

# 3.3 Residential care units

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### History

Although the department's accommodation of children since the 1960s had included smaller group care, the shift towards decentralising community residential care and creating flexible, smaller group care increased from the 1970s.<sup>1</sup> New philosophies informed the way children in State care were assessed, cared for and accommodated. The belief that children were individuals with differing needs became the guiding principle in providing care and a process of 'assessment, programming and evaluation' was instituted, both before a child was placed in a residential care facility and during placements. Given the variety of facilities available by the 1970s—smaller group homes, hostels and larger institutions run by the government and non-government agencies—the department determined that assessment of each child's needs was instrumental to the provision of appropriate residential care.<sup>2</sup>

The department restructured residential care in line with this policy shift. Each of its administrative regions was to offer a similar group of facilities and services. Existing departmental cottages and hostels were closed or redeveloped and in some cases purpose-built residential care facilities were established. Each metropolitan region was provided with a regional admission unit for 'short-term crisis care', assessment and outreach facilities for teenage young offenders, and a regional group home for teenage young offenders who required 'therapeutic care'.<sup>3</sup>

Community units provided longer-term residential 'care and support' to a range of children in State care, such as young people remanded by the Children's Court or those who the department deemed as being at risk.<sup>4</sup> Some units catered

for children in State care with severe behavioural problems.<sup>5</sup> Longer-term units also assisted young people to 'make the transition to independent living where appropriate'.<sup>6</sup> Although the range of types of units increased, the number of available placements did not.

By the mid 1980s the department had fewer available residential care alternatives for children. This was the result of changes in the late 1970s, when the department developed 'custodial, intermediate and non-residential facilities designed to match the needs and characteristics of each child'.<sup>7</sup> For example, the Intensive Neighbourhood Care (INC) scheme trained families to provide specialised foster care for young offenders assessed as being suitable for non-residential care.<sup>8</sup>

The department also encouraged non-government providers to close down large institutions and offer cottage or foster care. As a result, the availability of placements for children requiring residential care diminished—and some children were placed in inappropriate facilities. A report commissioned by the department expressed concern at the long-term housing of children in units designed for short-term accommodation, the ineffectual results of the units in treating behavioural problems, high absconding rates and the units' high operating costs.<sup>9</sup> Concerns were also raised that 'difficult' children were placed in admission units with offenders.<sup>10</sup> Further reviews observed that children placed in units persisted in 'difficult behaviour',<sup>11</sup> that younger children were exposed to older children's 'at risk behaviour', that there was a lack of stability for children entering departmental units, and that units were 'dumping grounds' for children.<sup>12</sup>

<sup>1</sup> Department for Community Welfare (DCW) annual report 1979, pp. 24–25.

<sup>2</sup> *ibid.* 1977, p. 17.

<sup>3</sup> *ibid.* 1979, p. 24.

<sup>4</sup> *ibid.* 1982–83, p. 28.

<sup>5</sup> DCW, Children and youth under institution care, submission to the Senate Standing Committee on Social Welfare, South Australia, Sep. 1982, p. 15.

<sup>6</sup> DCW annual report 1979, p. 24; Department of Family and Community Services (DFACS) annual report 1996–97, p. 20.

<sup>7</sup> Children and youth under institution care, p. 8.

<sup>8</sup> DCW annual report 1979, p. 34.

<sup>9</sup> DCW, Alternative Care, reviewing, file no.10-011-2902, E. Crisp (project officer), 'Difficult adolescent girls and safekeeping', May 1983.

<sup>10</sup> For example see SRSA GRS 4164/15/P file 20/020/26, Residential Child Care Support and Advisory Committee (RCCSAC) minutes, 16 Feb. 1984 and 19 Sep. 1985.

<sup>11</sup> SRSA GRS 10987/1 Community Residential Care review report, and submission to review made by Gilles Plains Unit, 26 Aug.–10 Nov. 1987.

<sup>12</sup> *ibid.*, submissions made by Southern Region Admission Unit, Northern Region Admission Unit, Southern Group Home and Stuart House to review, 26 Aug.–10 Nov. 1987.

During the 1990s, purpose-built community units at Campbelltown and Enfield, and assessment units at Gilles Plains and Sturt, began operating.<sup>13</sup> Other existing units were relocated, for example the North Adelaide Community Unit moved to a new facility at Regency Park.<sup>14</sup> Problems of insufficient placements in foster and residential care continued in the 1990s: children as young as eight were sometimes placed in units and young children were placed with older residents, including some who may have committed sexual offences.<sup>15</sup> Six residential units operate today (two assessment units and four community units).<sup>16</sup> In 2004 the department received approval to establish 10 transitional accommodation houses, designed to house hard-to-place children. According to a recent history of the department, staff are trained to manage child perpetrators of sexual abuse in smaller group units and to assess residents' behaviour for signs they are being threatened.<sup>17</sup>

#### **Summary of residential care units allegations**

Eighteen people alleged that they were sexually abused during their placement at a residential care unit. Of these, 17 were in State care at the time of the alleged sexual abuse, according to available records. The Inquiry was unable to determine whether one man was in State care because of the destruction of departmental files. Three people said they were abused in more than one unit. The allegations included anal rape, digital rape, unlawful sexual intercourse and acts of gross indecency. Alleged perpetrators included staff, other residents, sanctioned visitors to the units and unknown people encountered by the PICs away from the units.

<sup>13</sup> DFACS annual report 1995–96, p. 25.

<sup>14</sup> *ibid.* 1996–97, p. 20.

<sup>15</sup> DFC, *An overview of past and current practice: a brief history of State involvement in the care of children and young people in South Australia* (Dr Susan Marsden, consultant historian), Sep. 2006, p. 37. Marsden quotes from undated, anonymous paper, 'Adolescent sexual perpetrators: a profile for Community Residential Care'.

<sup>16</sup> *ibid.*, p. 36.

<sup>17</sup> *ibid.*, p. 37.

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### Gilles Plains Community Unit, 1979–90; Gilles Plains Assessment Unit, 1992–present

#### History

The Gilles Plains Community Unit operated from 1979 to 1990 as an open unit for school-age boys from Brookway Park, a secure-care facility for boys aged nine to 15 years. The unit provided long-term accommodation for up to eight boys considered capable of living in the community, although in 1982 the average number of residents was five. Five residential care workers staffed the unit, which was managed by a senior residential care worker. The unit operated under the department's Services for Young Offenders, Central Northern Region.<sup>18</sup> In 1992 a new facility, the Gilles Plains Assessment Unit, was built at the same address.<sup>19</sup> The unit, which still operates today, provides short-term emergency care.

#### Allegations of sexual abuse

Nine people gave evidence to the Inquiry about being sexually abused while living at the Gilles Plains community or assessment units between the 1980s and the early 2000s. Of those, eight were children in State care at the time of their alleged abuse. The Inquiry was unable to determine whether one person was in State care due to the destruction of departmental files. Their allegations included anal rape and indecent assault. The alleged perpetrators included staff, sanctioned visitors and unknown people encountered by the PICs when away from the units.

#### Abuse by multiple perpetrators

**A** PIC was placed in State care at the age of 12 in the late 1980s when a court found him to be uncontrollable. The PIC's records show a history of family instability; his mother refused to have him home due to his offending. The PIC spent time in government admission units, foster care and secure care. He was directed to reside in Gilles Plains when he was 13, after previous care

placements had broken down. The PIC spent eight months in the unit, during which he absconded about 10 times and was remanded to secure care on several occasions.

The PIC told the Inquiry that he was physically and sexually abused while at Gilles Plains. He alleged that a staff member disciplined him by using physical violence. A departmental report written during the PIC's time at Gilles Plains refers to an 'incident with one of the staff where excessive force was alleged. This matter has been resolved.' No details are given about the identity of the worker or the circumstances. The PIC said: 'The very first time I tried to commit suicide was at Gilles Plains'. He said the same worker who had physically abused him found him after the suicide attempt. The worker 'called me an idiot and threw me on my bed and told me not to be stupid'.

The PIC told the Inquiry that a residential care worker 'used to come in the shower and ask me if he was able to wash me down'. The PIC let the man do so: 'I was a kid. I didn't know what to think of it.' He said the worker washed his entire body 'on many occasions'. Once, the PIC developed an erection, which he found embarrassing.

The PIC absconded from the unit as a result of the unwanted attention from the worker. He went to the city and was approached by a man who, he believed, operated a city nightclub. He said:

*I was scraggy and stuff because I'd been on the streets for a couple of days, because I ran away from Gilles Plains group home, and he just gave me some money one time and then told me ... 'go and get something to eat and if you need anything else, come back and see me'.*

The man later allowed the PIC to sleep in rooms above the nightclub and 'he told me I had to go in through the back way because, you know, if anyone seen him letting a kid up there he'd lose his licence'. The PIC stayed in these rooms and remembered that 'things started happening'. He alleged that the man performed oral sex on him and forced him to reciprocate. The man attempted to forcibly

<sup>18</sup> Children and youth under institution care, Appendix 1 'Services for young offenders in South Australia', p. 3.

<sup>19</sup> DFACS annual report 1991–92, p. 19, notes the completion of the Gilles Plains Assessment Unit.

penetrate the PIC anally but 'it hurt so much and I made so much noise he had to stop'.

The PIC told the worker at Gilles Plains who had sexually abused him about the abuse he suffered at the hotel, and the matter was reported to police. The departmental records indicate that the police conducted a full investigation and the man was arrested and charged. The department referred the PIC to a psychiatrist, who put him on medication. He was also referred for medical tests and counselling.

The PIC said he could not go ahead with the charges against the man because he was terrified of him. He told the Inquiry that he

*... would get on a train ... and turn around and he'd be standing there watching me ... with a real aggressive look on his face ... I didn't know if he was going to kill me or anything, and I knew what I was doing to him. He lost his [business] and everything. The Welfare should have put me under some sort of protection or something back then.*

The departmental records provided to the Inquiry indicate that police did not proceed with the charges because the PIC was unwilling to take any part in the proceedings, and because of concern for his welfare.

**A** man alleging abuse by staff at Gilles Plains Assessment Unit was first placed in State care in the early 1980s when he was 11, after a family breakdown. He was placed in emergency foster care for about a month and also made allegations of sexual abuse during this period. Two years later, he was charged as being in need of care and placed in State care until he reached 18. The PIC said he was also sexually abused during a placement with his family and also when absconding from placements.

The PIC lived at Gilles Plains for about eight months when he was 13 and said he was sexually abused within a month of arriving. He said a residential care worker aged in his late 40s gave him back tickles and hugs. The PIC said he enjoyed the attention, having experienced very little

affection as a child. He said the activity progressed to kissing, with the worker inserting his tongue into the PIC's mouth. He said the worker performed oral sex on him in the unit's living area four times. On some of these occasions, he also masturbated the PIC and digitally penetrated his anus. In return, the worker would give the PIC cigarettes, and tell him that he loved him and would look after him. The PIC said the sexual abuse occurred when the worker was on night duty.

He said the worker also took him to his rural property at least four times, where he also sexually abused him, and that the visits were 'getting more frequent towards the end' of his time at Gilles Plains. He told the Inquiry that the worker warned him to keep silent about what was happening:

*He basically said that, 'No-one's going to listen. Don't tell anyone,' or I wouldn't like what would happen after that. Children like me can go missing very easily. ... [The worker] knew I didn't want to [but] I was scared, so I just gave in.*

The PIC told the Inquiry that a man known to the department, who visited the unit and took boys out, also sexually abused him. This man 'wasn't a staff worker there; he was just sort of what they'd call a friend to the unit. In other words, he'd come and take us for outings'. The man took the PIC and other boys on several outings and to his home. On the first weekend the PIC stayed at the man's house with another resident and slept on the couch; the man came out of his bedroom during the night and rubbed the PIC's back, telling him how much he liked having him around. The PIC was suspicious of this behaviour, having been abused previously: 'I knew what it was leading up to'. On subsequent visits to the man's home over a period of months, the PIC said, the man forced him to perform and receive oral sex and raped him digitally and with his penis. The PIC was the only visitor to the home on these occasions. He alleged that the abuse happened on each visit.

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The PIC informed the Inquiry that he absconded from the unit for several days as a result of the sexual abuse. He said he did not tell anyone what had happened because of the pressure placed on him by the alleged perpetrator, who told him:

*'You don't want to cause me any dramas' because he could have one of a number of things happen to me. That really scared me; scared me to the point where I just ... yes, back then I thought I wouldn't tell anybody.*

In the late 1990s, a court placed a PIC, then 10, in State care until he turned 18. His mother had struggled to care for him due to his difficult behaviour. The PIC had multiple foster care placements before being at Gilles Plains Assessment Unit, where he alleged he was sexually abused in the early 2000s.

The PIC lived at the unit for three periods over 2½ years, when aged 11 to 13. He told the Inquiry that he liked Gilles Plains initially. 'I was okay for three weeks, then trouble started and then things just went wrong.' The PIC said that other residents sexually abused him, which included performing oral sex on, and masturbating, each other.

He also told the Inquiry that he absconded repeatedly, going to the city and suburban shopping centres. He would make the casual acquaintance of various men at these times and often had sexual intercourse with them. 'I just started to give my body away whenever I used to get depressed.' The abuse had occurred in public parks, in cars and at men's homes. Occasionally he had received money for sex. He said he sometimes reported this activity to staff at the unit.

Departmental records indicate staff counselled the PIC about why he was continuing to put himself at risk and the dangers involved. A departmental report on the PIC's absconding and sexual activity noted that he had a history of 'inappropriate sexual behaviour, consequently the potential for an incident like this has always been considered as highly possible'. The report noted that the behaviour management plan devised for the PIC aimed to

'minimise his vulnerability without completely denying him the freedom to participate in age-appropriate activities in the community ... In response to this incident, the care plan will be revisited.'

The PIC had just turned 13 when he reported sexual abuse at a swimming pool while on sanctioned leave on two consecutive days. Unit staff took the PIC to a scheduled activity at the pool and left him alone until collecting him at the end of each day. On both days a man performed oral and anal sex on the PIC and masturbated him in a toilet. The PIC performed oral sex on and masturbated the man. The PIC reported the abuse to staff at Gilles Plains, who contacted police. As a result, the man was convicted and jailed on four counts of unlawful sexual intercourse.

The PIC also named a residential care worker, known as 'a respectable staff member' who he said 'had a sexual thing with me'. He said the abuse 'didn't start for quite some time' and that it occurred on three occasions over a six-month period. Information provided to the Inquiry from the department suggests that the abuse occurred towards the end of the PIC's time in the unit, when he was 13. The PIC said the worker had visited his room at night and the two had talked, which progressed to sexual contact. The worker had 'taught me things I didn't know'. They had performed oral sex on one another and masturbated one another. The PIC said the worker had been worried 'he'd get in trouble and lose his job. I didn't want him to lose his job because he was really good at it'. The PIC said he considered the worker to be kind and caring towards him and other residents and he had felt guilt 'that I had let it happen, that I shouldn't have'.

The PIC did not report the abuse at the time. However, it 'did stick with me for quite some time' and he reported it two years later, when he was a resident at another government unit. He said the allegation was reported to police who told him that his word was the only evidence. The PIC said the department had indicated its willingness to investigate the allegations and he had remembered that two departmental investigators had spoken to him. He said he had not been informed of the outcome.

The department's report of the internal investigation could not substantiate the PIC's allegations because he refused to be interviewed by police. It also referred to a lack of any independent witnesses, the delay in making the allegations, the lack of any physical evidence and the alleged perpetrator's denials. The report recommended an increase in the number of residential care workers on night shift at units, as 'this would assist in ensuring a prompt response to critical incidents etc. and assist with the timely supervision of staff in isolated situations'.

In addition to Gilles Plains, the PIC alleged sexual activity with other children in the Sturt Assessment Unit, Campbelltown Community Unit (Cornerways) and the Regency Park Community Unit. He said that he was sexually abused repeatedly after absconding from Cornerways and Regency Park, when he would frequent a city park and engage in anal and oral intercourse with men he did not know. He did not provide details about these incidents.

#### **Abuse by staff**

**O**ne PIC was placed in State care at the age of seven in the mid 1990s, after a court found her to be in need of care. She had experienced physical and sexual abuse and neglect in her family. She told the Inquiry she was sexually abused in foster care, at Lochiel Park and then at the Gilles Plains Assessment Unit.

The PIC lived at Gilles Plains for a year in the early 2000s when she was 16, and said a departmental worker sexually abused her there. She described the worker as a 'jackass' who 'used to do sexual stuff to me ... He used to come and sit next to me in bed and try rubbing me all over'.

The PIC described how the worker touched her breasts and groin area and 'used to try and get my hand and put it on his—thing'. She said his visits to her bedroom lasted about 30 minutes each time and occurred 'quite often. He was known for it with me'. The PIC said there was only one worker on the night roster. At the time, she did not disclose the abuse, believing 'there was no point in us saying anything'.

The PIC told the Inquiry that she self-harmed almost daily while she lived at Gilles Plains.

*I hated him with a vengeance ... sometimes I would cut just before night shift, if I knew he was on night shift, so I could get away from him, so I could get away from that hurt.*

She said:

*Every kid in the units are scared shitless of those workers, are scared of those workers because if the workers do anything, who's going to believe a self-harmer? Who's going to believe someone who runs away, who's violent—against a youth worker who's paid to care and love us and look after us and be there for us? Who's going to believe that? You think about it. Who's going to believe us? That's the thing in care. No-one believes you, so you run away.*

**A**n Aboriginal PIC alleged she was sexually abused at Gilles Plains Assessment Unit when aged 14 in the late 1990s. The PIC told the Inquiry she had experienced physical and sexual abuse in the family home before she was placed in State care. After receiving a series of child protection notifications relating to physical abuse, the department placed the PIC into emergency foster placement when she was 11, with her mother's consent. The PIC was later placed under a 12-month order while attempts were made to reunite her with her immediate family. When these failed, she was placed in State care when aged almost 14 until age 18. The PIC alleged she was also sexually abused in foster care and at Sturt Assessment Unit. She alleged a male relative, whom she sometimes stayed with when she absconded, sexually abused her.

The PIC recalled that three girls and between three and five boys were living at Gilles Plains, each with a single room. A note on the PIC's residential care file refers to her previous sexual activity and advises staff that she is at risk with the young males in the unit.

The PIC said a male residential care worker befriended her and left cigarettes in her room when she ran out, which

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was against the rules. When the worker was on night shift he would go into her room and, 'after the first couple of weeks being there', this contact had become sexual. She said the male worker initiated sex in her room and in the unit's living areas: 'He used to wake me up and have sexual intercourse, get me in the lounge, saying, "Come on, the kids are asleep. Let's go and watch cartoons".' The night residential care worker was the sole staff member on duty. She said it occurred 'whenever he was on night shift'. This worker 'asked me not to do anything to ruin [his] career'. He subsequently ceased his employment at the unit but maintained contact with her, a fact confirmed by departmental records. The PIC said the former worker left letters and cards that contained poems 'at my window'.

The PIC alleged that another male worker at Gilles Plains made sexual advances to her while she lived in the unit. She said he attempted to kiss her on one occasion and later he came to her room to apologise. Over time, this worker went to her bedroom when he was on night shift and woke her up. He touched her and this gradually escalated to penetration, which occurred in her bed.

*I know on one occasion [the worker] was up to no good [another resident] had stuck his head over the glass in the door and seen what was going on and done nothing.*

The PIC said that the unit's staff became aware of her contact with these workers. She said another resident observed her outside the unit, holding hands with the first worker. As a result, a senior member of staff 'pulled me aside in a little discussion and asked if the worker was doing anything and I said, "No." I'd say "no" about everyone'.

The department's records show that unit staff, in conjunction with the department's nearby district centre, initiated an internal investigation about three months after the PIC's arrival at the unit. Other residents were interviewed and provided information about the PIC's meeting with the first worker outside the unit, after his employment had ceased. Records show an investigator repeatedly tried over five days to contact the former worker, without success. The investigators interviewed the

PIC, who denied any sexual relationship with the former worker, denied knowledge of the circumstances under which he had ceased employment at Gilles Plains, and denied maintaining contact with him after he had left.

The department investigated the second worker mentioned. Allegations included that this worker provided cigarettes, alcohol and marijuana to the PIC and showed her preferential treatment. The department's investigators interviewed the PIC, who denied having anything other than a 'normal' relationship with the worker, although she confirmed that he gave her cigarettes. The staff member was also interviewed. He said he supplied her with cigarettes to avoid her placing herself at risk by going to local hotels to obtain them but denied supplying her alcohol and marijuana or making any sexual comments to, or in reference to, her. The investigators assessed that both the worker and the PIC denied all allegations and concluded that the PIC 'needs closer supervision and monitoring of her behaviour'. The Inquiry received files that detail disciplinary action against this employee while he was in the department's employ.

About a month after the investigation, the unit's records show the PIC disclosed to staff that an '[ex-department worker] has come to her window several nights and has left her cigarettes and a card stating he loved her'. The records show contact at this time between the PIC's social worker and unit staff, who 'raised major concerns about an ex-staff member hanging around and allegedly having contact'. The PIC absconded from Gilles Plains for about four months and lost her placement at the unit. Records show the department requested the ex-employee to cease his contact with residents of government admission units. The files show the department had earlier taken action against the then staff member relating to his conduct while at the unit.

The PIC said she felt 'ugly' at Gilles Plains and that once the abuse had started she 'felt like I might have done something just to bring it on myself'. Of her motivation for coming to the Inquiry, she said: 'I wasn't after payments or anything or suing anyone so

much, but more just to stop them before they do it to another person’.

The Inquiry received limited records relating to a man who alleged he had been sexually abused at Gilles Plains in the 1990s—the department advised that his client files were destroyed by fire. It was not possible to verify that the PIC was placed in State care under any court orders. However, the Justice Information System (JIS) indicates that the department was involved with the PIC through child protection matters from the age of 14. The JIS also refers to his departmental social worker and placement at the Gilles Plains unit. The PIC told the Inquiry that he was sexually abused at the unit, in foster care, at the Magill Training Centre and when he lived on the streets.

The PIC estimated that he was at Gilles Plains between two and four weeks, and in that time a night worker who was rostered to sleep at the unit sexually abused him. He recalled that the abuse happened on about five or six occasions. The alleged perpetrator would enter the PIC’s bedroom, which was at the end of the residents’ rooms, and ask if he was awake. He would then force the PIC to perform oral sex. The PIC told the Inquiry he did not tell anyone about the abuse

*... because I thought they were the department and they wouldn’t believe you because they worked for them. So it didn’t matter what you said to the department. The department didn’t care. They were all workers. I think you had some of the workers what did care but when they would discuss it, well then they knew they were just bashing a brick wall.*

The PIC suspected he was not the only resident who was targeted, as he occasionally overheard residents asking one another if the worker had visited their rooms the previous evening.

#### **Abuse by other residents**

A man born in the late 1960s was placed in State care by a court on a three-month order when he was 12 because his parents were unable to control him. He had already been exposed to the effects of alcohol abuse, severe family dysfunction and breakdowns in home and schooling. He was then in State care over various periods for the remainder of his childhood.

The PIC lived in government admission units, foster care and secure care. He alleged that he was also sexually abused at the Gilles Plains Community Unit, the South Australian Youth Training Centre (SAYTC) and in one foster care placement.

The PIC was admitted to the Gilles Plains unit in the early 1980s after breaking a bond by truanting from school. His departmental records note that the placement was intended to ‘modify his behaviour and get him to attend school’. He was released after six months to his family but was readmitted a month later after a family breakdown. The PIC then alternated between his family home and the unit. The PIC’s placements at Gilles Plains spanned a period of about 10 months, before he was transferred to a secure care institution when he was 13.

The PIC said that his initial impression of Gilles Plains was positive, but that he soon wanted to leave. He said other residents physically assaulted him as a form of intimidation and punishment when he did not comply with their demands, and that on one occasion a male resident came to his bedroom, locked the door and raped him. The PIC could not remember the alleged perpetrator’s name. He said he told his community welfare worker he was unhappy at the unit and that his worker made efforts to arrange foster placements for him. He told the Inquiry that he absconded regularly from Gilles Plains.

Departmental records confirm that the PIC was a regular absconder and that efforts were made to place him into foster care from Gilles Plains. Records note that he was a cooperative and ‘compliant’ resident at Gilles Plains and that he was often influenced or dominated by those around him.

#### **Abuse after absconding**

A man who alleged sexual abuse after he had absconded from the Gilles Plains Community Unit was placed in State care aged 13 in the mid 1980s, after being found by a court to be uncontrollable and at risk. He told the Inquiry that he was also sexually abused at Slade Cottage and while living on the streets during the time he was in State care.

The PIC said that when he was at Gilles Plains in the mid 1980s about eight residents were able to come and go

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from the unit with relative freedom. He said he had never attended school, but instead frequented amusement parlours. 'They could drop you off at the school, but they couldn't make you actually walk through the gate.'

The PIC told the Inquiry that on one of his days away from the unit he went to a beachside suburb and was offered a lift by a man in a car. The man drove around and the PIC recalls that he reached his hand over and

*... started putting it in my lap, all that sort of stuff, and, like, [I was] freaking out, you know, and drove around the corner, and before I knew it, he pulled my T-shirt over my head, pulled my strides down and ...*

He said the next thing he recalled was being raped in the back seat of the man's car. He told the Inquiry that he did not tell anyone about the abuse at the time because he was 'too embarrassed'. He said that at the time, he 'just forgot about it. There was nothing I could do that would change anything.' The PIC said that the rape affected him. 'Normally before it was like this, and oh, yes, fun, and like this, and then that happened, and everything's not fun and games.'

**A** PIC who alleged he was sexually abused at Gilles Plains Community Unit was first placed in State care at 13 in the early 1980s. He was placed under a short-term guardianship order because of a 'long-standing behaviour problem', according to his SWIC, and was initially placed with his family. When he was 14, the PIC was deemed 'in need of care' and placed under the guardianship of the Minister until he reached 16. He told the Inquiry that he was sexually abused when he absconded from the Western Region Admission Unit and Gilles Plains, and later when he absconded from foster care.

At 14, the PIC was placed in Gilles Plains several times over about eight months. He said the residents would smoke in a shed on the property. He said occasionally male residents would masturbate in the shed and the senior residential care worker 'used to get off looking through the keyhole'. The PIC alleged:

*My first instance of sex in that place was, I was asleep in my bed and I woke up about two o'clock in the morning and ... found [an older boy] on top, sucking me off, just as I was waking up.*

The PIC said he absconded regularly from Gilles Plains and would frequent city hotels and clubs. He said one venue had buzzers that were triggered when police entered. 'All the street kids would go vroom, disappear into the dark corners.' He said one venue was 'corrupt' and police received money from the owner. The PIC said that one police officer encountered him in this club and 'rammed his dick down my throat' in the back-of-house area.

He told the Inquiry he attended parties in Adelaide suburbs with men and boys. 'Most of the time it was ... being fed alcohol and pot and stuff.' He said that during his time running away from Gilles Plains he became involved in sexual activities with men and drug-taking. He told the Inquiry: 'I have too many nightmares. I can't get away from my nightmares. I have too many.'

### Hay Community Unit, 1979–88

#### History

Hay Community Unit opened in 1979 at Rowells Road, Lockleys, on the site of the former Hay Cottage, which closed the same year. The unit had its origins in the Elizabeth Grace Community Unit, which was moved from North Adelaide to Lockleys and renamed the Hay Community Unit.

Departmental records show that by 1980 the unit had been renamed the Western Region Admission Unit, although the Hay Community Unit was listed in departmental annual reports after this date. Available records suggest that the Hay unit was moved to Mile End in 1983, when the Western Region Assessment Unit opened at the Lockleys site.<sup>20</sup>

The department described the Hay centre as its unit for adolescent girls, which provided 'care, support and guided development' for young offenders who did not require

<sup>20</sup> DCW annual report 1979, p. 79, shows Hay Community Unit as still being at Lockleys; annual report 1980 shows both Western Region Admission Unit and Hay Community Unit in existence but no addresses are provided—this is still the case in annual report 1986–87, p. 74.

custodial care.<sup>21</sup> The unit catered for a maximum of six girls aged between 14 and 18, although the average number of weekly residents sometimes fell to two. The unit was managed by a senior residential care worker who reported to the supervisor, Services for Young Offenders, Central Western Region.<sup>22</sup> Six residential care workers were on staff.

A 1983 departmental report described the Hay unit as a place for girls who were 'emotionally disturbed, self-destructive, violent and runaways'.<sup>23</sup> This report described residents' self-abuse, promiscuity, truancy, habitual absconding, minor offending, low self-esteem and high vulnerability. Hay developed a reputation as the 'end of the line' before secure care, and residents considered extreme behaviour to be the norm rather than the exception.<sup>24</sup> In 1989 Hay's residents were relocated to the facility at Sturt known then as Marion Flats.

#### **Allegations of sexual abuse**

One woman told the Inquiry that she was sexually abused during her placement at the Hay Community Unit.

#### ***Abuse by multiple perpetrators***

**T**he PIC was first placed in State care by a court in the mid 1980s, aged 14. Her SWIC notes that her mother was unable to control her. After several short-term guardianship orders, records indicate that the PIC was found to be in need of care and was placed in State care until the age of 18. The PIC told the Inquiry that she was sexually abused at the Western Region Admission Unit and then at the Hay Community Unit.

The PIC spent seven months at the Hay unit when she was about 15, during which time she said she had a sexual relationship with a man who was about 35. The PIC said she let the man into the unit through a window at night; on one occasion staff found out and called the police. A report in the PIC's client file mentions that the PIC refused to cooperate with police and that the unit's security was inadequate.

The PIC also told the Inquiry that a residential care worker at the unit raped her one night in the staff bedroom. She had gone to his room and asked for a condom. She said that the worker counselled her to avoid sexual activity and that 'he grabbed the condom, that's when he grabbed me and put me down. I thought he was just going to give [the condom] to me.' Instead, she said the worker 'grabbed me, put me on the bed, held me down and he raped me'. The worker was alone on the shift. The PIC absconded and went to the city 'and just wiped myself out ... That was a pretty bad night.'

The PIC alleged the same worker raped her again some days later. The worker allegedly told her that if she disclosed the rape she would not be believed and that any disclosure would complicate his personal life. She was intoxicated.

*I remember going off at him and I remember him slapping me and [he] pushed me on the bed ... and this time he didn't even bother with a condom ... I just remember walking out of the room.*

The PIC said she absconded again.

She alleged that she disclosed the rapes to two members of staff and was assured that her allegations would be investigated. According to the PIC, some investigation was made, but she suspected that 'they wanted it swept under the carpet as quick as possible'. The PIC's client file contains a child protection notification on the incident and an internal report. The report states that the 'C.W.W. [community welfare worker] did not pursue [sic] specific information re: abuse as [the PIC] was considerably angry at having to relate the incident several times'. The report notes that the PIC and unit staff were interviewed and the staff liaised with police. The PIC refused sexual assault counselling and a medical examination, and the allegations were recorded as 'unconfirmed'.

<sup>21</sup> 'Difficult adolescent girls and safekeeping', Part A, pp. 3, 41.

<sup>22</sup> Children and youth under institution care, Appendix 1, p.3.

<sup>23</sup> 'Difficult adolescent girls and safekeeping', p. 37.

<sup>24</sup> *ibid.*, Appendix J.

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## Chapter 3 Allegations of sexual abuse

The PIC stayed at the Hay Community Unit for a short period after these events, 'but I caused that much trouble that they got rid of me. They didn't get rid of him'. The PIC became increasingly violent at the unit 'because none of them believed me and I'd just had enough. I was crying out for help and none of them would help'.

### Clarence Park Assessment Unit, 1989-90 – 91-92

#### History

The Clarence Park Assessment Unit opened in 1989–90 on the site of the former Southern Region Admission Unit at Clarence Park. It provided short-term accommodation to children in State care while their residential and care needs were assessed. The unit closed in 1991–92 and its functions were transferred to the Woodville and Sturt assessment units.<sup>25</sup>

#### Allegations of sexual abuse

One man gave evidence to the Inquiry regarding sexual abuse during his placement at the Clarence Park Assessment Unit.

#### Abuse by outsiders

One PIC was first placed in State care at the age of eight in the late 1980s. He was initially placed on several short-term guardianship orders and then placed under the guardianship of the Minister until he turned 18. According to his SWIC, his family was unable to cope with his behaviour. He told the Inquiry that he was sexually abused at Clarence Park and later at Lochiel Park.

The PIC lived at Clarence Park for two years from the age of eight. He recalled absconding from the unit and going to the city numerous times. The department's records confirm that the PIC absconded from Clarence Park at least 12 times. He said he would go to Veale Gardens in the city to prostitute himself for money. He alleged that men frequenting the gardens approached 'on foot and [in] cars. They would park their cars inside [the gardens] or outside

and walk through.' He alleged that a 'few times' one frequent visitor to the gardens 'forced me into the car and I tried to run away'. The visitor also had asked the PIC to

*... get other boys for him and he'll pay me money and I say to him, 'No, I don't want to do that because I can get into trouble for it'.*

The PIC said he frequented Veale Gardens for a short period and believed it was not a very nice place. 'That's why I stopped going there.'

The PIC said that on another occasion he had been in the city alone when a man he did not know attacked him. The PIC's recollection of the event was incomplete but he alleged that he had been anally penetrated and taken to hospital. The Inquiry obtained records from an Adelaide hospital that confirm his attendance and medical examination for allegation of sexual assault.

The department recorded the PIC's disclosure and his examination at the hospital. The PIC's file notes show that the department's Crisis Care unit workers attended with the PIC at the police station. His file reads, '[the PIC] did not appear (outwardly) traumatised by incident according to staff at unit'. The PIC's social worker was to follow up with the hospital's Child Protection Services unit and was to receive a Crisis Care report on the incident.

### Northern Region Admission Unit, 1979–90

#### History

The Northern Region Admission Unit opened at St Peters in 1979 on the site of the former Stirling Cottage. It offered short-term accommodation for up to eight children. A program was developed for each child, in consultation with the child, his/her community welfare worker and unit staff.<sup>26</sup> In the early 1980s the unit was moved to Enfield. It was replaced in 1990 by a purpose-built unit on an adjoining property, which became known as the Enfield Community Unit.<sup>27</sup>

<sup>25</sup> DFACS annual report 1991–92.

<sup>26</sup> DCW annual report 1982–83, p. 38.

<sup>27</sup> Information supplied by Families SA, 4 May 2005, via email.

#### Allegations of sexual abuse

One man alleged that he was sexually abused while in State care and living at the Northern Region Assessment Unit.

#### Abuse by other boys

**A**PIC was placed in State care in the late 1970s when he was 11 because he was running away from home and school. The Northern Region Admission Unit was his first placement until other accommodation could be found. For almost six months he moved between placements at the unit, Slade Cottage and the South Australian Youth Remand and Assessment Centre (SAYRAC). He alleged he was sexually abused at all three placements and, later, the South Australian Youth Training Centre (SAYTC), where he spent time for offending.

The PIC remembered that most other residents at the Northern Region Admission Unit appeared to be about 16. During the months he lived at the unit, the PIC said he was held down and digitally raped by these older residents, one of whom he named.

#### Southern Region Admission Unit, 1979–90

##### History

The Southern Region Admission Unit opened on the site of the former Clark Cottage at Clarence Park in 1979. It provided emergency care for up to eight children aged 10–17. The department's 1982–83 annual report stated that these children were those 'whose behaviour or situations are such that they cannot remain at that time in their own homes with their families'.<sup>28</sup> In 1989–90 the admission unit became the Clarence Park Assessment Unit.

#### Allegations of sexual abuse

One man gave evidence to the Inquiry about sexual abuse while he was placed at the Southern Region Admission Unit.

#### Abuse by multiple perpetrators

**T**he PIC was first placed in State care aged 13 in the early 1980s, when his parents had trouble controlling his behaviour. The PIC was placed under several short-term guardianship orders and detention orders between the ages of 13 and 17. He was placed in government admission units, cottage homes, foster care and secure care, and also with his family. The PIC alleged he was also sexually abused at a foster care placement.

The PIC was sent initially to the Southern Region Admission Unit for two weeks in the early 1980s to give his parents respite. He stayed at the unit for two subsequent periods of about one month each in the next two years. The PIC recalled being placed in the unit:

*I remember walking up the street and there was a strange car in the drive ... and I wasn't allowed in the house ... the next thing I know I was living [in the unit].*

He told the Inquiry he was at the unit for only a few days before a worker sexually abused him. The PIC said most of the other residents had been on a weekend outing and he could not afford to go. The worker had discovered the PIC smoking, which was forbidden, and searched his clothing for cigarettes. As part of the search, the PIC said he was ordered to strip and place his hands in front of him on a table. He said the worker stood behind him and began masturbating while the PIC was naked. 'I had no idea what was going on ... I knew it was weird. I knew it was strange.' The worker ejaculated on the PIC's back and the PIC realised 'he's had a wank while I was bent over ... he never rooted me but, yes, the dirty bastard had a wank on me'.

The PIC told the Inquiry, 'I never brought up nothing' about this incident with unit staff or with his social workers. He remembered that at the time he was not angry. He said, 'It was more fear. It was more embarrassment ... Not being able to say, knowing it was wrong and knowing that, what the hell is going on here?' When the Inquiry asked how the

<sup>28</sup> DCW annual report 1982–83, p. 38.

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## Chapter 3 Allegations of sexual abuse

incident affected him at the time, the PIC said, 'I knew my life had gone to shit at that moment'. He said the worker had continued to be employed at the unit but the two had not interacted during the PIC's later placements there.

The PIC gave evidence that he absconded repeatedly from placements, including from the Southern Region Admission Unit. When he absconded he visited hotels in the city and occasionally prostituted himself for money. He described a small group of children, some in State care, who sold themselves for money in city hotels. By the time the PIC was 15, he was recruited into a network of underage prostitutes. He said: 'I had a beeper ... I would be in boys homes and my beeper would be going off at the table, you know? No-one said nothing.'

He said prices were fixed depending on 'how [the operator] sold us':

*If we were underage and we were—it depends what kind of person. Like, we could come home some nights with five or six hundred dollars after a couple of hours or we could come home with two or three hundred dollars.*

He was sent to men's homes and to parties. He said that couples attended the parties but 'people left and things changed as nights went on. Drugs would come out. Things would happen ... that's when these parties used to take ugly little turns.' He said he was given drugs at these parties; he recounted one episode where two men at a party anally raped him, tied him up and then physically assaulted him. As a result he required medical attention at an Adelaide hospital. Hospital records show the PIC was seen, but do not give treatment details.

He said he was truant from school, in and out of institutions, shoplifting and in trouble with the police. He said he prostituted himself to survive before he became an adult.

The PIC said he wanted 'to have a normal house, normal life ... I just want to be the bloke who lives next door. I want to mow my lawns on a Sunday morning ...'

### Central / Western Region Admission Unit, 1979–86

#### History

The Central Region Admission Unit opened in 1979 on the site of the former Reception Cottage at Somerton Park. Its name was changed to the Western Region Admission Unit in 1980, although in several departmental documents it is referred to as Central / Western. The unit was moved to Lockleys in 1983<sup>29</sup> and closed in 1986.

#### Allegations of sexual abuse

Two people gave evidence to the Inquiry about being sexually abused while placed at the Western Region Admission Unit.

#### *Abuse by staff*

A female PIC was placed in State care in the mid 1980s, aged 14, after her mother had difficulty controlling her behaviour. The PIC told the Inquiry that she was sexually abused at the Western Region Admission Unit and later at the Hay Community Unit.

The PIC's first placement was in the Western unit, where she stayed for three months. The PIC said a male residential care worker sexually abused her within about one month and that she continued to have sexual intercourse with him for the rest of her stay. The sex occurred 'three, four times a week, even on day shift' and each time the worker was on night shift. The PIC told the Inquiry that on the first two occasions she objected 'but then I was—what's the point?' She said that the sexual intercourse occurred in the staff bedroom and the unit's living areas. On one occasion, the PIC said she was kneeling on the living room floor and the worker was in a chair. She had just finished performing oral sex on the worker when a female residential care worker entered the room. The PIC said, '[the worker] knew something happened, but she didn't say anything. She just walked out'. The PIC did not speak to the female worker about the incident.

<sup>29</sup> *ibid.*, p. 88.

The PIC told the Inquiry she disclosed the abuse 10 years later to a departmental employee, who helped her make a statement to police. The PIC recalled that the police advised that they would not follow up the allegations due to the amount of time that had elapsed. The PIC said she contacted the department about the allegations. Her client files contain 1996 correspondence from the chief executive of the Department for Family and Community Services requesting advice from the Attorney-General on conducting a 'full and impartial investigation into the matter'. The PIC provided a statement to a government investigation officer in the Attorney-General's Department, a copy of which is on her client file. The PIC's client files do not contain any other information that refers to the investigation or its outcome.

#### **Abuse after absconding**

**A** male PIC who alleged sexual abuse during periods of absconding from the Western Region Admission Unit was first placed in State care at 13 in the early 1980s. According to his SWIC, the PIC was placed under a short-term guardianship order due to his behavioural problems and was placed initially with his family. The court later placed the PIC in State care until the age of 16 as a consequence of his offending and family violence. He told the Inquiry that he was sexually abused when he absconded while at the Western Region and Gilles Plains admission units and also in foster care.

The PIC was placed at the Western unit for almost three months in the mid 1980s, when he was 14. He was again placed at the unit the following year, but regularly absconded. He said:

*It was one of those places where, at nine o'clock in the morning they say, 'Right, out you go'. Bang. So they put you with all the riffraff ... and they expect you to come home at five o'clock without being in trouble, which is ridiculous.*

The PIC told the Inquiry that while absconding he would visit city hotels and on one occasion he met a man with whom he began associating. He said that he was 14 when

the man sexually abused him for the first time after he was invited to the man's home. He alleged that:

*[The man's] usual routine ... in the early days was get you stoned, get you drunk on wine. By the time you hit the spa bath ... with the spa bath and the alcohol, you're just totally off your face basically.*

The man then had sexual intercourse with the PIC. The PIC said this abuse occurred repeatedly over an extended period. He said he stayed at the man's home on several occasions when he absconded.

*A lot of times I'd be on the streets, on the run or something like that, and I'd end up at [the man's] place, you know, at night-time, nowhere else to go.*

The PIC said that he also saw the man in his place of work, where on one occasion the man was 'rubbing me up ... and I swear that he got busted ... and [the man] was really nervous over that; really fuckin' nervous about getting caught'.

The PIC said he became involved in prostitution during his second placement at the unit when he was 15. He alleged that another boy recruited him and took him to the city. He said 'My first job down there ... I didn't know how to do nothing, mate. A crash course is what they call it'. He prostituted himself whenever he needed money or shelter. He recounted several incidences, including going to a reputed paedophile's house 'for 100 bucks' and performing oral sex on a man who reputedly frequented areas in the city where men met for sex. 'These people ... they'll sit there all night long ... Waiting and waiting and waiting.' The PIC's records show that his social worker advised the unit to discourage the PIC from associating with the youth who allegedly recruited him into prostitution and recommended that the PIC 'be moved immediately (as soon as possible) to another admission unit in another area'.

Another man the PIC described as a businessman sexually abused him during this period. The PIC was doing it with 'heaps of people ... bloody surviving'. The PIC said he had previously rebuffed the man, who

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*... used to cruise past all the time and like, 'How about 30 bucks, man? How about 30 bucks?' ... I didn't do it for money type thing. I wasn't interested at that stage in my life.*

The PIC said other boys warned him to avoid this man. The PIC did so until the point when, he said, 'I had no choice, sort of needed the money; went to [the man's home] for 30 bucks and a bag of dope'. He then stayed periodically at the man's house when he had absconded from the unit and continued to have sex with him until he left State care. The PIC told the Inquiry that he did so for food and money only.

During the PIC's later placements at the unit he was permitted to work for a local businessman. The PIC told the Inquiry that the man was involved in child prostitution and had attempted to indecently assault the PIC when he was 11 — another person had stopped that assault, saying 'No, he's too young yet'. The PIC said he stayed for a week at the man's house and alleged the man masturbated in front of him and later persuaded the PIC to allow him to rub his penis against the PIC's anus. The PIC said: 'Once I had the weight of him on me, mate, I was pinned'. He said the man anally raped him. Another resident at the house interrupted them and, despite the PIC's agitation, 'didn't do a thing about it'. The PIC's departmental records show that his family expressed concern at his contact with the businessman. The PIC told the Inquiry that his social worker 'knew all about' the man. Records show the PIC's social worker advised unit staff that the PIC was 'not to work [for] or have contact with [the businessman]'. Unit records show that the businessman was not to be near the unit without staff knowledge, but these records do not detail the reason for the instructions.

### Sturt Assessment Unit, 1995–present

#### History

The purpose-built Sturt Assessment Unit opened at Diagonal Road, Sturt, in December 1995 and continues to operate today.<sup>30</sup>

### Allegations of sexual abuse

One woman told the Inquiry that she was sexually abused while placed at the Sturt Assessment Unit.

#### Abuse by another resident

An Aboriginal PIC told the Inquiry that she had experienced physical and sexual abuse before she was placed in State care. She came to the department's attention in the mid 1990s, when she was 11 years old. Records show the department received several child protection notifications relating to physical abuse and placed her in emergency foster care. She was placed under several short-term guardianship orders until, aged almost 14 in the late 1990s, she was placed in State care by court order until 18. The PIC lived in foster care, and the Sturt and Gilles Plains assessment units. She alleged she was sexually abused in all those placements, as well as by a male relative, to whom she often ran when she absconded.

Departmental records show the PIC was placed for a month at the Sturt Assessment Unit when she was 13. The PIC described the unit as 'pretty bad' and her records note that the placement was 'difficult'. The PIC told the Inquiry that male residents made sexual advances to her but she resisted them 'because of the stories. I heard what they did to the other girls, you know.' As a result, she was verbally taunted and became involved in several physical altercations with other residents. Records from the unit note that male residents made 'sexual remarks about what they'd done with [the PIC]', in her presence.

The PIC said a male resident raped her in her bedroom. 'He just let himself in ... He basically just had sex with me, let himself go, then walked out of the room apparently without the staff even realising.' He told her 'just to shut my mouth'. The alleged rape occurred during the day, when staff were at the unit. 'I don't think they really cared, if they did know.' She absconded from the unit and was later transferred to another government community unit.

<sup>30</sup> Families SA email, 4 May 2005.

#### Enfield Community Unit, 1990–present

##### History

The Enfield Community Unit was purpose-built in 1990 and continues to operate today.<sup>31</sup> It was previously known as the Northern Region Admission Unit, which occupied an adjoining property.

##### Allegations of sexual abuse

One person told the Inquiry that she was sexually abused while placed at the Enfield Community Unit.

##### *Abuse by other residents*

**A** PIC was placed in State care at the age of 10 in the early 1990s on an interim guardianship order following notifications of physical abuse. She told the Inquiry she was sexually abused at Enfield Community Unit and in foster care.

The PIC had two placements at Enfield. The first was for three months in the mid 1990s when she was about 14. Nine months after that placement she returned to Enfield for a further six months. The PIC told the Inquiry that while living at Enfield, 'I was really, really depressed'. She said staff were aware that she had begun self-harming, but they did not make counselling available. She said that her drug use and offending began at Enfield: 'It started there ... It was kind of the norm that the kids would do all that sort of stuff'.

The PIC said there were only two other female residents at Enfield. She alleged that male residents persistently touched her breasts and coerced her into sexual contact. She told the Inquiry, 'I would do things just to sort of be accepted'. She said this was her first experience of sexual activity and she felt 'disgusted'. She alleged that male residents would expose their penises to her and the other female residents and masturbate in the unit's living area. The males 'never did it in front of staff but it was in front of

us girls'. The PIC told the Inquiry that staff were aware of the male residents' behaviour through 'word of mouth'. She said she made a general complaint to unit staff about other residents touching her breasts, saying 'Can you get them off me?' and that staff told her that there was not much they could do. Of the masturbation, she said: 'I'd tell the staff and the staff wouldn't do anything'.

The PIC's departmental files include a reference to her telling staff that male residents pressured her into sexual activity. The notes record staff advising the PIC that, should other residents pressure her, she was to immediately notify unit staff. Another note reads: '[The PIC] is being pressured by [another resident] ... she is put at ease knowing her rights'. The files note that both the PIC and a male resident were interviewed separately, however the substance of the conversation with the male resident is not reported.

#### Campbelltown Community Unit (Cornerways), 1995–present

##### History

The purpose-built community unit at Campbelltown, known as Cornerways, was opened in 1995 and continues to operate.<sup>32</sup>

##### Allegations of sexual abuse

Two men gave evidence of alleged sexual abuse during their placements at Cornerways. Each made allegations of unlawful sexual intercourse while absconding.

##### *Abuse by multiple perpetrators*

**A** PIC who was first placed in short-term care when aged seven in the 1990s told the Inquiry there was physical violence and alcohol and sexual abuse in his family. After the short-term orders, a court found the PIC to be in need of care and placed him in State care until the age of 18. The PIC had several different placements before being transferred to Cornerways in the late 1990s, when he

<sup>31</sup> *ibid.*

<sup>32</sup> DFACS annual report 1995–96, p. 25.

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was 13. He spent almost two years there. He alleged that he was sexually abused while absconding from placements including Cornerways.

The PIC recalled Cornerways in a positive light but said that particular staff were overly aggressive with residents. He told the Inquiry that another resident of his age indecently assaulted him, although he was not penetrated. The PIC said nothing to workers at the time.

The PIC said he ran away from Cornerways 'all the time'. His records show that he absconded repeatedly during his placement, sometimes twice daily. He was gone for hours, days and sometimes weeks. He was reported missing to police and returned to the unit of his own accord, or was transported back. The PIC said he went into the city, sometimes with residents from Cornerways or other units. 'It depends how many people felt like going out that night'. After absconding, he said, 'I went into town and slept on the streets' or stayed with friends. He said he and other residents frequented city parks known to be places where young people could make money from sex. He said that men were constantly in cars near a city park: 'Ten or 15 cars were always there at once, you know'. One of the other residents engaged in prostitution and, on one occasion, 'he tried to make me ... to do some stuff with him' but he refused. The PIC's records show departmental concern about his vulnerability to sexual exploitation while on the streets.

### *Abuse after absconding*

The department had been aware of a PIC since he was three years old due to notifications of neglect and violence. He was placed under a short-term care and protection order when he was 13 in the mid 1990s. He was then placed under the guardianship of the Minister until he reached 18.

The PIC was directed to live at Cornerways in the mid 1990s after his previous placement broke down. He lived there for about three years until he was 16, during which time he was also remanded briefly to secure care and placed at home with his family.

The PIC said he absconded from Cornerways constantly. He remembered: 'They'd catch me and fine me and take me back and then they'd try and lock me in there but I'd always escape'. The PIC went to the city, sold drugs and became engaged in prostitution. He said that older women approached him and other youths:

*We'd meet them outside, like, the pubs and that and we would start talking to them ... They'd ask, 'Where do you live?' All right. We'd tell them, 'On the streets.' They'd go, 'Do you want to come home? Take you somewhere nice to sleep.'*

The PIC went to women's homes and had sexual intercourse with them. He told the Inquiry he was about 14 at this time. Occasionally, he saw other children at the residences.

*Sometimes there would be a few women there and they would have all their little toy boys—that's what I like to call it now. They'd have all their little toy boys there and I'd rock up and there would be kids of my age there and we'd go in, we'd talk, we'd sit down, we'd smoke our cigarettes, drink a little bit of piss. They'd go, 'Do you want to come to bed?' 'Yes.' 'Well, we're going to bed.' Do the deed.*

In addition to gaining a place to sleep, the PIC said that the women gave him money. He said that he never reported the activity because he had consented to it. 'I was pretty much willing to do what we were doing with them ... We used to do what we were doing and so we used to get by.'

Before being placed at Cornerways, the PIC's departmental workers expressed concern at his absconding from placements, truanting from school, violent behaviour and offending. One report noted: '[The PIC] is considered to be at risk if he continues to frequent Hindley Street due to his age'. His workers registered concern that '[the PIC] is heading increasingly to Hindley Street where he is at sever [sic] risk of offending, sexual exploitation etc.' Workers during the earlier placements agreed that 'all efforts will be made to keep [the PIC] away from

undesirable areas'. Case notes during his time in Cornerways note that the PIC 'spent a lot of time running away from the Unit'.

#### North Adelaide Community Unit, 1990–97

##### History

The North Adelaide Community Unit operated between 1990 and 1997 on the site of the former Stuart House in North Adelaide.<sup>33</sup> The unit closed in 1997 and its functions were transferred to the Regency Park Community Unit.<sup>34</sup>

##### Allegations of sexual abuse

Two men gave evidence to the Inquiry of sexual abuse while placed at the North Adelaide Community Unit.

##### Abuse by staff

A PIC born in the late 1970s alleged he was sexually abused at the North Adelaide Community Unit, formerly Stuart House. The PIC lived most of his childhood with his father and had virtually no memories of his mother until he was about 15, when they were reunited. He alleged that when he was between four and 12 he was sexually abused by his grandfather, including 'sexually penetrating me and making me, you know, touch him and things like that'. When the PIC was 13 his father felt he could not continue to look after him and signed an application for him to be placed in State care under a short-term administrative order. Records from the department show that over the following months the PIC was in several placements including foster care, a youth shelter and an assessment unit. Records show that about five months after the initial short-term order he was placed in State care by a court until he turned 18.

At 14 the PIC was placed in the North Adelaide Community Unit, where he remained for just over a year. He said he experienced violence at the unit: 'There was a lot of bashings. I was still copping a fair bit there'. He also

alleged he was sexually abused while at the unit, the first time in the showers:

*I've gone to the showers and that person was there and basically, you know, I was doing what I was doing and this bloke just decided to basically have his way with me and sexually.*

The PIC said he believes the perpetrator was a staff member.

He also alleged that following the abuse he was sent to see another staff member in his office:

*I've walked in there and there's this older man just standing there in, like, a robe, you know, and had his business hanging out and he says, 'Have you got something to say?' And I said, 'Well, yes, I do.' I said, 'Well, this bloke here has just basically had his you know, way with me. You know, he's just raped me.' And he goes, 'Well, if I was you, I'd keep my mouth shut, or else there's plenty more of that, where it comes from'.*

The PIC committed offences while in care and as a result spent time in SAYRAC. Following his release from care at 18 he spent significant periods in adult prisons.

##### Abuse by outsiders

The department had been aware of an Aboriginal PIC's family since the mid 1980s because of domestic violence issues. The PIC was placed in State care in the early 1990s when he was 12, after his mother signed a voluntary care agreement. As well as in foster care, the PIC lived on the streets for a significant period of time and also at government hostels and admission units, and in secure care. He made allegations of sexual abuse while at the North Adelaide Community Unit and in foster care.

The PIC lived at the North Adelaide unit under a voluntary care agreement when he was 14 for about three months. He said staff accepted the fact that residents often left the

<sup>33</sup> *ibid.*, 1990, Stuart House no longer listed, appears as North Adelaide Community Unit.

<sup>34</sup> *ibid.*, 1995–96, p. 25.

# 3

## Chapter 3 Allegations of sexual abuse

unit and sometimes did not return at night. The PIC said he was in the city one night with another youth who introduced him to an older man. The man supplied both children with drugs. The PIC began staying occasionally at this man's house and on one such evening the PIC got drunk. He fell asleep and 'I remember waking up to him stroking my penis'. The PIC assaulted the man and returned to the unit. The police were called and the PIC provided a statement. The department's records contain a report of sexual assault on the PIC by a known paedophile. It appears from police records that the matter proceeded to court with a conviction in relation to supplying the drug but no conviction in relation to a charge of indecent assault.