particular focus on those who had committed offences and were placed in secure care facilities. The inquiry into ‘Delinquent and other children in the care of the State’ found that conditions in many institutions were highly inadequate. Instead of providing training and nurturing care, many were characterised by their reliance on punitive discipline.

Many of the problems highlighted in the Delinquent Inquiry’s report were ongoing. Institutions were supposed to provide temporary accommodation for children before placement in foster care. However, due to an ongoing shortage of foster carers, children were remaining in these institutions longer, which led to overcrowding. Children of different ages and backgrounds were accommodated together—a situation which, when combined with the lack of supervision by trained staff, increased the likelihood of abuse.

After World War II, the government responded to these problems by establishing different forms of residential care such as hostels for boys and girls of school leaving age, farm schools and a remand home. Before the Social Welfare Act was passed in 1965, introducing compulsory licensing of residential care facilities, the government also began to consider the advantages of smaller group care. In line with changing philosophies of child care that recognised the need to provide children with more individual attention, the government established its first cottage homes in the 1960s.

The passing of the Community Welfare Act in 1972 brought important reforms in the history of State care. It consolidated many ideas and practices that had been developing through the 1960s. Early intervention to avoid removing children from their families became central to departmental policy. Children were increasingly regarded as individuals with differing needs and, if alternative care was necessary, assessment before placement became an integral part of the care process. Individualised programs were developed for each child and their progress and suitability were regularly reviewed. Discipline and punishment were gradually replaced by education and therapeutic care.

From the late 1970s, the government operated assessment, admission and community units. It tightened its control of non-government agencies, which increasingly provided other forms of residential care. The government successfully encouraged these agencies to close down large congregate institutions in favour of smaller group care, and ultimately to provide foster care services. During this period, foster care again became the preferred option for the care of State children.

Today, however, because of the increasing number of children placed in State care over the past decade and the decreasing number of foster carers, there is a shortage of accommodation for children, resulting in placements in serviced apartments, B & B accommodation and motels.