

# 3.4

## 3.4 Foster care

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## Chapter 3 Allegations of sexual abuse

### History

The Government has placed children in State care into foster care since the 19th century. Children were boarded out, as the foster care system was known originally, with families from the early 1850s under arrangements made by the Destitute Board.<sup>1</sup> In the 1860s a group of concerned citizens began to lobby for children to be placed in family homes rather than institutions.<sup>2</sup> This campaign led to the formation of the Boarding-out Society in 1872 'for the supervision of the children when placed out'.<sup>3</sup> This system of foster care was formalised in 1872 when the South Australian Parliament passed a Bill allowing any child who had been committed to a reformatory or industrial school to be placed out with a family until the age of 12, with a government subsidy paid to the family.<sup>4</sup> From 13, children could be 'licensed for service' until they reached 16 if female or 18 if male.<sup>5</sup>

Concern that children who were boarded out were being exploited as unpaid labour led to a State inquiry. The findings of the 1883–85 Way Commission led to the establishment of the State Children's Council (SCC) in 1886.<sup>6</sup> The SCC licensed 'fit and proper' people to care for children under the age of two years and licensed foster parents to whom older children in State care were placed out or apprenticed. The SCC had powers regarding complaints against foster parents, the removal of a child from a foster placement and for regular inspections of placements.<sup>7</sup>

Both the SCC and its successor from 1927, the Children's Welfare and Public Relief Board (CWPRB), believed that

placement in a family environment rather than an institution better prepared children for adult life. The CWPRB stated in 1938 that boarding out was still its preferred option for most children in State care: 'A substitute home and parents is believed by the Board to be preferable to any institution'.<sup>8</sup> Boarding out also saved the government the cost of staffing and maintaining residential institutions.

However, concerns that children were being exploited persisted. In 1926, for example, the department defended the boarding out system, noting that inspectors attempted 'in every way to make friends with [children], win their confidence, and directly and indirectly gain a full insight into their school progress, home duties, pleasures and interests'.<sup>9</sup> Children were also encouraged to communicate with police officers, clergymen, schoolmasters, or any other suitable person if any issue arose between inspections.<sup>10</sup> However, the department controlled parents' access to children in foster placements. Parents could not contact their children directly and could only see them by arrangement at the department's offices.<sup>11</sup>

Efforts to protect children from exploitation continued over the decades. In the 1930s, the department's inspectors reportedly regularly visited children placed with licensed foster parents. The inspectors also visited the schools these children attended and inspected the homes of people applying to care for children in State care. The role of inspectors was to ensure that younger foster children were not being overworked and that those placed out for service were working satisfactorily, receiving wages regularly and had adequate leisure hours.<sup>12</sup> In addition to information from inspectors the department received

<sup>1</sup> CM Davey, *Children and their law-makers. A social-historical survey of the growth and development from 1836 to 1950 of South Australian laws relating to children*, Griffen Press, Adelaide, 1956, p. 2; and Brian Dickey, *Rations, residence, resources: A history of social welfare in South Australia since 1836*, Wakefield Press, Adelaide, 1986, p. 53.

<sup>2</sup> SA Register, 2 Aug. 1856, cited in Davey, p. 2; South Australia, Parliament 1885, Royal Commission to report on the *Destitute Persons Act 1881*, second and final report, (Way Commission), Parl. Paper 4, no. 228, pt II 'Children under the care of the government', para. 80.

<sup>3</sup> Way, pt II, para. 80.

<sup>4</sup> *Destitute Persons Relief Act and Industrial and Reformatory Schools Act 1872*, pt III, s. 59.

<sup>5</sup> Way, pt II, para. 57.

<sup>6</sup> Way had two main concerns: that the Destitute Board increasingly used the demand for children in the community as a reason not to pay subsidy to families and the absence of official inspections of placements, pt II, para. 74.

<sup>7</sup> *State Children Act 1895*, ss. 52–79.

<sup>8</sup> CWPRB annual report 1938, p. 3.

<sup>9</sup> SCC minutes and CWPRB minutes, vol. 6, (minute 856), July 9, 1926.

<sup>10</sup> *ibid.*

<sup>11</sup> CWPRB minutes, vol. 15, (minute 1066), 19 Feb. 1948; vol. 16, (minute 1232) July 12 1951.

<sup>12</sup> Government of South Australia, *Report of the committee appointed by the government to inquire into delinquent and other children in the care of the State*, Sep. 1939, p. 15.

reports from other sources such as schools and local governing authorities.<sup>13</sup> By 1940 the department had initiated a procedure whereby children were visited within a month of a placement starting.<sup>14</sup> In 1954, the CWPRB secretary stated that increased supervision of the 300 children in foster care (from a total of 1215 State children), had ensured that they were boarded out 'only to good foster parents'.<sup>15</sup> However, historical records between the 1930s and 1950s reveal that some children were still placed in unsatisfactory homes or in placements where foster parents were guilty of exploitation.<sup>16</sup>

Housing shortages post-war and into the 1950s reduced available placements. However the newly created Department of Social Welfare reiterated its commitment to foster care in 1965: 'For more than 100 years in South Australia children under State care have been placed individually in suitable private foster homes ... The Department believes that most children are best cared for as members of a family group.'<sup>17</sup> The *Social Welfare Act 1926–1965* introduced several protective measures relating to foster care. The Act increased the penalty for ill-treating, injuring, or neglecting a child in State care and for a foster parent who transferred the care of a child to another person without the consent of the director of Social Welfare.<sup>18</sup> Whereas in the past members of voluntary visiting committees could inspect placements, the new Act stipulated that only officers of the department could do inspections.<sup>19</sup>

After the passing of Social Welfare Act the department focused on preventing family breakdowns to reduce the need to remove children from their homes, especially for

long periods. The aim was to use short-term respite or emergency foster care, which allowed children to be placed back with their families as soon as possible. This policy shift resulted in greater demand for foster care, particularly short-term care.<sup>20</sup> During the late 1960s, 87 per cent of children in State care were placed into foster homes, however the department remarked on the continuing shortage of foster carers.<sup>21</sup> When the new Department of Social Welfare and Aboriginal Affairs assumed responsibility for Aboriginal communities in 1970, it identified a shortage of culturally appropriate placements for Aboriginal children.<sup>22</sup>

The needs of foster carers received increasing attention in the 1970s. The department had welcomed the creation in 1969 of the Foster Parents' Association, which provided a forum for carers to exchange information and provide mutual support.<sup>23</sup> The department stated in 1971 that training would assist foster carers to 'develop their understanding of the problems that the neglected child's experiences produce'.<sup>24</sup> It initiated its first 12-week pilot training program, based on foster parents and social workers working in tandem to improve standards.<sup>25</sup> However, annual reports from the 1970s show that the shortage of available placements and the limited amount of foster care training remained areas of concern.<sup>26</sup>

In 1972 the new Department for Community Welfare decentralised its services by designating metropolitan and country regions. In each region district offices assumed responsibility for foster placements so that placements were handled at the local level, thereby increasing 'the immediacy of foster placing'.<sup>27</sup> In 1973 the government

<sup>13</sup> *ibid.*, p. 12.

<sup>14</sup> CWPRB annual report 1940, p. 5.

<sup>15</sup> SRSA GRG 29/6/1947/456, Preventative work and assistance to outside people. Voluntary supervision of children other than State wards, 'Foster children in S.A. "well supervised"', *Sunday Advertiser*, 31 July 1954; CWPRB annual report 1954, p. 14.

<sup>16</sup> See CWPRB minutes, vol. 10, (minute 455), 1 Aug. 1935; vol. 14, (minute 842), 15 Apr. 1943; vol. 16, (minute 1193), 5 Oct. 1950; vol. 17, (minute 1306), 11 Dec. 1952.

<sup>17</sup> DCW annual report 1966, p. 11.

<sup>18</sup> See *Maintenance Act 1926–1937*, s. 142, and as amended in *Maintenance Act Amendment Act 1965*, ss. 141–2.

<sup>19</sup> See *Maintenance Act 1926–1937*, ss. 147–9 and as amended in *Maintenance Act Amendment Act 1965*, s. 147.

<sup>20</sup> DSW annual report 1969, p. 9.

<sup>21</sup> *ibid.*, 1967, p. 4; 1968, p. 4; 1966, p. 11.

<sup>22</sup> DSWAA annual report 1971, p. 8.

<sup>23</sup> DSW annual report 1969, p. 9.

<sup>24</sup> *ibid.*, p. 9.

<sup>25</sup> DCW annual report 1972, p. 14; 1973, p. 36.

<sup>26</sup> DCW annual report 1972, p. 14; 1973, p. 36.

<sup>27</sup> *ibid.*, 1972, pp. 5, 14.

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worked with a non-government provider to develop the first Emergency Foster Care (EFC) scheme, which initially provided emergency foster accommodation from overnight to up to three months for any child or young person under 18.<sup>28</sup> By 1979 the scheme was working with 120 approved foster-parents supported by two placement officers and two clerical officers. The service found emergency placements for more than 40 children a month and was regarded as 'an effective alternative to residential care'.<sup>29</sup> The department brought the scheme under the supervision of the Residential Child Care Advisory Committee (RCCAC) and it was funded under contract between the Minister of Community Welfare and the non-government service provider.<sup>30</sup> This contract allowed the program to be 'conducted primarily but not exclusively for children up to the age of 12 who require foster care (up to a maximum period of three months)'.<sup>31</sup>

By the end of the 1970s the department had increased subsidies and training for foster carers and developed procedures for the placement and monitoring of children in foster care.<sup>32</sup> It supported the establishment of the Aboriginal Child Care Agency, which recruited and supported Aboriginal foster families and ensured the culturally appropriate placement of Aboriginal children unable to live with their birth families.<sup>33</sup> The department also introduced the Intensive Neighbourhood Care (INC) scheme to provide 'family' style care for young offenders. Under this scheme, children were placed with families that

had received specialised training in dealing with young offenders.<sup>34</sup> However in 1979 a senior member of the department highlighted issues of continuing concern, including assessment, selection and training of carers, professional support for foster parents, carer support and the needs of children with disabilities. The departmental officer noted: 'I feel that it is true to say that foster care has been undertaken on an ad hoc basis without any evident precision or consistency'.<sup>35</sup>

At this time the department was working in tandem with 800 approved foster families caring for nearly 1000 children. More than half of those were children under the official care and control of the Minister.<sup>36</sup> In the following decade the department increasingly outsourced foster care to non-government providers. It licensed and approved non-government agencies to perform assessments of foster parent applications and issued revised procedures relating to foster care that addressed the involvement of non-government agencies in this process.<sup>37</sup>

In the early 1980s, the foster care system received closer attention. The Residential Child Care and Support Advisory Committee (RCCSAC, successor to the RCCAC) was established and raised concerns about the unsuitable placement of children in foster care because of the lack of vacancies in residential care, which it linked to foster placement breakdowns.<sup>38</sup> The department examined emergency foster care, respite care, temporary foster care and long-term care. It found that short-term care was

<sup>28</sup> SRSA GRS 4164/1, Apr.–June 1978, Report on Emergency Foster Care scheme included in report on minutes of meeting re future developments and funding of EFC scheme, June 15 1978.

<sup>29</sup> SRSA GRS 4164/1/48, File 20/13/4, RCCAC secretary to deputy-director general, 4 Sep. 1978.

<sup>30</sup> The Association of Professional and Business Men of the Seventh Day Adventist Church was the non-government operator of EFC. GRS 4164/1/48, File 20/13/4, RCCAC secretary to deputy director-general, 4 Sep. 1978.

<sup>31</sup> SRSA GRS 714/1, July–Sep. 1978, agreement between the Minister of Community Welfare and the Association of Professional and Business Men (SA) Inc, clause 2.

<sup>32</sup> Standard Procedure no. 514, which covered foster care, was first developed in 1973. See 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. 27. The 1973 document has not been located among archival records of the department. Also see SRSA GRS 11012/1/48, Community Welfare Work Standard Procedures, Standard Procedure no. 514, 17 Jan. 1978.

<sup>33</sup> DCW annual report 1979, p. 24.

<sup>34</sup> CWPRB annual report 1963, p. 4; DCW annual report 1979, p. 34, and 1982, p. 6.

<sup>35</sup> SRSA GRS 714/1, Mar–May 1979, RCCAC secretary to chairman, March 22, 1979.

<sup>36</sup> DCW annual report 1979, p. 24.

<sup>37</sup> By 1981–82, two voluntary foster care agencies had been approved and licensed, the Adelaide Central Mission and the Catholic Family Welfare Bureau, and by 1983 this had risen to seven agencies. SRSA GRS 4164/1, branch head circular no. 1154, acceptance of a non-statutory agency as an agency suitable to assess foster-parent applications, Mar–May 1979; DCW annual report 1981–82, p. 29, and 1982–83, p. 27; *Substitute care: standards of practice South Australia* (1987).

<sup>38</sup> SRSA GRS 4164/15/P, File 20/020/26, RCCSAC minutes, Feb. 16, 1984.

effective but required increased monitoring to ensure that there was ‘no unplanned drift from Emergency Foster Care into longer term care’.<sup>39</sup> In addition, long-term care was not being carefully planned or scrutinised, which resulted in multiple placements and a lack of permanency and stability for children. The Children’s Interest Bureau (CIB) reiterated these concerns, noting that the demand for emergency foster care was increasing, while children in long-term care were ‘being moved too frequently’ among placements.<sup>40</sup> At a meeting of the CIB, the deputy director-general of the department stated that she was ‘appalled at the number of children who have been in a number of placements’.<sup>41</sup> A departmental report from 1987 stated:

*There is a growing recognition that the system of care is itself ‘abusive’ because of the number of placements the child can have, the failure to deal with problems facing the child and the subjection of children to physical and sexual abuse.*<sup>42</sup>

Reviews undertaken in the early 1990s spurred the department to entrench its outsourcing of foster care in the latter part of the decade. In 1997 a program for planning, purchasing and delivering alternative care services was implemented and foster care services were put out for competitive tender.<sup>43</sup> In 1999 an evaluation of the alternative care services outsourced through this program revealed ‘significant difficulties’.<sup>44</sup> A growing demand for placements was not matched by an increase in carers. Instead there was a decline in carer numbers and limited residential care alternatives. The evaluation report noted: ‘The scarcity of appropriate placements meant that it was impossible to match placements to children’s needs

leading to placement breakdowns and instability for children.’<sup>45</sup>

Criticisms of departmental policies regarding foster care continue to the present. For example, an article written in 2001 by an academic working in the field of social administration and social work criticised the outsourcing of foster care through competitive tender. He suggested that outsourcing—part of a national policy of minimal government intervention and the result of reductions in funding to the public sector—was flawed.<sup>46</sup> The article cites tension between department social workers and contracted foster care agencies and a ‘burdensome and frustrating amount of paperwork’ brought about by foster care referral procedures. The article also argued that departmental district centre workers lacked an understanding of the problems faced by foster-carers.<sup>47</sup> The author referred to a ‘decimation of residential care’ in the 1980s and 1990s. This led to a nationwide reliance on foster care, with South Australia depending on foster care more than any other State. The scarcity of placements for children with behavioural problems and those with disabilities was endemic.<sup>48</sup>

The 2003 Layton review of child protection in South Australia acknowledged the problems in the alternative care system.<sup>49</sup> Layton concluded that competitive tendering, referred to as the ‘funder-purchaser-provider’ model, was incompatible with the provision of welfare services and had resulted in ‘significant mistrust’. She recommended that the system ‘be modified’ to allow for ‘realistic quality participation by an expanded number of alternative service providers’, along with a definite system of ‘prescribing and monitoring’ their performance.<sup>50</sup>

<sup>39</sup> *ibid.*, 20 Dec. 1984.

<sup>40</sup> SRSR GRS 8780/4, Children’s Interest Bureau (CIB), File 17: Minutes July 24, 1985, CIB minutes from planning day, Aug. 14, 1985.

<sup>41</sup> *ibid.*

<sup>42</sup> DCW, DCW Policy and practice papers: issues in public welfare, Eddie Le Sueur (ed), vol. 1, Aug. 1990, p. 6, Dianne Schneider, ‘Intervention on behalf of families and children’ (extracted from DCW Program Planning Unit, Intervention on behalf of families and children: Substitute care and planning for permanence, Sep. 1987).

<sup>43</sup> DFACS, A policy for the planning, purchasing and delivery of alternative care services in South Australia, 1996.

<sup>44</sup> Des Semple and Assoc., *Review of alternative care in South Australia, discussion paper*, Nov. 2001, p. 5, summary of findings of Department of Human Services, Alternative care 1999 evaluation report.

<sup>45</sup> Semple, p. 5.

<sup>46</sup> J Barber, ‘The slow demise of foster care in South Australia’, *Journal of Social Policy* no. 30 (1), 2001, p. 3.

<sup>47</sup> Barber, pp. 4–8.

<sup>48</sup> Barber, pp. 8–9, quoting H Bath, ‘Out-of-home care in Australia: a State by State comparison’, *Children Australia* no. 19, 1994, pp. 4–10.

<sup>49</sup> Department of Human Services (DHS) 2003, *Our best investment: a State plan to protect and advance the interests of children*, report prepared by Robyn Layton QC, DHS, Adelaide, 2003.

<sup>50</sup> *ibid.*, ch. 11, p. 5, recommendation 65.

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In 2004 the Government responded to the Layton report with its *Keeping them safe* policy agenda.<sup>51</sup> The 2004 agenda and its follow-up in 2006, *Keeping them safe – in our care* acknowledged the need for stability and security for children in foster care and the demands on carers.<sup>52</sup>

At 30 June 2007, 47 per cent of children in State care were in foster care.<sup>53</sup> Evidence to the Inquiry indicates that the department has considerable difficulty in recruiting and retaining foster carers.<sup>54</sup>

### Summary of foster care allegations

The Inquiry heard evidence from 103 people (72 females, 31 males) who alleged they were sexually abused while in State care and placed in foster care. A further nine people are included in this report as, due to the unavailability of records and/or the historical actions of the Aborigines Protection Board (APB) in removing Aboriginal children contrary to legislation (see page 14), the Inquiry was unable to properly determine whether they were in State care.

The allegations included acts of gross indecency, acts to gratify prurient interest, indecent assault, bestiality and oral, vaginal, digital and anal intercourse and rape. The alleged perpetrators were foster fathers, foster mothers, foster sons, other fostered boys, boarders, relatives of the foster parents and outsiders, including friends of the foster family, a teacher, taxi driver, camp worker, student social worker, police officer, priest, neighbours and strangers.

<sup>51</sup> DFC, *Keeping them safe – the SA Government's child protection reform program*, 2004.

<sup>52</sup> DFC, *Keeping them safe – in our care: draft for consultation*, 'New directions action plan', Sep. 2006.

<sup>53</sup> Guardian for Children and Young People annual report, 2006–07, p. 7, viewed at <<http://www.gcyp.sa.gov.au>> This includes 1791 children and young people under the guardianship or custody of the Minister and 90 children and young people on interim and temporary orders.

<sup>54</sup> Discussed in chapter 4.1 of this report.

## 1940s–50s

The Inquiry was able to confirm from available records that 12 people who gave evidence that they were sexually abused while in foster care in the 1940s–50s were in State care at the time of their allegations. Ten were placed in State care by a court for being destitute, neglected, illegitimate, uncontrolled, under unfit guardianship; one PIC was placed in State care for a criminal offence, while the other was a child migrant who came to Australia without the care of a parent or relative. Eleven were female; one was male. Due to the lack of available records, the Inquiry was not able to properly determine whether an additional two people were in State care at the time of their allegations.

The allegations of sexual abuse include indecent assault, including masturbation, acts of gross indecency, vaginal and oral sexual intercourse, digital penetration and rape. The alleged perpetrators were foster fathers, sons and relatives of the foster parents and outsiders including a priest, a neighbour and male boarders.

### Evidence from females

In the mid 1940s an 11-year-old girl was placed in State care until the age of 18 by court order for being destitute. When she was six, her mother had placed her at the St Vincent de Paul Orphanage, Goodwood, where she lived until she was 11. Her mother had been unable to care for the PIC and her siblings, and her alcoholic father had left home. The PIC said she was sexually abused at Goodwood orphanage and ran away, refusing to return. As a result, she was placed in State care and, during that time, alleged she was sexually abused in foster care.

Departmental records show the PIC was placed in a foster home with a woman who had other foster children. The PIC said:

*The house was there and they had the rooms and the nice beds and everything, but they were there for when [social worker] came to visit, you see, but we all really lived in the sheds. She stabbed me once with the scissors, but on the whole I was that used to being knocked around, beltings, sort of.*

The PIC said that a relative of her foster mother—who lived

at the home—sexually abused her. She said he was ‘always drunk’.

*He used to say to us, ‘Come here. Jeez, look at this,’ you know? And then he’d expose himself and, you know, ‘Touch it, touch it.’ All right, I touched it. ‘If you kiss it, I’ll give you a penny.’ ‘Oh, righto, yep.’ So I did. I wanted that penny, I did, but I hated it ...*

The PIC said she left the foster placement at 14, at the same time as leaving school. ‘... the Welfare seemed to think that I didn’t like school and couldn’t wait to leave, but I did like school.’ She said her departmental officer placed her in a regional town where she worked. She said:

*I was looking for love, and boys were looking for sex ... you know, boys wanted to have sex, and I think, ‘Right, if he wants to have sex with me, he loves me, and if he loves me he’s going to marry me, and then we can all go away,’ you know? Wrong.*

Records show that in the early 1950s, when she was 15, the PIC was placed with another foster family. The PIC told the Inquiry the foster father sexually abused her. ‘Would you believe ... he [the foster father] starts touching ... and up the knickers comes the hands ...’ She said she was made to masturbate him.

*He told me to do it. I didn’t want him to touch me but, I mean, he had absolute power ... I even asked for the [foster parents] to adopt me so I belonged to somebody; and that’s sick.*

The PIC said she became friends with a young man while she was living with this foster family. ‘I wanted to get married and leave.’ According to records, the young man was three years older than the PIC and was charged with indecently assaulting her when she was 15. He pleaded guilty and was given a suspended sentence. The PIC said she became pregnant to him and refused to allow the baby to be adopted. ‘I wouldn’t sign it away. I wouldn’t.’ She was moved to a few more placements, where she worked as a domestic and raised her child.

For many years, the PIC said she battled alcoholism, but she later went on to further study and community work. She told the Inquiry she was still deeply affected by her childhood.

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*Living in a dream world is what you do when you've been hurt so much, and you live in a different world. But the thing is, you live, don't you?*

She said the Inquiry gave her a voice:

*... for a person like me and a lot of children that, like me, grew up the way we did, we didn't have a voice, did we? We didn't have power or anything ... you lived in fear and you got very good at hiding feelings.*

In the late 1940s, an Aboriginal girl who was almost 13 was charged with neglect and placed in Seaforth Home. Her State ward index card (SWIC) shows that the charge was withdrawn a few weeks later and she went back to her mother's care. At 14 years she was placed by court order in State care until the age of 18, charged with being uncontrollable. During the next four years she was in various homes and foster placements. She alleged she was sexually abused in one of the foster placements and also while she was living in the family home.

She was placed at a foster home as a domestic about one year after being put in State care. She told the Inquiry that her foster father and another man sexually abused her.

*[The foster father] pestered me and fingered me. Many times he'd come into our room. I was put in what we called the nursery, with the two kiddies, and my bed was in there and he'd make out that the kids were crying and he'd come in there, but he was putting his hands under the blankets and fingering me ...*

Even though the foster father did this 'heaps of times [and] he was a pest', the PIC said she did not think he penetrated her with his fingers, but she did not know for sure. 'I just remember being sore.'

She said her foster mother

*... brought the doctor in because I complained that I was sore, so I don't know whether she thought I was out playing up or whatever, but she didn't catch on that apparently it was him.*

She told the Inquiry that some time after the doctor's visit, the foster father had chased her around the house with his exposed erect penis. She said she had been 'petrified' and had run over to a male relative 'and I wasn't there long, and he had me on his lap, and then his hands were coming through my pants, too'. She said that she reported it to her probation officer.

*Oh, I was the worst in the world. I was a liar, I was a lazy gin, I was only saying these things because I didn't want to work. I did want to work and I did love the little boys. I was quite happy there, but I just couldn't put up with him all the time.*

Departmental files relating to the PIC do not record any disclosure of sexual abuse. It was reported that the foster mother had told the probation officer that the PIC 'would not tell [the foster mother] what was worrying her'.

A PIC told the Inquiry that in the mid 1940s, when she was about two, her mother placed her at the St Vincent de Paul Orphanage, Goodwood, for about four years. She said she was then placed with a foster couple. The minimal records received by the Inquiry from the Catholic Church's Professional Standards Office (PSO) and the department do not show how the placement came about. As a result of the lack of records, the Inquiry was unable to properly determine whether the PIC was in State care at the time of her foster placement.

The PIC said the atmosphere in the foster home was 'very stern, very strict' and she would 'get a belting' at the dinner table if she misbehaved. She said the family refused to use her name and insisted she change it.

The PIC said the sexual abuse started when her foster father would bathe her and rub 'very hard in my private parts ...' She said that while he was touching her,

*... he would talk into my ear and say to me that I had been letting the boys at school play with me down there and that is why I was sore.*



She said:

*He then said that it was our secret, that he would not tell the mother because she would give me a belting and send me back to the orphanage for telling lies because the nuns and my mother had told them that I told lies.*

The PIC said that on one occasion, the foster father woke her in her bed at night, after he had apparently masturbated on her. '... I started to cry and he put his hand over my mouth, but I vomited.' She said: 'I never said anything to anyone about this'. She told the Inquiry that this abuse was often repeated. She also alleged that the foster father would perform oral sex on her and make her do the same, and that 'it would really hurt when he put his fingers inside my private parts'.

The PIC told the Inquiry that the couple's two teenage sons also sexually abused her.

*They did not hurt me like the father but they would put their hand inside my pants and tickle me on my private parts and get me to play with their penises. ... I remember I would always be scared in case the mother would come in and catch me and I felt dirty and bad.*

The PIC gave evidence that she left the foster home when she was about seven; she is not sure why.

She told the Inquiry that the sexual abuse has had a significant impact on her adult life. She said that she felt 'uneasy about sex and it's taken me many, many years and counselling to accept that, you know, it wasn't my fault'. She also said:

*Because of the way I was treated in the Goodwood orphanage and the other institutions, foster homes and by my mother, I find it difficult to believe that anyone could truly respect me. I still feel at times that I am no good, dirty, and that I have no dignity, worth or value.*

An Aboriginal woman told the Inquiry that she was removed from her mother when she was less than two months old in the early 1940s. She did not know her father, who she believed was white. She was placed at a privately run babies home and, when she was four, in foster care. When she was about eight she lived briefly with relatives and was then transferred to another foster placement when she was about 10, where she alleged she was sexually abused.

The Inquiry received limited records in relation to this PIC, with the department providing one index card relating to correspondence about the child. Historically, the department maintained index cards showing subject matter and file number in order to track its correspondence files. The index card for this PIC shows that correspondence files in which she is named did exist, but no actual files could be located. The card lists one of the PIC's foster placements as a subject of correspondence. A record from the former Aborigines Department showed that the PIC was placed at the private babies home and from the babies home to a foster family. The United Aborigines Mission was unable to locate any records. As a result of the lack of records, the Inquiry was unable to properly determine whether the PIC was in State care when she said she was sexually abused.

The PIC told the Inquiry that she spent about three years at the foster care placement. She said she was punished if household duties were not fulfilled to the foster mother's satisfaction or if she wet her bed. She estimated that a few months after her arrival, her foster father sexually abused her. She alleged that he took her to see baby farm animals in a loft and indecently assaulted her, ripping her clothing in the process. She said that he decapitated three of the baby animals and said, 'Now, that's what happens if you don't do what I ask you to do'.

The PIC alleged that the sexual abuse continued for months and that her foster father fondled her genitals, digitally penetrated her, performed oral sex on her and made her perform oral sex on him. She said she was

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abused in the loft and taken for drives in the farm's paddocks then abused in the parked car. At one time, she said that her foster mother was hospitalised and the abuse became more persistent.

*I was sound asleep in bed one night and he came in, in the middle of the night or early hours of the morning, and he picked me up and put me in his bed and did all those things to me there.*

She said the abuse occurred 'most days' during the foster mother's absence. The PIC said she was 12 at this time.

She told the Inquiry that she disclosed the abuse to her departmental worker. The PIC said she had become agitated, thinking her first menstruation was the result of the foster father's abuse. The worker

*... took me out of the room and, whoever it was, sat me on her knee and she said, 'Has [he] been hurting you?' and I said, 'No,' and she said, 'You must tell me'.*

The PIC said she remembered her departmental worker telling her foster mother, who denied that any abuse could have occurred.

*... she told me that her husband would not touch me because I was a nigger and I was 12½ or 13. That's the first time I knew that I was part Aboriginal.*

The PIC was moved to another foster family, '... but they sent me back with them ... I'll never forgive them for that ... To this day, I just can't for the life of me work out why.'

Due to the lack of records, the Inquiry is unable to determine when or why that occurred. The PIC said she was sexually abused again by the foster father when she was returned to the foster family. She recalled being transferred to another foster family after that and the abusive foster father and his wife visited the new foster home to see her. She said she hid for hours to avoid them.

She recalled some sort of legal action against the foster father when she was about 14. She believed that the alleged perpetrator escaped penalty. She said when she was older she asked her foster parents at the time:

*I kept asking why—you know, what happened? Was he punished? When I started to grow up and realise that in my mind it was a bit of a crime, I was just told that I'd made it up.*

Courts Administration Authority records show that in the mid-1950s, the foster father was charged with two counts of indecently assaulting the PIC, who was recorded as being 13 at the time of the assaults. The charges proceeded to trial before a jury, the PIC gave evidence and the foster father was convicted of both counts.

The PIC later lived briefly at the Salvation Army Girls Home, Fullarton, where she said she was also sexually abused.

In the mid 1940s a PIC was placed in State care as a newborn baby until age 18, when a court found her neglected and illegitimate. The PIC told the Inquiry that as an adult she had initiated contact with her mother and learned that her father was in jail at the time of her birth. Records show that within a couple of months of being placed at Seaforth Home the PIC was fostered to a couple, who raised her. The PIC said that her mother did not consent to an adoption, as she 'wouldn't relinquish me'.

She said that the place she lived in was 'a wonderful place to grow up because the beach in those years was beautiful'. However she said both her foster parents would say words to the effect, 'If you don't be a good girl you'll be sent back'. She said she had no idea what 'back' was. 'It was a terrible black hole of unknown terror.'

On one holiday the PIC, then aged five, and the rest of the household stayed with another family, whom she called 'uncle' and 'aunty'. The PIC said she and other children were asleep in a double bed when 'uncle'

*... ran his hands under my nightie, all over my body, especially the breasts and between my legs ...*

*I was terrified ... I had no idea what he was doing, and I lay on the edge of the bed and clung to the mattress.*

She said she sensed what was happening was wrong but she did not tell anyone about it because she felt 'very guilty' and 'very ashamed'. She said she felt that she had done something wrong and that it was her fault.

The PIC said that when she was about nine, a local man sexually abused her when she offered to show him her cat and newborn kittens. She said she took him to her back garden where he digitally penetrated her. He

*... was pushing me into the fence, and I was struggling. He was holding me very tightly and I was struggling and trying to pummel at him to get free ...*

She said she went 'sobbing, terrified' into the house and told her foster mother, who said, 'I mustn't tell Daddy because I'd be sent back ... She said no-one would believe me and, in fact, I don't think she believed me, either.'

She did not tell her foster father or social worker about the assault because they 'would have taken me back to this unknown place'.

She also told the Inquiry that when she was in her second year at high school, her teacher sexually abused her after he had given her gifts. She said that the sexual abuse included kissing, simulating sexual intercourse, and digital penetration. She said he once visited her foster home and asked if she was pregnant. She said she never told her foster mother because 'I was afraid I was pregnant, and what then? I'd certainly be sent back then.' She said that at that time her foster mother had not yet told her 'about the facts of life. I was never told.'

She also told the Inquiry that after she was 15, her foster sister's husband forced himself on her by kissing her and touching her breasts. The PIC said she told her foster mother about the abuse when she asked why the PIC was

so rude when the couple came to visit. The PIC said that in recent years her foster mother

*... has forgotten that, because ... she said to me, 'Why don't you take me out to see [foster sister and husband]?' I would say, 'I never ever want to see [him] again as long as I live. I hate him.' It's not a word I use flippantly.*

In the late 1940s, an 11-year-old child migrant spent her first three years in Adelaide at St Vincent de Paul Orphanage, Goodwood, where she said she was sexually abused. The PIC then went to live in foster care arranged by the Catholic Social Services Office, where she alleged she was also sexually abused. As a child migrant who came to Australia not in the care of a parent or relative, she is considered by the Inquiry to be a child within the terms of reference.

She told the Inquiry that one night while her foster mother was in bed, her foster father asked her to go outside with him. 'The next minute I'm in his arms and he is kissing me like I've never been kissed before ... I could have been 14 going on 15.' The PIC said she told her foster mother the next morning. 'I don't remember her saying much at all.' On another occasion, the foster father sexually abused her in a garage that had a cement floor and walls.

*He grabbed me, and he's trying to put his hand in my skirt ... and I was stopping him and I was screaming ... he was banging my head on the cement wall—on that cement wall.*

She told the Inquiry that he stopped when he saw a police car coming. She said that the police officer took me to the bedroom and he sat on the bed with me, and I told him what happened. She told the Inquiry that to her knowledge, nothing came of her report to the police. She said that her foster father sent her back to Goodwood orphanage, where she told

*Mother [name] what the man did, and she just made the sign of the cross and walked away and that's the last I ever heard about it.*

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Records show that in the mid-1950s when she was 17, she was placed with a Catholic family for some weeks. She said that one Sunday after Mass, 'I'd been singing in the choir' and the visiting priest 'came up to me and he said, "Can I talk to you about your singing afterwards? Can you stay behind?" And I did.'

She said that he raped her on the vestry floor. 'Everything happened so quickly ... I'd never had sex before ... I was bleeding.' The PIC said that the priest did not say anything to her. 'I think he took me home.' She told the Inquiry:

*I didn't tell anybody because no-one did anything about [the foster father's abuse] so why would anyone want to do anything when you tell them it's a priest? So I never told anybody.*

The priest 'was sort of good to me', the PIC said. She said that she had sexual intercourse with him on two or three subsequent occasions. 'I'll be honest with that, but he was the only person I had as a friend.'

Later, she said she tried to commit suicide

*... because of the confusion with life itself ... because I couldn't tell anybody, I didn't tell anybody. I had nobody ... no friends. So I just tried to commit suicide because I thought that would be the best.*

The PIC took out civil proceedings against the Catholic Church, which has settled.

In the early 1950s, a PIC was initially placed in State care by a court for three weeks when she was three years old. When she was six, she was placed in State care by a court until the age of 18 due to neglect and unfit guardianship.

The PIC said that after she was placed in State care at the age of six, she was sexually abused in foster care. Her foster father tried to kiss her 'when he was drunk and I didn't like it and I used to keep away from him. I would keep myself busy, doing my homework.' The PIC said she 'felt sort of safe', because her foster mother had threatened to harm him if he touched her. She stayed at the foster placement until she was in her mid-teens, when her foster mother became ill.

A PIC born in the mid 1940s told the Inquiry her father was an alcoholic and the family lived in poverty.

*We had no food. We had no clothing, just rags. And I think I went out and I pinched some money and I pinched a bike and from there I was taken to court and from there I was put under the Child Welfare Department ...*

Records show that in the mid-1950s the PIC, aged 13, was placed in State care until aged 18 by court order for being 'uncontrolled'. She was placed in three institutions before being placed in foster care a month before her 15th birthday.

The PIC told the Inquiry that after she had been on the carers' farm for a few months, her foster father, whom she called dad, walked into the milking shed when she was about to start milking the cows. He stood in front of her and, without saying anything, interfered with her clothing and digitally penetrated her.

*I can remember that it didn't feel very nice, it felt terrible. I stood there because I was scared and I was too frightened to move until he had done what he had wanted to. I didn't know or understand what he was doing to me at all.*

She told the Inquiry that this abuse continued intermittently over the three years she lived with the family. She did not report it to her foster mother or anyone in authority: 'I don't know why. I can't really say why. I just kept it on my shoulders ...' She said she felt 'violated'.

*Knowing about sexual abuse now I've been grown up, you know, I—yes, had I known then that it was wrong and somebody from the department to come and see me and ask me how I was, I could have said, 'Look, this is what he's doing to me'. But I seen nobody.*

An Aboriginal PIC was placed in State care until the age of 18 in the mid 1940s when she was seven years old when a court found her destitute. She told the Inquiry that she has a memory of her father being cruel and violent towards her mother and sibling. The PIC recalled the police taking her father away. She also remembered the police coming to the mission where she lived, looking for ‘half-caste’ children, and hiding under her grandmother’s skirt.

She told the Inquiry that she was sexually abused at Seaforth Home and then later in foster care when 14, she was ‘propositioned’ by her foster brother who exposed his penis when he was drunk. She said she recalled officers from the department calling at the foster home but she did not tell her foster parents or anyone from the department about the incident.

An Aboriginal PIC who was born in the early 1940s was placed in State care at 15 months until the age of 18 when a court found her neglected and under unfit guardianship. She was sent to a government home for three months before she was placed in long-term foster care. Records show that not long before her 14th birthday, the PIC was placed with another family and then, after a short time, with that family’s adult son and his wife. The PIC was in this foster arrangement for about a year, before being moved because she was ‘impossible and uncooperative’. The PIC told the Inquiry that she ‘wouldn’t stay there’ because the adult son ‘made a pass at me’ by coming up behind her and putting his hands on her breasts on the outside of her clothing. The PIC told the Inquiry that she told her long-term foster mother, with whom she still kept in contact, and together they ‘went off up to the Welfare in town here. I can remember that ... They didn’t believe anything I said, of course’.

Departmental records contain a note stating that the long-term foster mother had telephoned to advise that ‘when [PIC] spent a weekend with her recently, the girl stated that she had been interfered with by [foster father]’. The PIC had told the long-term foster mother that she ‘was afraid to

say anything before as she felt it would not be believed against’ her short-term foster father. It was reported that the short-term foster mother had found out about it and had asked the PIC ‘to forgive her husband’.

A departmental note shows that the PIC was questioned about the sexual abuse allegations at the department’s offices when she was aged 15½. The note says that she said her short-term foster father had ‘tried to interfere with her indecently twice within the week, approximately two months before she left the home’.

The note says that its author considered the PIC was telling the truth. A handwritten notation on this report is to the effect that the chairman recommended the foster home ‘be closed to State wards’. The recommendation was approved.

In the mid 1940s, an Aboriginal PIC was about four years old when a court found her neglected and under unfit guardianship, and placed her in State care until the age of 18. She was placed in Seaforth Home for a few months and then sent to a foster mother, with whom she stayed for her school years. At a later placement at Vaughan House when she was 17, she said other female residents sexually assaulted her.

The PIC told the Inquiry that when she was a teenager and living with her foster mother, a neighbour aged in his 30s came in the back door, and

*... he just started asking a few questions. Then he came over close to me and started touching me and I started crying.*

She said that ‘he just pulled my pants down’ and raped her.

She said that about five or six months after the sexual assault, the department asked her to come to its office. She told the Inquiry:

*They said I’d had an affair with somebody and I was under age and first of all I had to have an examination, and then they said, ‘Well, it was true’ and I said, ‘No’. I said, ‘I never had an affair with*

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*anybody, but the man next door came into my place when everybody was out', and I said, 'And I was raped by him'. I said, 'And that's the only male—if you're referring to me having an affair'.*

The PIC said that the department would not tell her how they knew. 'It's then that I had an examination and they found out that I had been with somebody.' She said she had not told anyone about the sexual assault because she was ashamed.

She denied to the departmental officer that she was having an affair but 'they didn't believe any of us State wards, didn't matter what you said'.

Departmental files contain a record that there were 'statements obtained from the girl by the Women Police concerning her conduct'. However, those statements were not on the file. The PIC said she was not aware of any investigation into the alleged rapist.

An Aboriginal PIC was 13 when she was placed in State care until the age of 18 by a court for larceny in the early 1960s. She told the Inquiry that her first memory was of living in a house in the city with a woman, her children and a boarder. 'I think I was there from day dot.' She recalled departmental officers coming to the house to see her. Prior to being in State care when she was between eight and 10, she said, one of the woman's sons tried to get her to perform oral sex and he and others did things that frightened her, including tying her to a chair and singing songs with lyrics such as 'Get back to your mother, you black-haired bugger. You don't belong to us.' She said she started having 'behavioural problems'. The PIC said she was physically abused if she returned home late; to avoid being late she stole a bicycle and would ride it home to be on time, then hide the bicycle for use the next morning. The PIC's SWIC shows she was charged with larceny.

After being placed in State care she was transferred to Vaughan House, then sent as a service girl to a foster care

placement where she said she was sexually abused. The family needed domestic help as the foster mother was pregnant with her fifth child and was ill.

She told the Inquiry that on one occasion the foster father tried to get her to place her hand on his exposed penis while he was driving the car.

*When I got back [to the foster home] I went straight into the room and I started packing, and I sat up all night. Then I rang the welfare the next day and said, if they weren't there to pick me up, I was going.*

She said that a departmental officer came, but she did not tell anyone about the abuse as the foster mother was sick. Departmental records note that the man continued to visit her and the 'girl admits being familiar with him'.

In the 1950s, a PIC aged two was placed in State care until 18 by court order due to neglect and unfit guardianship. A departmental record states that the PIC's mother had been 'deserted' by her husband. The PIC was placed at Seaforth Home for a short time before going to the first of several foster placements where she was sexually abused as a very young child.

The PIC alleged that her foster father sexually abused her at a foster care placement where she had been placed with her older sister. She remembered her foster father taking her on her own in the car and abusing her, but could not recall the details. 'It was definitely a sex—you know, sexual acts ...' The department's records show that when the PIC was three, one of its workers spoke with the foster mother because the PIC's sister was extremely destructive and had shown sexual tendencies. A departmental inspection of the foster care placement stated that everything was 'satisfactory and well-cared for'.

Departmental records show that when the PIC was six the department learnt from the police that the foster father had 'shot through', having sold the car and resigned from his job. 'He has left [foster mother] almost destitute.' The department report goes on:

*She admitted that [foster father] had interfered with [PIC] and [PIC'S older sister]. She also admitted that she had caught her husband playing with [PIC'S older sister] in the bathroom over two years ago ... later admitted that [PIC] told her that [foster father] interfered with her when he was supposed to be reading a story to her in bed ... [foster mother] stated that her husband has not had intercourse with these girls but has only relieved himself against them and admitted that she should have known that something was going on as he has made no demands on her for months.*

A note from the chairman of the department later that month states:

*The desirability of having a police investigation made into the matters contained in the Welfare Officer's report ... was discussed with the psychologist and the principal of the Women Police. In consequence, a copy of the report was forwarded to the Principal of the Women Police for further investigation.*

As a result, the PIC and her sister were returned to Seaforth Home. Later that month, the department sent a letter to the birth mother saying that her daughters had been returned to Seaforth but there was no mention of sexual abuse.

The PIC told the Inquiry that in another foster placement she and her older foster sister shared a bedroom. Records reveal the PIC was then 10. She said her foster sister indecently assaulted her many times by forcing the PIC to touch her genitals and also touching the PIC's genitals.

*I didn't like it. I mean, I don't think at that stage that—I didn't know, like, it was wrong, it shouldn't be done or that, but I never spoke about it. And I did tell her I didn't like it, but it didn't make no difference ... I always wondered whether they found*

*out, and that's why they sent me back and they never admitted to it, her parents, because I was quite happy there, too.*

After being transferred to at least five different placements—like being on a 'mini merry-go-round'—the PIC, then 15, was placed with a female foster carer who also had two male boarders. The PIC alleged one of the boarders digitally raped her and the other forced his way into the bathroom when she came out of the shower and violently raped her. She said she did not report these incidents to her foster mother or anyone in the department. She said she was 'scared of [the rapist]'. A departmental file note states that just before the PIC turned 16, her probation officer 'had overheard [the two boarders] talking. [One boarder] had said: "I had a Pepsi bottle chock-a-block up [the PIC]".' As a result, a departmental worker visited the foster placement and raised the issue of the boarders without directly saying what she had been told. In the note, the departmental officer reports that the PIC told her that the boarders made themselves objectionable,

*... but when I pressed the point about physical interference, she replied that it was not so. I told her that I would take her word for this, but that a conversation between the boys had been overheard and this had left [sic] me to believe that they may have interfered with her in an abnormal way. [She] still denied this, so I accepted her word.*

As a result of this home visit, the department noted that the foster mother now understood what the trouble was between the PIC and the boarder, who had been asked to leave.

She said she was a virgin before the rape and was 'devastated' by it.

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### *Evidence from males*

In the late 1940s, a six-month-old boy was placed in State care until the age of 18 for being destitute. The PIC told the Inquiry that he had spoken with his mother about their family circumstances at the time, and had learned that his father 'was always drunk' and had a criminal record. The PIC alleged he was sexually abused in foster care, at Glandore Children's Home and at Struan Farm School.

The PIC spent his first six months of State care at a government institution and was then sent with his sister to a foster family, where he lived for the next 10 years. He told the Inquiry that when he was aged about four to six, the father of his foster father took him to the back garden and tried to play with his penis.

*The [perpetrator] used to take one of us down the shed or one of us to the dog kennels and try to play around ... And it didn't work. We always used to scream and all this, and carry on. But both of us stuck together as much as we could.*

According to his SWIC, the PIC became 'too difficult' for his foster parents to manage at the age of 11 and he left the family.



## 1960s

From available records, the Inquiry was able to determine that 29 adults who gave evidence that they were sexually abused in foster care during the 1960s were in State care at the time of their allegations. Nineteen were females, 10 were males. Twenty six were placed in State care by court order for neglect, unfit guardianship, being destitute, uncontrollable and/or illegitimate; three were placed in State care after committing criminal offences. There were a further six people in relation to whom the Inquiry was not able to properly determine whether they were in State care, because of a lack of available records and/or the historical actions of the APB in placing Aboriginal children contrary to legislation (see page 14).

The allegations included gross indecency, indecent assault and digital, oral, vaginal and anal intercourse, rape and bestiality.

The alleged perpetrators were foster fathers, a foster mother, a foster mother's de facto partner, foster brothers, male relatives of foster parents and outsiders including a neighbour and acquaintances.

### *Evidence from females*

In the mid-1940s, an Aboriginal PIC was taken to Colebrook Home when she was about one month old, after the death of her mother. She told the Inquiry that she was sexually abused at Colebrook and later in two foster care homes. The United Aborigines Mission (UAM) arranged her placements, in conjunction with the APB. The Inquiry did not receive a record of a court order placing her in State care. Due to the lack of available records and the historical actions of the APB in removing children contrary to legislation, the Inquiry is unable to determine whether she was a child in State care.

Each of the two foster placements was for about one year. The first placement was with a white family when the PIC was 15. The APB paid the family maintenance for her care. She briefly attended school before being removed to perform household chores at home. The PIC alleged that the foster father, who was a minister, committed acts of

gross indecency. She said he exposed his penis in her direct view. She told the Inquiry that he made no effort to cover up, although he was aware of her presence and the two were often at close quarters. To the PIC, the alleged perpetrator had,

*Not a care in the world. No dignity, you know. Probably thought, 'Oh, well, this is a little black woman here. I can do what I want to do' ... he used to deliberately just have his fly open.*

She said, 'I used to be so humiliated and shamed, you know. I didn't know which way to turn or who to tell.' She did not mention the behaviour to the man's wife.

She was then placed with another white family a year later, where she did domestic duties and lived in separate quarters. She said that on one occasion she was outside doing her chores and approached the foster father, who was masturbating himself and continued to do so in her presence. He did not speak to the PIC, who said, 'I just dropped everything and just ran back to the house'. She said that her foster father began looking through her room and habitually loitered outside her quarters on the nights his wife was out. While outside, on two separate occasions, he told her how to masturbate herself: '... he was telling me to lie on the sheets with my breasts touching the sheets, to be excited'. She said:

*All I used to do is just lay in bed and just freeze, you know, with fright—'Gee, I hope he doesn't'—I used to lock the door and all that, 'I hope he doesn't come in.'*

She said that on one occasion her foster father put her on his bed in his bedroom and

*... he did try to force himself on me, but I remember flying up off the bed—I was terrified—so he actually didn't have intercourse with me. I ran to my bedroom.*

Soon after, she said, her foster father had her transferred from his home. The PIC did not tell anyone about the abuse.

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In the early 1960s a three-year-old girl was placed in State care until the age of 18 by court order, having been found to be neglected and under unfit guardianship. Departmental records note alcohol abuse in the household and financial pressures had led to the family being evicted. According to a court document the parents sought 'suitable accommodation so that they may apply for [their] children's release'. The parents did not maintain contact with the department, however, and 'repeated attempts to locate them were finally abandoned'.

The PIC was sent to a government home and then placed with a foster family when she was about five, staying there for about six years. The PIC told the Inquiry that her foster father 'did bad things'. She said she told a social worker during a visit to the foster home but she did not believe that any action was taken.

Departmental records show that in 1970, when the PIC was eight, her sibling complained to her carer that the foster father had abused her and the PIC during a holiday they had spent together a year earlier. When notified of this, the records show that departmental workers met with police and 'discussed our suspicions without actually reporting any offence'. Two female departmental workers subsequently spoke with the foster family and then separately spoke with the PIC, who 'had not confirmed any of our suspicions'. The departmental workers recorded that they would keep the accusations 'in mind, and if any shred of evidence of immoral practice in this home is discovered it will be reported immediately'. Since the alleged sexual abuse occurred 12 months previously and was not confirmed by the PIC the department recommended that 'no further action be taken except to record mention of this allegation on the foster file of [the foster parents]'. However, records show that later in 1970, the department first learnt of a complaint made by the PIC to the police about her foster father when she was seven years old, that is, prior to the complaint made by the sibling. Her foster mother took her to the police after a man with a knife allegedly indecently assaulted the PIC on her way to

school; a police doctor examined her and reported that she 'was not damaged internally although her genitals were swollen'. When she was interviewed about the indecent assault, the PIC told the police officer that 'she had been in bed with daddy' and she described his penis.

On learning of this disclosure by the PIC to the police, a departmental worker wrote in a report that 'in view of the accumulation of evidence that all is not well in this home' a 'direction be made for the withdrawal' of all the children from the foster home. The author of the report noted that the police were 'most concerned' about what the PIC said about 'daddy' but did not think there was enough proof for a charge. The report recommended that the PIC and the other foster children be removed from the home. Records show that early in 1971, the PIC and two other female foster children were removed from the foster home.

An Aboriginal PIC born in the late 1950s was placed with a foster family by the APB when she was four months old, according to records received by the Inquiry. Records from the former Aborigines Department that name the PIC include a list of children for whom maintenance was being paid by that department and a correspondence record showing her placement with the family.

*I was told that I was taken away because my father was a white man, unknown, and my mother was a drunken Aboriginal woman, that was—[she] probably died ... I didn't even really know that I was fostered out until I started going to kindy.*

She said the truth was 'my mother and father were married' and lived in a regional area. Due to the lack of available records and the historical actions of the APB in removing children contrary to legislation, the Inquiry is unable to determine whether she was a child in State care when she was placed with the foster family.

The PIC told the Inquiry that the father of her foster father sexually abused her when she was of kindergarten age. She alleged, 'He once sat me on him' on his tractor and his penis went inside her. 'I ended up in some kind of ward ... I remember when I woke up and [the welfare officer] and the

doctor was there.’ From the scant records obtained by the Inquiry, it is not possible to say what, if any, investigation was conducted or whether the police were notified.

The PIC told the Inquiry that when she was seven, ‘it happened again with my foster brother’, who was about 15. He

*... was coming into my room all the time and then he actually raped me ... He only really raped me once, but he used to come in the room at night and try and muck around with me and I always used to scream and my foster father would stop him.*

The PIC said that after her foster brother sexually abused her, a departmental officer became involved. ‘She tried to say that I was lying. I just wanted to leave that house.’ The PIC said that her foster brother continued to touch her ‘sort of like a daily thing’. This continued

*... until I left. I tried to kill myself when I was about 10 or 11. I took my foster father’s heart tablets. Another time I set fire to myself. It should be in my records.*

The department’s records show these self-harming events occurred when she was about 13. She spent months in a general hospital and Hillcrest Hospital. She said she did not tell any of the doctors that she had been sexually abused.

The PIC said she ‘hated it’ at the foster placement ‘but, at that time, I didn’t think I had anywhere else to go’. She was frightened but ‘after a while you stop being scared. You just don’t get scared any more.’

Records show that after she was placed in State care, she spent time at Vaughan House, where she gave birth to her first child when she was 16.

*[Vaughan House] was like a second home ... and I went in there because I knew I was going to go into labour soon—because there was a lot of drink at my aunty’s in that time—and I went into Vaughan House and had [my son] from there ... I just used to like it. I used to feel safe there.*

The PIC had another child when she was 17. She said that as a result of her sexual abuse, ‘I don’t trust anybody. I couldn’t trust anybody with my daughter and I feel like that with my granddaughter now.’

**A** PIC was placed in State care by court order in the early 1950s when she was aged 18 months, charged with neglect and being under unfit guardianship. She had three different placements before the age of three and then spent about 10 years with foster parents. During this placement, she alleged, a neighbour sexually abused her, but she was

*... not clear what actually took place. I remember certain things in a car and him doing something and that’s about it, but I believe things did happen. In detail, I can’t remember.*

**A** PIC born into a large family in the early 1950s was placed in State care from the age of five to 18, when a court found her neglected and under unfit guardianship. She told the Inquiry that her father was often out of work because he was an alcoholic. Departmental records show she had several different placements by the age of 10 and was then placed with a foster family, where she stayed for one year. She said the foster father sexually abused her.

The PIC described the foster placement as

*... the worst time of my life ... I was continually abused [physically] by their daughter and yelled at by the mother ... I was alone and very afraid. Each day [foster father] would take me to school and have his pleasure. I tried to tell the daughter once but got belted up for being a liar ... I was constantly told I was stupid.*

The PIC recalled that the foster father’s sexual abuse began not long after she had been placed in the home and continued until she left. He made her touch his penis and perform oral sex on him in the car. She said he never abused her inside the house. Records suggest the placement ended because of ‘excessive bed-wetting’. The PIC said she did not know why the foster placement had come to an end.

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The PIC said the next foster placement, which began soon after she had turned 11,

*... was one of love and to this day I consider them as my parents ... I'd say they virtually treated me as they should have—you know, a child should be treated.*

The PIC said her former foster parents visited her at this placement and asked her to go on holidays with them. She did not tell her new foster parents why she was extremely upset and they did not pressure her to go. She said she did not have any more contact with her former foster parents.

Her new foster parents eventually adopted her. She said that the effect of the sexual abuse was helped a lot by 'having a good foster family afterwards'.

**A** PIC born in the early 1950s was nine when she was placed in State care until the age of 18, after a court found her neglected and under unfit guardianship. She was fostered out to a couple within a year, and stayed for six years. She said she reluctantly called them mum and dad.

She alleged that her foster father soon started to touch her and continued to abuse her until she was in her mid-teens.

*When I used to go to the drive-in with my dad, I'd just hang on to my dad all night. I guess that's when it kind of started ... what happened after that ... and then I knew that it was a different sort of love, different altogether. But, yes, to start with I kind of thought, 'Yes, he's being kind and loving'.*

The PIC told the Inquiry that on one occasion in the lounge room he digitally penetrated her and threatened her with being sent to Vaughan House if she told anyone. He said that he had to do it so she would not wet the bed anymore. The PIC said that his action caused her pain and she screamed. Her foster mother came in and asked what had happened. He replied that he thought he had hurt her leg. She remembers she was bleeding. The PIC said that on other occasions the foster father would digitally penetrate her while she sat on his knee. She said he also

sexually abused her in her bedroom, particularly when her foster mother was at church on Sundays. She told the Inquiry the sexual abuse included 'quite constant' sexual intercourse.

*... that was just expected of me ... I had to lay there and just shut up ... I remember saying once, 'Please, have you finished?' He just put his hands around my neck, you know? That happened quite a few times, that he's just—he didn't actually strangle me but he'd go to put his hands around me ...*

She alleged that on one occasion her foster mother was at a sewing class at a nearby high school. The PIC was having a shower and he broke the door:

*... And I grabbed my gown. She was ... over at [the high school], which is not very far away. I remember running over to there and getting her, you know. I was, like, upset and crying and this and that, and still nothing was done about it. It was like—you know, it was almost like she treated it like an argument, like a disagreement between youse and, like, 'Get over it', basically, but she wouldn't say that.*

The PIC told the Inquiry that her foster mother knew the foster father was having sexual intercourse with her because it was

*... a concern of my foster mother, 'Did he leave anything inside of you?' ... She asked me that once. 'What if you got pregnant?' ... I guess she knew about it but she didn't want to know about it ... she saw him one time ... She caught him so she knew I wasn't making it up ... [she] was like upset and everything like that. But I don't know. Once again it was all hushed and 'can't talk about it'.*

The PIC said she could not tell anyone at school what was happening.

*I just didn't talk about it ... That's how I learnt from the beginning, 'You don't talk about it. No-one will believe you' ... I felt ... probably ashamed. I used to*

*feel physically sick especially when I started high school and we were, learning about reproductive systems and things like that ... Guilty, too, because, like I said, in the very beginning I thought he was touching me and caressing me. I almost thought that was a nice thing for him to do, but it went further than that. ... when I thought about it this morning it was almost like, you know, 'Did I encourage him to do that?' ... So, yes, I guess there was some guilt. But I don't think I felt guilty in the end. I just hated him. As I got older I knew that, no, he shouldn't be doing it. That's when I found this strength.*

She said that when she was about 15, there was an incident that resulted in her going to the police, although she could not recall the details. She had been in trouble with her foster father and had been crying. At the police station, she said she told the officer her foster father had been having sex with her.

*I remember sitting in the room alone and then they came in and basically said, 'What's your story?' and I remember [the police officer] saying, 'Yes, he told us you would say this story, that you tell lies,' or something to that effect. Yes, they had spoken to him before me ... and I don't know if I protested and said, 'I'm not lying'. I don't know. That was the end of it ... The police officer's attitude was a 'Go home and behave yourself' attitude.*

She cannot recall if she signed a police statement. The police advised the Inquiry that they were 'unable to locate any historical records' that were relevant to a report of an investigation alleging sexual abuse by the foster father.

The PIC said she told her departmental officer about the sexual abuse the following year, when she was living at Davenport House.

*I don't know at what point I started telling my welfare officer and she basically said I was a liar ... When I went back to Davenport and other girls were in the same situation and we talked about it there. That's the only time that I'd kind of spoken to anyone my age about it.*

She said it was a 'big thing' to be disbelieved after having told the police. The PIC said that at the time of going to the police, she had a boyfriend (whom she later married).

*I think that's when [the abuse] ... started to stop, because that's when I had, like, this person that actually cared about me. Not that I ever told [my boyfriend] what happened; I couldn't tell him. But I just found inner strength, I guess, to be able to stand up for myself because I had someone that did actually care about me, and just felt different.*

In the early 1960s a PIC then aged 13 was placed in State care until the age of 18, when a court found her neglected and under unfit guardianship. She said that before she was placed in State care a man known to her family sexually and physically abused her. The PIC told the Inquiry that she was also sexually abused in State care while placed at Seaforth Home, Vaughan House and in foster care.

The PIC was placed with a young foster couple for about six months when she was 15. She told the Inquiry that her foster father used to touch her in a sexual way and on one occasion, when his wife was not home, he set up a projector in the kitchen and showed her pornographic slides of his wife. 'He was creepy ... I hated him.'

The PIC said that she recalled him coming into her bedroom when his wife was not home. The foster father would sit talking with her and offer her cigarettes. He also 'would touch you. He didn't actually have sex with you.' He would

*... walk past you and grab you on the breast and things like that ... Just grab you and touch you. It was more like he was pinching you. He was a horrible man.*

The PIC told the Inquiry she is not sure why she left the foster home. She said she was in subsequent foster placements, including one that she really enjoyed.

A PIC born in the early 1960s was placed in State care before she was three until the age of 18 when a court charged her with being neglected. She said she did not see her brothers until she was in her mid teens and did

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not meet up with her mother until she was in her 20s. She told the Inquiry that she was sexually abused while in foster care.

Departmental records show that within days of being placed in State care she was sent to a foster family, where she lived for more than three years. Her memories of that time are vague:

*... something wasn't going very good because I distinctly remember [the foster father] coming into the room when it seemed sort of nearly dark ... For some reason he used to come in the room and hold me by the top of the arms and, like, pin me down on the bed ... I was lying on my back ... It's, like, I can't physically see what he was doing, but I was trying to get away ... It's, like, all blanked out.*

She said she probably did not tell her foster mother about what the foster father was doing

*because she was rough with me in the daytime as well. Because, I mean, as far as I was concerned, I wouldn't have known if it wasn't normal.*

The PIC said that she wet her bed for many years. 'That's embarrassing ... I've been basically wetting the bed for as long as I can remember.'

At 6½ the PIC was returned to Seaforth Home and subsequently placed with a widow. The PIC said that was 'great, a totally different thing ... there was just her and me. So she had all the time in the world, so to speak, to spend with me'.

**A** PIC aged six in the late 1950s was placed in State care until the age of 18 by court order for being neglected and under unfit guardianship. She said she had been verbally and physically abused at her family home. She told the Inquiry that she was sexually abused at Seaforth Home and in foster care.

When she was 14, the PIC was sent to a foster family for six months. One note on her departmental file records a comment that the foster family was 'the type of people who wanted cheap labour by taking State children'. The PIC told the Inquiry that the foster father regularly sexually abused her. She said:

*He was building a house ... I used to go with him while he was doing the work. He had intercourse with me then. He said that when I was 18 he would meet me and we would run away together.*

Records show that the PIC absconded from the foster placement. When located, she was sent to another placement.

**A** PIC was aged nine when she was placed in State care by court order in 1960 for being destitute. She told the Inquiry that she was sexually abused while living at St Joseph's Orphanage, in the family home, at the Convent of the Good Shepherd (The Pines) and in foster care while placed on probation with a couple in a regional area when she was 15.

The PIC told the Inquiry that she had been unhappy at The Pines and wanted to leave. She believed that the placement on probation was a response to her complaints. The placement lasted about six months. She said, 'I was under threat there the whole time, that if I didn't give sex to [the foster mother's de facto partner] that I would be sent back to the orphanage'.

She alleged that she was raped fortnightly and that the same man also abused another child in the household. The PIC recalled that she attempted to tell her departmental worker about the abuse but she 'raised her voice and didn't want to listen to what I had to say'. The PIC said, 'I wanted to tell her' but 'I didn't get it out'.

**A**n Aboriginal PIC was placed in foster care when she was about nine, after her mother died in the early 1960s. Limited records show that she was known to the Aborigines Protection Board and later received student financial assistance from the Aborigines Department. She said her childhood before being placed with her foster family was one of 'fun, safety, security'. The records show that the PIC's relatives instituted foster care arrangements through the Department of Aboriginal Affairs (DAA). She said her first foster home was 'horrible. They used to beat us, or certainly beat me.' The DAA transferred the PIC, then aged 12, to a new family registered to receive State children, where she alleged she was sexually abused. Due to the limited records, it was not possible to properly

determine whether she was in State care at the time of her allegations.

In relation to that placement, she said:

*How was I treated? There was no bedding. I got sexually abused. There was no comfort there. There was no—I didn't feel safe there; no trust there.*

DAA records show that her relatives applied to the department to have her for a holiday; a memorandum on the subject notes that since the PIC was 'now settled [in the foster home] this action may not be advisable'. She said the foster father sexually abused her.

*... my bedroom was right next door to theirs. He would come in at night and just touch me. You know, if we were in the lounge room, I remember being touched by him while [the foster mother] was in the kitchen.*

She said he would enter her bedroom at night and forcibly perform oral sex on her once or twice a week. The PIC told the Inquiry that during the placement her foster mother attempted suicide and an ambulance was called, during which time the PIC was sent to her room. She recalled that later in the day a DAA officer removed her from the home. She was uncertain if the foster mother suspected the abuse but 'I did a lot of blaming of myself for that'. The PIC told the Inquiry that there was 'no way' she considered disclosing the abuse at the time it was occurring, only telling family members 20 years later.

**A** PIC who was placed in State care until the age of 18 when she was three years old in the mid 1950s, was charged by a court with being neglected and destitute. The PIC told the Inquiry she had no recollection of her natural parents. She alleged that she was sexually abused in her first foster care placement, where she stayed until she was about seven.

The foster mother, who was 'cruel and violent and used to frequently beat us badly with a wooden spoon', became ill and the PIC was sent away for a couple of years.

During her second stint with the family, she said her foster father began to sexually abuse her when she was about

13. One weekend, she was in a caravan and

*... I'd gone to bed. He came in and he turned the light on—I remember that—and then he came up to me and he give me a hug and he said, 'I'm the only one that loves you'. He put his hands down my pyjamas and then that was it—it went from there ... he penetrated me.*

The PIC said the sexual abuse would occur once or twice a week, and then sometimes not for a month or so. She said she did not tell anyone at the time. The foster father had threatened that if she did, she would never again see her brother, who was living on the property '... I'd already lost my brother and sister, of course I believed him'. The PIC said she recalled a departmental officer visiting the foster home when she was 14 to 15, but he did not speak to her apart from an initial greeting.

She said the foster father never had sex with her when the foster mother was in the house. However the foster mother walked into the PIC's bedroom just after he had assaulted her and

*... he was pulling his trousers up ... She called me a slut and told me it was an affair and said, 'Dad's told me everything', and I said, 'Does that mean I'll lose [my brother] now?' and she just grabbed my hair and did the normal bash-into-me shit ...*

The PIC said this incident occurred when she was 16 and near the end of Year 11, which she completed. She then left school and the foster home, and began a career. 'For many years I carried a lot of guilt and felt that it was my fault that this had happened to me,' she said.

**I**n the mid 1950s, a PIC then aged two was placed in State care until 18, when a court found her neglected and under unfit guardianship. Records show that before the court order was made, the Women Police Branch had visited her family because of allegations of domestic violence. The PIC told the Inquiry that she was sexually abused in foster care.

Departmental records show that the PIC was placed with a foster family just before her third birthday, and lived there

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for about 13 years. The PIC told the Inquiry that a son of her foster parents was 10 years older than her. She said he sexually abused her many times when she was aged about five to seven. A departmental report states that the PIC started bed-wetting at about this time. She said that the sexual abuse by the son involved digital penetration. 'It hurt a lot.'

The PIC also said her foster father indecently assaulted her in the bathroom on two occasions when she was a teenager.

*He said, 'I've come to give you a wash'. I felt very uncomfortable ... He washed around my genital regions ... then insisted on drying me afterwards ... I remember that I felt really dirty.*

The PIC told the Inquiry that when she was about 14, a male school friend visited her at home and her foster father found them kissing. She said he was very angry and later that evening he took her for a drive 'to have a talk with her'. The foster father stopped the car and started fondling her breasts and then digitally penetrated her while she masturbated him. She said she was 'too scared or frozen to defend myself in any way ... I knew it was wrong ... but I still didn't know how to say no'. When it was over he said, 'Don't tell your mother ... this will not be spoken of, ever'. The PIC told the Inquiry that she did not say anything to anyone about what her foster father did to her because she was not 'old enough'.

An Aboriginal woman born in the early 1950s alleged she was sexually abused while in foster care arranged by the United Aborigines Mission (UAM). According to UAM records, the PIC's parents signed an authorisation for her placement in a mission home when she was five. There had been ill treatment by her father. The UAM records note that the authorisation signed by the parents 'doesn't hold water legally'. Due to the lack of available records and the historical actions of the APB in placing Aboriginal children contrary to legislation, the Inquiry was not able to properly determine whether this PIC was in State care.

The PIC stayed at the mission home until she was eight and was then placed with a foster family, where she alleged she was sexually abused. The PIC said she was put on a train to the foster placement without being able to say goodbye to her mother. 'I was, like, couldn't stop the tears, because I knew I wasn't going to see her and she wasn't allowed to come to the station.'<sup>55</sup>

The PIC stayed at the foster placement, which she described as 'a torture house', for eight years. She recalled a harsh disciplinary regime and petty cruelties, including being made to walk to church while the other foster children living at the home rode in the car, food deprivation and physical beatings. After being beaten on the legs with a shoe, the PIC said she showed the welts to her schoolteacher, who took no action. 'She just told me, "Sit down"'. She didn't want to do nothing about it.'

The PIC told the Inquiry that her treatment had sexual overtones. Her foster parents stripped her naked to beat her, taking turns to hit her with their hands. The PIC said that on one occasion she 'turned around and caught [the foster mother] peering, looking ... lifting my buttocks up and looking' at her genitals. She said that every morning one of the foster parents would inspect her body in the shower, to make sure she had soaped herself, before she could rinse off. 'I tried to hide—you know, hide myself.' The PIC said the foster parents told her she was dirty, which was the reason for the 'inspections' but to the PIC 'it was an excuse just to see me, my naked body. That's how I see it. I didn't like it at all.' She said that workers from the Aborigines Protection Board visited the home 'all the time', but the PIC did not disclose how she was being treated. She said she was transferred when she was nearly 17, because she had begun to defend herself against the ill-treatment. Oral historical records indicate that friction contributed to the irretrievable breakdown of the placement by the time the PIC was in her late teens.<sup>56</sup>

In the early 1960s, a two-year-old Aboriginal girl was placed in State care until 18 by court order, charged with being destitute. Departmental records state that her mother had abandoned the family and her father had left

<sup>55</sup> General records received at the Inquiry suggest that many parents were not informed that children were removed and taken to Adelaide. Timed summary of TRC 5000/181, National Library of Australia, *Bringing them home*, Oral history project.

<sup>56</sup> *ibid.*, Timed summary of TRC 5000/272.



her in the care of another family while he moved about looking for work. The PIC told the Inquiry she was sexually abused in a foster placement and later at Davenport House.

After almost two years in State care, the PIC was transferred to a foster home where she stayed for about 10 years. She said:

*I just wasn't a happy person back then. ... I felt really lonely ... there were happy times but there was also quite a bit of violence, and alcohol, and they were very strict, especially my foster mother.*

She alleged that her foster father tongue kissed her, and 'when he was drunk he was pretty crude'.

The PIC also alleged that on one occasion, her foster mother's brother molested both her and her sibling.

*He touched us and got us to touch him ... I just remember it feeling bloody horrible... It was outside on the veranda ... sitting one each side of him.*

She said she does not recall telling anyone about the incident. I was too ashamed.

The PIC told the Inquiry she left foster care because her foster mother could not handle her and her siblings and said, 'I'm putting you girls in a home'.

In the early 1960s, when she was two, an Aboriginal PIC was placed in State care until the age of 18, when a court charged her with being destitute. Departmental records state that her mother, who had divorced her father, had abandoned her. She was placed initially in the nursery at Seaforth Home and then into foster care. She alleged she was sexually abused at one foster placement.

When she was four, she and her siblings were placed with a foster family who had two adult children. The PIC told the Inquiry that a relative of her foster mother sexually abused her once when she was about six. She was at his house when he touched her under her clothing and forced her to play with his penis. She did not report the abuse.

The PIC also said that when she was about nine, she had been working with some family members on a fruit block.

One evening the owner of the block had placed his hand inside her clothes at the dinner table. She said that:

*... later that night I was in his room ... I remember him trying to penetrate me that night [with his penis] ... I was pretty scared of him after that. I didn't want to tell mum. I was too scared to tell mum ... I might have told [my sister] actually. I can't remember.*

An Aboriginal PIC was placed in State care from the age of seven to 18 in the early 1960s, by court order for being destitute. Her mother had left the family. The PIC said her father sexually abused her before she was placed in State care and, later, her foster mother also sexually abused her. She was placed in foster care with one of her siblings within a few months of being placed in State care and remained there for eight years.

The PIC told the Inquiry that her foster parents drank heavily and were violent towards each other. She said the foster mother was strict, often inflicting severe physical punishment. After one violent incident, she was sent to another placement but returned to the first foster placement in the early 1970s. She said she became upset with the foster mother and absconded. This is confirmed by the PIC's SWIC; the only further entry is a note that her term in State care had expired. The PIC said that after absconding, she had no contact with the department. She said that one night when she was interstate after absconding from her placement, she accepted an invitation to a party from a

*... very nice looking man. I thought, 'Oh, I'll go to a party with him then. He looks nice', and I was young and naive. I shouldn't have got into the car with them, because they took me to a bungalow and gang raped me for eight hours and I was in terrible pain. It was terrible suffering.*

The PIC said the police took her to a women's prison for safekeeping. She does not recall hearing anything more from the police about the rape. She was unable to identify her attackers.

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She told the Inquiry that the rape

*... had a terrible effect on me. As a young teenager, as a child, that had a terrible effect on me as far as trusting men goes but I'm not scared of men. I wouldn't trust to be with a stranger alone.*

In the early 1960s, when she was five, an Aboriginal PIC was placed in State care until 18 when a court charged her with being destitute. The PIC and her older sister were placed in foster care soon after; she lived with this family for more than 10 years before being placed with another foster family. She alleged she was sexually abused in both foster placements.

The PIC told the Inquiry that she really loved her first foster mother and had learnt a lot of things from her. She said that when her foster father got drunk, he 'would kiss with his tongue and that sort of stuff, but he was never trying to be sexual with me'. The PIC said one of her foster parents' sons had sexually abused her after a drunken party.

*That night we all slept in the lounge ... I woke up with [foster son] like just being sexual with me. I woke up and I went, 'I have to go to the toilet', and I went into the toilet and I sat there for ages. Then I came back out and ... I just went up to mum ... laid at the end of her bed. I didn't tell her anything and at first dawn I got out so she didn't know I was there.*

She said the foster son had put his hands inside her clothing and had touched her vagina and breasts.

When she was about 15 and living with this foster family, she said, a man aged in his 20s raped her. She said the man and his male friend drove her to the shops and on the way home they stopped at another house. The perpetrator's friend went out the back, while the man and the PIC went inside the house. She told the Inquiry 'he fully raped me'.

*... whenever I try and remember more clearly, I just go numb and that's how I coped with it at the time; just shock and went numb ... I didn't tell anybody and then somewhere down the track, a few days*

*later ... I told [two of my sisters] and I remember what I said to them—'I'm a woman'. That's all I said.*

According to departmental records, a second foster placement was arranged when the PIC reached the end of year 11 at school. She told the Inquiry that life in this home involved 'a lot of alcohol ... like drunken parties and people jumping into bed with each other ...' She said that one evening when the foster mother was away, the foster father sexually assaulted her. She said that he 'grabbed me by the hand' and took her into a bedroom. She said that he 'didn't actually penetrate me, okay ... but he bit me hard enough around my personal space to bruise me'. She did not tell anyone.

The PIC said that on another occasion, her foster father's brother sexually assaulted her in bed by touching her breasts and vagina. 'He came in ... telling me that I was a precious jewel, you know, all this sort of thing, and it was really confusing.'

In the early 1960s, an Aboriginal PIC was placed in a United Aborigines Mission (UAM) home. According to UAM records, she was less than six months old and her mother had requested assistance. The UAM records show that it organised a foster placement for the PIC just before she turned five; she lived there until the age of 12. The PIC had a departmental family file, but the department advised that it was destroyed by fire. No record of a court order was received by the Inquiry showing the PIC was placed in State care. The PIC alleged she was sexually abused at her foster placement and later at Nindee Hostel. Due to the lack of available records, the Inquiry was unable to properly determine whether the PIC was in State care at the time of her allegations of sexual abuse.

The PIC said of her foster parents: 'I loved them'.

She told the Inquiry that the son of the foster family sexually abused her during her years there. She alleged that when she was eight, he took her into a dark cupboard on the property to play with what he called 'Plasticine'. However, she said, 'I don't think I was playing with Plasticine'. She said he would instruct the PIC how to

'play'. 'He would say, "Touch it this way" or "That's nice" or "Rub it a bit more. Do it a bit smoother."' She said he often exposed himself to her.

The PIC said that in addition to her being 'young, naive, gullible', her foster mother taught her never to question instructions. She said the son once told her to strip from the waist down and crawl through a paddock. He stripped and crawled behind her. 'I just thought it was a game,' she said. The two were caught by the foster father and caned.

The PIC said she was sent to live at Nindee Hostel in Adelaide for her secondary schooling, but returned to this placement for holidays. She told the Inquiry that the son continued to abuse her. She alleged that he watched her bathe and also digitally penetrated her.

*I was really upset and disgusted because he was my brother. He was meant to be my brother. I knew it was wrong ... but because he was older and talked his way, you know—I just knew it was wrong but I couldn't stop it.*

The PIC said she never told the foster mother because the boy 'was her only son, her favourite child. I couldn't say anything about [her son] that wasn't always my fault, anyway.' Later she tried to speak about what had happened with the foster son, but he claimed that their interaction was consensual.

In the mid 1960s a PIC then aged 14 was placed in State care until she turned 18 by court order as a result of a larceny charge. She said that she was falsely accused. After the court order, she was placed with her mother, who had separated from her father years earlier. She said she was sexually abused while she was living with her mother and later in foster care.

She said that after living with several relatives, the department placed her in foster care when she was 16. She said the foster parents had an older, teenage son who put her under a lot of pressure to sleep with him, which she eventually did. She became pregnant and married him before she had turned 18. She told the Inquiry her welfare officer 'said I had to get married because I was pregnant. My sister pushed me down the aisle.' Records note that

the department gave the PIC permission to marry. She told the Inquiry that her husband had bashed her.

*He did some awful things to me. He used to come home and kick me with his steel-capped boots; take the housekeeping off me again to go gambling; he used to rape me. He was sick.*

The PIC said she divorced him and later remarried.

In the late 1960s, at the age of 11, a PIC was placed in State care until 18 when a court found her to be neglected and under unfit guardianship. She told the Inquiry that as a child she had witnessed her parents' alcohol abuse and separation. According to her SWIC, after being placed in State care she lived at a government institution, which sent her on a holiday placement. This became a two-year foster placement. She told the Inquiry she was sexually abused in the foster placement and also later at Vaughan House.

The PIC said that she missed her family a great deal and wet her bed at her foster home. At night her foster mother would ask her foster father to wake her and another child placed in foster care at the home, to take them to the toilet. After about six months the PIC said that her foster father started to sexually abuse her:

*.... she told him to wake us up and take us to the toilet ... but with me he'd take me into the lounge and then just strip me off and then rub himself up and down, ejaculate all over you .... Then, yes, he'd get a face washer and a towel, wipe me over and put your pyjamas back on you and put you to bed, back to bed ... Sometimes he wouldn't even take me to the toilet. Sometimes he'd take me to the toilet and then—I'd always pretend I was asleep so he'd have to guide me.*

The PIC said that once the sexual abuse began, it happened most nights during the two years. She said she

*... tried to tell [her probation officer] that I didn't like [the foster father] and I didn't like, you know, being there and I wanted to go home, but nothing was ever done.*

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The PIC gave evidence of attempted disclosures to her foster mother.

*I think I tried to—I couldn't understand why she wasn't asking me why I— because I wouldn't go near him ... she seen it all, but nothing was never asked. I think they used to think I was just depressed and just wanted to go home.*

She said the foster father threatened her with returning to the children's home. The PIC said that she recalled crying one day at primary school and a teacher spoke to her.

*I just said I didn't like being with the [foster family] ... he asked me why and I said—I think I just shrugged it off—'Oh, nothing. No-one listens to me anyway. And that was it.*

The PIC said she rebelled and at 13 was involved in the theft of a carton of cigarettes and a sum of money. She was sent to secure care for 'safekeeping'.

**A** PIC born in the mid 1950s was placed in State care at 14 under a voluntary custody agreement signed by her mother. The PIC alleged that her stepfather sexually abused her before she was placed in State care. She said her mother, who was a 'fairly heavy drinker', called her a liar when she told her about the abuse. The PIC had several placements but, due to her continual absconding, she was charged at 15 with being uncontrolled and placed in State care by court order until 18. She told the Inquiry she was sexually abused in foster care and Vaughan House.

The PIC said she was placed in foster care for a short time. She said she is not clear about the sequence of events, but believes an incident of sexual abuse in foster care occurred before the alleged abuse in Vaughan House.

*I'm sure I went into foster care and a man tried raping me in the bathroom, and I said to him—I was in the bath and he said, 'Let me in, I need to get my shaver,' or something like that. And I let him in and he tried raping me in the bathroom of his home. Now, I just have a vague memory that man was a priest, but I'm not sure, you know. I could—I'm just not sure.*

She said:

*He had a wife, and I think he had other children there as well. I wasn't the only foster child. But I remember that distinctly. I mean, you can't forget what happened to you in them days, but I remember the fear that I had in that bathroom.*

She said she had not told anyone about the incident because her mother had disbelieved her when she had disclosed the stepfather's sexual abuse.

**I**n the late 1950s a PIC aged eight was charged with being neglected and under unfit guardianship and placed in State care by a court until the age of 18. She told the Inquiry that her parents had some problems: her father was either drunk or unemployed. 'Certainly there were issues around money...' According to departmental records, she was variously placed in an institution, with her father, in secure care and in several foster placements. She alleged sexual abuse in a foster placement.

In the late 1960s the PIC was placed with a foster family and said that she was sexually abused by her foster grandfather and her foster sister's husband:

*I would wake up at night with the grandfather trying to kiss me on the mouth. I remember fighting him off. I don't know whether I've blocked out anything else that happened, or nothing else happened, or I was wiry enough to fight him off, but that's vaguely what I remember of it.*

The PIC told the Inquiry she was in this placement for a couple of months. She slept on her own in a sleep-out that was separate from the main residence. She said the foster sister's husband would repeatedly enter the sleep-out and attempt to kiss her. The PIC told the Inquiry she had blocked out most of the details of the alleged abuse. She recalled that she told someone about the abuse.

*I think that's where the whole thing of 'you're a liar, you're a rotten, dirty liar' came into it; just the anger and the abuse from the daughter and the wife at the house, just accusing me of being a liar, basically, about it.*

A PIC then aged seven was placed in State care until the age of 18 when a court found her neglected and under unfit guardianship. She said that a family member sexually abused her before she was placed in State care. She told the Inquiry that she was sexually abused in a foster care placement and at Vaughan House.

At 10, the PIC was placed with a foster family in Adelaide. She said: 'It started off quite good there, but then the foster father started doing strange things'. Some days her foster father would be 'in the driveway in his car, whilst the family's inside, he'd get me to touch him'. She did not recall if he touched her. 'I just know that he got me to touch him in places that I thought was a bit bizarre at that age.' The foster father's abuse, which included exposing his penis, 'happened on a few occasions'.

*He tried to grab my hand and put it on him, and I tried to pull away and he's there trying to convince me that it was okay. All I could think about was, 'This isn't right', and, 'What about the house bit? There's people in there.'*

The PIC told the Inquiry that the foster father's son

*... started doing outrageous stuff in the house. I remember the son exposing himself on a few occasions in the house and I'd see it, be shocked and try and run for shelter.*

Records show that she was in this foster placement for about 3½ months. She said that she did not tell her foster mother or welfare officer about the abuse because

*I didn't know what was happening myself. I didn't feel that I could actually go to somebody and say because then I'd just be classed as a liar, troublemaker, something. I'm just a Welfare child.*

She said that she went back into institutional care and absconded on several occasions. She then had further foster placements and two different institutional placements before Vaughan House. She was 17 and living in a foster placement when she had a child.

#### *Evidence from males*

In the early 1960s a PIC then aged four was placed in State care until the age of 18 by court order, after being found to be neglected and under unfit guardianship. Departmental records show that he spent about two months in a government home before being placed in foster care, staying in one placement for six years. The PIC said he was sexually abused in foster care, at Glandore Boys Home and Kumanka Boys Hostel.

The PIC said that at his first foster placement, his foster mother's brother 'slept in the same room as we did'. He said this man tied him and his brother to the bunk by the wrists.

*... we were stripped naked, and then he used to stick his finger up our arse and suck us off ... [the foster parents] used to go out most Friday and Saturday nights, and this is when he would—I don't know the word—have his way with us or whatever ... He used a brush, a brown wooden one ... shoved it right up my arse ...*

The PIC told no-one about the sexual abuse

*... because [the alleged perpetrator] turned around and said, 'If you ever tell anyone, and if I'm still living, I'll kill you'. That still terrifies me.*

However, the foster father noticed some marks on the PIC.

*He said, 'What happened?' and that's when we told [the foster father]. We knew we could trust [him].*

The PIC said that as a result of their disclosure:

*there was a raving great argument ... I remember [my foster father] turning around and saying, 'I don't give a damn if he's your brother or not. I don't like it. It's wrong. Get out. Get out now. I don't want to ever see you again.'*

As a result, the PIC said that the relative left the home. The PIC also left this foster placement soon after. 'I just couldn't settle after that. I was mucking up something shocking; wetting the bed and [I was] very unhappy.' The PIC said he

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never disclosed his sexual abuse to his social worker, who was in contact with him and the foster family. 'She was a sheila. I couldn't.'

In the mid 1950s, a PIC found by a court to be neglected and under unfit guardianship when he was almost 10 was placed in State care until the age of 18. Departmental records show that he was placed initially in the Glandore Industrial School and, at about 12, transferred to a foster placement, where he lived for 18 months. He alleged he was sexually abused in both placements.

The PIC believed he had lived in the foster home for 'seven or eight months' when his foster father entered his bedroom and indecently assaulted him 'one night when the missus was asleep'. The PIC's recollection of the incident was incomplete but he said he 'kicked up a big fuss'. He could not recall if he disclosed the abuse but remembered being transferred from the foster placement. The only note on record of the transfer is: 'Dept—to go to [hostel]'.

In the mid 1950s, after the death of a parent, a PIC then aged eight was placed in State care until the age of 18, after a court found him neglected and illegitimate. The PIC's SWIC shows that he spent the next three years at the Glandore Industrial School, during which he was placed out for short holidays with foster carers. He alleged he was sexually abused at Glandore and later in a permanent foster care placement.

In the early 1960s, the 12-year-old PIC was placed on holiday with a family that legally adopted him a year later, with the continued supervision of the department. The PIC told the Inquiry that his foster father sexually abused him the year before his adoption and for years after. The abuse first occurred at night in the PIC's bedroom, which he shared with other children. He said:

*It was pitch black and next thing I could feel somebody touching me down there ... you couldn't see it was him. It was dark. He said to me, you know, 'Shh! Be quiet' ... I knew it was him.*

On that occasion, the PIC said, 'I told him to go away and leave me alone', but the foster father did not leave immediately. The PIC said that before his adoption the foster father did not penetrate him but 'he'd just grab me on the willy, you know, put his hand down your pants'.

After his adoption the PIC said that his foster father moved him into his bedroom, which his wife did not sleep in, under the pretext that the children were too crowded in their shared bedroom. The PIC said he was 'forced' to sleep in his foster father's double bed for 'about seven years' until he left the home. He said the foster father penetrated him 'every second or third night' or 'he used to make me do it to him'. The PIC said:

*I just told him I didn't like it. He said, 'Well, you are going to like it. As long as you are under my roof you'll do as you're told, or you can go back to the boys home.' I didn't want to do that.*

The PIC told the Inquiry that he did not disclose the abuse to his foster mother. 'I just didn't want to upset her ... she is meek, mild, sweet.'

A PIC born in the late 1940s was placed in State care under a custody and control order when he was nine. He had experienced alcohol abuse and violence in his family. The PIC was first placed at the Glandore Children's Home, where he alleged that he was sexually abused during an eight-year placement. The PIC also spent about three weeks in a foster care placement, where he alleged he was sexually abused before he absconded.

The PIC said that when he was 17 his foster father 'sexually assaulted me several times'. He said that he worked at the family's small business and rose early each day.

*In the early hours of the morning, I remember he had me in the truck—lying on the seat of the truck—and then lying on the ground and that, and he also made me give him oral sex.*

The PIC said that the foster father anally penetrated him on more than four occasions. He said that he attempted to resist the foster father, finally stealing his car and absconding. The PIC drove interstate and was arrested for the illegal use of a motor vehicle. He told the Inquiry he was raped while in prison interstate. The only record the department could locate was his SWIC, which notes his absconding from foster care. He remained a child in State care during his time in jail interstate, however there is no information about this in the records supplied to the Inquiry.

**A** PIC aged 12 in the mid 1960s was placed in State care until 18 by court order, after being charged with a criminal offence. The PIC said that he had been physically abused as a result of alcohol abuse at home from the time he was small. ‘I’ll never forget it ... I never will forget it.’ During one period when he was ‘way too scared to go home’ the PIC broke into a local house for food, which resulted in a charge of stealing. ‘That was the last I ever seen of home.’ He alleged he was sexually abused in foster care and at Struan Farm School.

The PIC’s first placement, which lasted for two years, was with a foster family known to his own family because, he said, they used to ‘drink with them’. The PIC alleged that two foster brothers, who were much older than him, sexually abused him by forcing him to ‘suck them off’. He said this happened twice with one male and ‘all the time’ with the other. The PIC alleged that during the night one foster brother would wake him and make him

*... get in his bed with him ... He’d make me suck him off and stuff like that all the time ... when this took place it made me feel dirty, worthless, not wanting to know people or be around them, not having trust or letting people get close to me. And the stench. It is one smell that lives with a person for many, many years, including the taste. I do remember the corners of my mouth being split and sore, which they used to—all in here. They used to be really cracked open. And the jaw used to ache for days later, like, hurt.*

The PIC said he reported the abuse to his foster parent, who ‘laid into me’ with a ‘toasting fork’ and called him a ‘troublemaker’. The PIC alleged that the abuse persisted after he had disclosed it, ‘probably twice, once—it could be three times a week’ for weeks to follow.

The PIC said he did not tell the department about the abuse. In the 2000s, he confronted one of the perpetrators and reported the abuse to a police officer. He said:

*I wanted to get it all out in the open and just have it all dealt with. To tell you the honest truth, I don’t think [the police officer] was really interested in it.*

The Inquiry’s investigations confirm that the police did not investigate the matter any further. The police told the Inquiry they were unsure whether the PIC wanted the allegations pursued at the time. No formal complaint was made and no statement was taken from the PIC.

**A** PIC was placed in State care until aged 18, when he was seven in the mid 1960s, by court order after being charged as uncontrollable. The PIC’s SWIC shows that he spent most of his time in State care in a government children’s home. However, when he was eight, he was placed in a foster home for about a year, where he alleged he was sexually abused. He then asked to return to the children’s home.

The PIC alleged he was at the foster placement for five months before he was sexually assaulted. He said his foster parents went out and left him in the care of their son, a youth aged about 17. He and the son had a verbal altercation and the son took his belt off and hit the PIC with it. When the PIC started crying, the foster son pulled the PIC’s trousers down and struck him with the belt. The PIC said he then felt a sharp pain and realised that the foster brother had penetrated his anus. After the assault, the son ‘said if I tell anyone he’d kill me’.

The PIC said his foster brother physically abused him on several occasions. He said attendants at the local swimming pool once had to pull the youth off him when he almost drowned him. ‘Whether he thought he was just trying to scare me or not, I don’t know, but at that age I took it that he was quite serious.’

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The PIC spent another few months in this placement and then asked to go back to the government home. He said that a week or two later, a welfare officer visited the house and

*... probably the first time that I'd actually seen a welfare officer the whole time that I'd been with them, to my recollection. They tried to talk me out of it and at that stage I said, 'No', I wanted to go back to the boys home.*

The PIC said that about two months after his return to the institution,

*I was re-approached by a welfare officer stating that they [the foster family] would like me to come back again and I emphatically refused to have anything to do with them.*

He told the Inquiry that on a subsequent holiday foster placement, he went to one home with a swimming pool and he would 'go screaming, kicking, whatever, just not to get thrown in that pool because I still couldn't tell anyone'.

**A** PIC charged as destitute when he was six in the early to mid 1960s was placed in State care until 18 by court order. The PIC's mother had been unable to care for him due to ill health. The PIC was placed in Glandore Children's Home, where he alleged sexual abuse. He spent time in several foster placements, including about four years in the family where he alleged he was sexually abused; he told the Inquiry the abuse included bestiality.

The PIC's SWIC shows that he was placed with the foster family when he was about nine in the mid-1960s. The PIC alleged that his foster father 'introduced me to sexual practices' about six months into the placement. The foster father worked part-time as a farmer. The PIC said the foster father became sexually aroused and masturbated himself when he watched the bull and cows mate. He said he

*... moved closer to me and he started to fondle my own pants. My fly—I don't know whether I undid it or was asked to undo it, but my penis was taken out and he was masturbating and then he started to masturbate myself. That then led on to—at*

*nights, when we would go down to the dairy to milk the cows—it was just him and me.*

The PIC alleged the foster father penetrated the cows and sheep and forced him to do the same. He would fondle the PIC and then the PIC would have to penetrate the sheep. The foster father initiated this ritual and it continued for about one year.

The PIC said he did not know why the abuse stopped. He recalled that the foster father warned him, 'You will get into big trouble', if he told anyone what had been happening. He also threatened the PIC with not being able to see his family. The PIC recalled having contact with his departmental social workers. He said his foster mother 'primed' him for these interviews, saying,

*'When you go in there, or when you see this person, they are going to ask you questions about how you are going. So tell me, what are you going to say?' And I'd say, 'I like it. Everything's fine.' And she would state to me, quite clearly, 'That's all you will say, that everything is fine'.*

The PIC told the Inquiry that his acceptance of the sexual abuse was related to the physical abuse he suffered at this placement. He said that soon after arriving at the placement the foster mother physically abused him daily. 'Having dirt and eggs and rubbish tipped all over you; being strapped with a buckle belt, to the point of blood coming out of our legs.' The foster mother allegedly used her fists and household implements to beat the PIC. He accepted the sexual abuse

*... because I could get away from the physical tortures that I was going through ... Sexual fantasy and sexual pleasure was something that I could indulge in to get away from the physical punishment.*

He did not tell anybody about the abuse at the time.

He recalled that when he was released from State care at 18, he was walking down the street

*... with a suitcase with my belongings, absolutely crying my eyes out because I'd left home ... I was*



*very upset actually ... because that's who mum and dad had been, the department, for so long, and I was very, very confused as well.*

The PIC told the Inquiry:

*A debriefing would have been really nice; an ability to properly terminate and have an understanding of what was before me, and why things had happened the way that they'd happened ... Someone to say goodbye and someone to say, 'Look, I'm sorry it didn't turn out the way that it should have turned out' ... I do look back and I know the pain, the suffering and the struggles that I've gone through, and that still persists.*

Coming to the Inquiry gave him an

*... opportunity to turn around and say to the department: 'I'm angry about it. That's what you did because you didn't institute a level of care that was appropriate for children.'*

**A** PIC was placed in State care until the age of 18 as a two-year-old, after being charged by a court for being neglected and under unfit guardianship in the early 1950s. Due to the early separation from his large family he was unaware of all his siblings until he was an adult. The PIC told the Inquiry that he was sexually abused at Glandore Industrial School and in a foster care placement.

The PIC's written evidence to the Inquiry notes that he was unable to recall the date of the foster placement, or the exact events, but said he was in foster care in the late 1950s and early 1960s. He recalled that the foster father abused him. 'I woke up one night to find this man in bed with me. I don't remember if anything else happened.' He said the foster mother had discovered the foster father in bed with him and that he had been returned to Glandore soon after.

*I was never interviewed by anyone ... I think I would have just clammed up at this stage in my life for I had a deep mistrust of [anyone in authority] and I would have feared being caned again for being*

*such a problem to them. I am sorry to draw a blank on this event, but that is what it is to me, and maybe that's the way I wanted it.*

**A** PIC told the Inquiry that a family member and a schoolteacher had sexually abused him before he was placed in State care until age 18 for offending when he was 14 in the late 1960s. He alleged that he was then sexually abused at Windana Remand Home, McNally Training Centre, Struan Farm School and later in foster care.

The PIC was placed in foster care in the late 1960s when Struan Farm School closed. The PIC said that his foster mother approached him for sex within a few days of his arrival. 'I was a bit shocked but, at the same time, it was better than what had happened to me in the past.'

He said a female in State care also lived in this foster placement and was having sexual intercourse with the foster father. This girl allegedly advised the PIC to comply with the foster parents' demands for sex.

*It was made quite clear by [the foster girl] ... She told me straight out, 'If you don't do what you're told here, you may as well say goodbye and go straight back into [the institution]'. He said that he did not disclose the abuse to anyone.*

**T**he Aborigines Protection Board placed an Aboriginal PIC at Campbell House Farm School when he was five in the late 1950s. The PIC was transferred from Campbell House to a foster placement when he was seven. He alleged he was sexually abused in Campbell House and foster care.

In relation to the foster placement, the Inquiry did not receive a record of a court order placing the PIC in State care, however records show that the director of Aboriginal Affairs approved maintenance payments to the foster mother for his care.

Due to the lack of available records and the historical actions of the APB in placing Aboriginal children contrary to legislation, the Inquiry was not able to properly determine whether this PIC was in State care.

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The PIC said that his hair and mouth were inspected before he was selected for the placement. The PIC alleged that another boy living in the foster home 'tried to get a bit sexual at times'. A third boy 'intervened and told him where to go'. The PIC remembered, 'We'd get in trouble for retaliating'. He said sexual advances happened 'just now and then'.

The PIC said that in a later placement, when he was a teenager, he absconded at night and visited the city over several months. He alleged that during this period a man he did not know anally penetrated him on two separate occasions. He said that he thought the man worked in a city nightclub. He did not tell anyone about the sexual assaults because he was 'frightened of what would happen to me'.

He told the Inquiry that he went off the rails as an adult, and believed this was

*... because of what happened to me. Pushed from pillar to post, unsettled, trying to find my way, find my real self, who I was, what I was going to do with my life.*

### An account of two siblings

A brother and sister gave evidence to the Inquiry together about sexual abuse they suffered after a court placed them in State care until the age of 18 in the mid 1960s, due to neglect when they were both less than five years old.

They were placed in foster care together and both alleged physical, sexual and emotional abuse at that placement as well as in other placements. The male PIC also alleged sexual abuse at Lochiel Park Boys Training Centre and Kumanka Boys Hostel, and his sister alleged sexual abuse at Hay Cottage and Davenport House, and in the family home.

The female PIC recalled the police removing her and her siblings from the family home. She and her younger brother were taken to a government home for about three months before being placed in foster care in rural South Australia.

A departmental file on these foster carers contained a letter from the foster mother several years before the placement of these children suggesting that there had been problems in the past with the foster home's standard of care: 'I realise that in the past reports have not been good', the letter stated.

About two years later, in response to a further request from the foster carers for a child, the secretary of the department wrote: 'The department is not prepared to place any more children with you as things are at present'. About one year later a report stated that, 'There has been great improvement in the home'. The PICs were placed with the carers after they had made several more requests for foster children.

The PICs lived in the foster placement for 16 months. The female, who was four when she was fostered out, told the Inquiry that the foster mother was 'a very, very sadistic lady [who] used to bash us quite often' but she did not inflict any sexual abuse on them—unlike their foster father.

*[The foster father] used to get my brother and I out of our beds and ... sit us on mantelpieces in this room as if we were ornaments ... for a very long period of time in the night ... He used to put us in the bath; sometimes by myself, sometimes with my brother or sometimes just my brother. He used to push us with our faces under the water until we could hardly breathe. I remember being so frightened that we were going to die; that this man was going to kill us ...*

The female PIC told the Inquiry that their foster father 'did sexual things to both of us'.

*He used knives on my brother and myself. The knives were old knives. They had, like, bone on the end of them. He used to insert them into my brother's bottom and mine ... yes, and into my front parts. He also put honey or strawberry jam, or something that was sweet, on [his penis] and made my brother or I take it—lick—take it off him.*

She said these things happened in the home and in a nearby park maybe twice, three times a week, if not more. 'I can't recall exactly, I'm sorry.'

The female PIC said her foster father

*... used to get my brother to touch me down there and he used to get me to play with my brother ... He used to also take photos if I recall.*

She said the foster father

*... got my brother's hands and he put them in a hot boiling tub; in a boiler. He actually put them in there and I can see my brother screaming in pain. I was so terrified. He threatened me that he was going to do it to me, and I remember I screamed.*

The male PIC said he 'put them in a copper'. The female PIC told the Inquiry that her younger brother went to the local hospital. Records confirm that in April 1965, the boy, aged three years and four months, was admitted to the local hospital for a month.

The female said she could not recall telling anyone at school or the department about the abuse being inflicted on her and her brother. She said that the foster father used to tell her 'that no-one would believe us if we told anybody what was happening: that we were trouble children'.

The PICs' client files from the department show that an inspector visited the foster home on a number of occasions. There were several reports of substandard conditions and alleged maltreatment of the PICs. In one report it was recorded that a neighbour alleged that the foster mother had been physically abusing the children with a stick: '... thrashes the children, and tells them to get into bed and stay there'. The departmental notes record that the

*... [neighbour] hears [foster mother] shouting at the children ... She taunts them with 'if you don't behave yourselves, you will go back to a home and be fed on bread and water'.*

In relation to the allegation that the male PIC's hands were put in boiling water, an inspector's report noted:

*With regard to the boy's hands, it appears that a container of boiling water was put on the floor in an emergency and this lad had probably put both hands in it. Does not appear to have been any suspicion of foul play.*

During the placement the foster mother wrote to the department stating that she had started taking some evening work and her husband was at home alone to mind the children. She said she was sorry if she had done wrong. She said, 'I didn't know you didn't approve until [welfare officer] called a few days ago'.

A few weeks later, in March 1966, the children were removed from the foster home and admitted to a government home. The departmental records mention a letter received from the foster mother explaining her decision to return the children, however the Inquiry could not find a copy of it on the departmental files.

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### 1970s

Nineteen people (12 females, seven males) gave evidence that they were sexually abused while in State care and placed in foster care during the 1970s. Fourteen were placed in State care by a court after being found to be neglected, under unfit guardianship, destitute or uncontrolled; five were placed in State care after committing offences. The allegations included exposing of the body to gratify prurient interest, indecent assault, vaginal rape, anal rape and oral intercourse. The alleged perpetrators were foster fathers, foster brothers, relatives of foster parents, boarders and outsiders, including a neighbour and strangers.

#### *Evidence from females*

In the early 1970s a 14-year old girl was placed in State care by court order until 18 after being charged with breaking and entering with intent to steal. She was released into the care of her father, with whom she stayed for about two months. The PIC told the Inquiry that he 'would try and molest me and I'd ... take off to friends' houses, but when I come back I got a belting'.

The PIC said that just after she turned 15 she decided to run away. While hitchhiking to another town she was picked up by an older couple who invited her to stay with them. Records show that the couple knew the PIC and her family.

When the police tracked the PIC down she pleaded to be allowed to stay with the couple. She told the department that for the first time in her life, she had 'the love of somebody as she had expected she should get from a mother'. As a result the department arranged for her to be formally fostered by the couple. The PIC told the Inquiry, 'I sort of felt like I finally got a mum and a dad'. But she later realised 'they were a couple of old rogues. I ended up working in their opal mine.' The PIC claimed she was put to work full-time at the mine and lived in a 'tiny wooden caravan' with no running water or electricity. She said she didn't receive any visits or phone calls from the department. Records show that she wrote regularly to her probation officer.

The PIC told the Inquiry that she enjoyed operating the heavy equipment and preparing the explosive materials. 'To me it was a big adventure.' Her foster parents eventually shut down their operation and moved interstate. She worked for their neighbour, a single man in his 60s who drank heavily, and said that when the couple moved he stopped paying her wages. 'It was like I became his possession.'

The PIC alleged that the man frequently sexually abused her and belted her if she refused to cooperate. The first sexual assault occurred when she was working in a mineshaft 'eighty feet under ground, miles from anywhere'. She said she didn't have any contraception.

Records show that the department released the PIC from State care just before her 17th birthday. The recommendation for release noted that 'she has matured to such an extent' that she should be permitted 'to have complete control over her own affairs'. Department workers expected that she would join her foster parents interstate and noted that she had \$250 in her bank account and planned 'to set up a small gem shop'.

However the PIC remained with the neighbour for the next seven years. Soon after her 17th birthday she gave birth to her first child. Her second child was born about 16 months later. A third baby was stillborn due to an infection and she 'nearly died' in the process. She told the Inquiry that she was totally dependent on the neighbour and that she could not even drive. She eventually moved interstate to escape him and never saw him again.

In the mid-1970s a 12-year-old girl was placed under a three-month care and control order because she refused to stay at home. According to her SWIC she then was placed in State care until the age of 15 by reason of being neglected and was placed at home under her father's supervision. The PIC told the Inquiry that her father sexually abused her, including digital penetration, before and after her placement in State care.

The department subsequently moved her into a foster placement. She already knew the foster family, having become friends with their daughter at school. Records show she stayed with this family for several months. She

said that after she settled in the foster father started to sexually abuse her. She alleged that about twice a week, 'maybe a few more', he would come into her bedroom and

*... lift up my nightdress ... and touch me very sort of gently, I guess, so as not to sort of wake me, and masturbate over me. ... I would just lay there pretending I was asleep.*

She claimed that he also grabbed his own daughter's breasts 'in a very playful sort of manner'. She said that one day he talked openly in front of the PIC and his daughter about how he 'knew I wasn't a virgin ... because of the colour of my nipples'. The PIC said his daughter 'didn't seem bothered by this at all'. She told the Inquiry that she felt 'betrayed ... I lost my trust and I lost my ability to sleep properly'.

The PIC said she did not report the alleged abuse.

**A** PIC came to Australia with her parents as a little girl in the early 1970s. Records show that she was placed in State care at the age of five until 18, after a court charged her with neglect after her mother left home. The department placed her with a foster family for more than three years.

The PIC told the Inquiry that her foster mother 'was great' but the foster father started sexually abusing her not long after she arrived. She alleged that while he read her bedtime stories, he would slip his hand

*... up the blankets and playing between my legs, and if he heard someone come up the hallway he'd quickly pull all the blankets down and keep reading.*

She alleged that he abused her about once a week in her bedroom, in the bathroom and at his workplace after hours. The abuse eventually involved penetration. She recalled also being abused in the family car when she was about six:

*He used to get me to sit on his lap and have his penis between my legs, and I'd be steering the car. ... At first I remember enjoying that, until I knew what was going to happen, and then I didn't want to do it.*

The PIC said she couldn't tell anyone about the abuse because the foster father told her that 'he would go to jail and then he would have to come out and hurt me'.

When the PIC was eight her foster mother became seriously ill. The department removed the PIC and placed her with her birth father and his new family. She was released from State care at 11.

The PIC told the Inquiry that in her mid-teens she confronted her foster mother with the sexual abuse but 'she just didn't want to believe it. ... I think she felt in a way maybe she'd let me down.' A few years later she also met up with her foster father, who had 'repented and was heavily involved with the church'. He offered to go to the police and have charges laid against him but 'it just spun me out ... and I just said, "Look, I forgive you. Just leave me alone," ... I haven't seen him since that day.'

**I**n the mid 1960s a baby was placed in State care by a court until age 18 after her mother claimed that she was 'unable to maintain the child'. The reason for committal listed on the PIC's SWIC was 'neglected'. After several placements, departmental records show that she was placed with a foster couple for three years, when she was seven.

The PIC told the Inquiry that a relative of her foster mother sexually abused her several times. She alleged that he would take her on drives around his farm 'and where we would go there would be nobody around. ... he would expose himself and I'd have to do things to him and then he would do things to me'. She did not report the abuse to her foster mother, even though she kept in touch with her for many years after leaving the home.

In her late teens she was placed with a foster parent who had several children. She told the Inquiry that she became a 'party animal ... taking drugs and alcohol, very promiscuous'. She recalled that

*... the boys would always try to have sex with me, the older boys, because I was sexualised ... because I'd been around and abused I just let men abuse me ... it was always about their needs, never about me.*

# 3

## Chapter 3 Allegations of sexual abuse

In the mid 1970s an Aboriginal PIC then aged 12 was placed in State care until 15 by a court because she was unmanageable at home. Then, as a result of an assault charge when she was 15, she was committed to State care until 18.

The PIC provided a statement to the Inquiry but died before she could give oral evidence. According to her statement, while she was living at a government institution she met a woman 'who took me on'. Departmental records show this woman and her partner, who lived in a regional city, were keen to look after her. The department recommended that the PIC be placed with the couple for a six-week trial as it was felt they could provide her with a better environment than the institution. A report noted 'the risks associated with the ... options and those risks inherent in [the PIC's] present personality development'.

The PIC alleged that during the placement, whenever her foster mother was drunk, a male friend of her foster parents would come into her bedroom and engage her in sexual activities, including sexual intercourse. She said that her foster father also sexually abused her. She recalled that

*I didn't tell anyone and [my foster mother] never knew ... When one of them was dead drunk the other one would come in and vice versa. They both told me not to tell anyone. They said they'd get me and [my foster mother] if I said anything.*

In the mid 1970s a 14-year-old girl was placed in State care until 18 by court order after being found to be neglected and destitute. She told the Inquiry that her father had sexually abused her before she was placed in State care. She alleged she was sexually abused while in State care at Stirling Cottage, Vaughan House and at a boarding placement. For the purpose of this Inquiry, the boarding placement is considered to be foster care.

By 15 the PIC had been in and out of Vaughan House several times. Records show that at the time the home was closing down. A daily diary from Vaughan House shows

that staff encouraged the PIC 'to start looking for board again. Will probably need encouragement and help to go through paper and look for private board possibilities'.

The PIC eventually secured a boarding place with a woman who was 'a lot older than me and she was with a lot of older people'. She alleged that 'incidents there happened ... with an older bloke, don't know his name or anything'. The PIC said these incidents included a 'sexual rape'. She said she did not report the alleged abuse.

Vaughan House records show the PIC had known the woman only a very short time before moving in. The records also show that a departmental worker who visited the PIC expressed surprise at the short time she had known the woman but noted that she appeared settled.

After being found to be neglected and under unfit guardianship in the early 1960s, a three-year-old girl was placed in State care by court order until 18. She told the Inquiry that her father had drinking and gambling problems. She was remanded to a government home for a short time and then placed in a foster home, where she stayed for the next 15 years.

The PIC said that her foster family often took holidays with another family. She alleged that during a holiday at a seaside caravan park when she was 13 or 14, the father of the other family sexually abused her. She stated that they were playing in the water when he began 'touching me between my legs and kissing me more passionately than adults would normally have done'.

She recalled feeling 'very excited about this person being interested in me. I probably sought him out.' She alleged that later that day he fondled her in a more intimate way. She said she didn't disclose the incident to anyone. Since that time

*... it's become a source of great shame to me ... because it was the only time I ever received any attention, any sort of physical attention, affection, which is the way I stupidly interpreted it.*

A 13-year-old girl was placed in State care until 18 in the late 1960s by court order, charged as being uncontrolled. The PIC told the Inquiry that her alcoholic father ‘used to hit us all the time ... When he was drinking he was very abusive mentally, physically, every way you could think of.’ She alleged that she was sexually abused while in State care at Vaughan House and in foster care.

Records show that the department placed the PIC with a foster couple when she was 14. She told the Inquiry that a few weeks into her placement the foster mother went out one evening. The PIC alleged that while she and her foster father were watching TV he started to touch her in a sexual way and then he took her into the bedroom. She remembered screaming but said he put his hand over her mouth, hit her over the head and then had intercourse with her.

The PIC said her foster mother was really nice but she did not tell her about the sexual attack because the foster father ‘threatened to kill me if I ever tell anyone anything, so I didn’t say anything. I just thought the best way is to get away.’ She absconded from the foster home. When the authorities picked her up she did not tell them why she had run away because she ‘was scared’.

She told the Inquiry that ‘my life would have been a lot better than what it is today’ had the foster father not abused her. ‘That had a terrible effect on me. It was frightening, you know.’

In the early 1970s a PIC aged 12 was placed in State care until 18 by court order, for being neglected and under unfit guardianship. She told the Inquiry that both her parents had been mentally ill and drank, and that her mother committed suicide. The PIC alleged that a relative sexually abused her while she was living with relatives in foster care.

Records show the department sent the PIC to a government home for a short while and then placed her with relatives, paying them a subsidy to support her for more than two years. She told the Inquiry that the male relative touched her inappropriately.

*He’d say, ‘Give us a kiss’, and I’d just kiss him on the cheek and he’d say, ‘Do you know what a real kiss is?’ and then he’d do that, and then it got to the stage that he was penetrating me.*

She alleged that the male relative also got her drunk before he abused her. She said: ‘I thought he loved me, like a Cinderella love story ... but it was all manipulation’. After more than two years, she told her best friend, who apparently told her mother. As a result, the PIC stayed with her friend and her mother. The PIC said she told her departmental case worker about the sexual abuse.

*I said that [male relative] was touching me in the wrong places and ‘I don’t think it’s right, what he’s doing’. She said ‘don’t be silly. They’re grown-up people; they wouldn’t do something like that.’ ... she just didn’t believe me.*

Records show the PIC was moved to several different placements, including with her father. She said that when she was placed with her father, the male relative visited her ‘dozens of times’ and attempted to abuse her. She said he

*... used to come around ...and he would say things, ‘You’d better not tell anybody’ ... That was one of the reasons I went from dad’s place. I couldn’t tell dad because I know dad would have killed him.*

The PIC absconded from her father’s house and was found by the police in a rural South Australian town. She was returned to Adelaide and placed in a government institution. She said that years later, when she was an adult, she encountered the male relative. He sought to explain the alleged abuse, saying ‘I didn’t mean to do it. It was the clothes you wore.’

In the late 1960s a seven-year-old Aboriginal girl was placed in State care until 18 when a court found her to be neglected and under unfit guardianship. She told the Inquiry that she did not know why she was removed from her family and taken to Adelaide. She alleged that she was sexually abused at Seaforth Home, Clark Cottage, in foster care and in the family home.

# 3

## Chapter 3 Allegations of sexual abuse

When she was 11, the PIC was placed in foster care with relatives for more than three years. She told the Inquiry that she received occasional visits from a departmental worker who was 'really good'. She occasionally ran away from the placement and 'would cop a hiding for running away' from her relatives after the worker returned her to them. She alleged that the male foster carer 'would expose himself to me'. She recalled she

*... had to walk past their room to go to the toilet and when my [foster mother] was in hospital he would have the light on and he'd make a noise so [I would] look and he'd be there wanking.*

She said she did not tell her departmental worker because 'I don't know, I think you just accept it'.

**A**nother PIC was aged 10 in the late 1960s when she was placed in State care by court order until 18 by reason of being neglected and under unfit guardianship. The PIC told the Inquiry that her mother drank heavily and her siblings tried to 'hide the grog'. Her parents separated and her father died several months before she was placed in State care. She told the Inquiry that she was sexually abused at Windana Remand Home and then in foster care.

When she was 11 the PIC was placed for more than four years with a foster mother who was known to her father. The PIC said the foster mother made her have sexual intercourse with her and the foster mother's friends. This occurred from when she was about 13 for a period of approximately two years. As far as she knows there was no money involved but she was given alcohol for sleeping with the men.

The PIC said she ran away frequently from the foster placement to her birth mother's house. 'Mum was always passed out when I went there ... the police would bring me back [to the foster home].' She said she told the police that

*I hated [the foster mother's] guts. I didn't want to go there. I didn't want to stay with her. I told them that all the time. I just wanted to stay with my mum. ... I never told them why, though.*

She estimated that she slept with about six different men while living in the foster placement. 'I just let it happen. I just thought it was part of life; just part of the world you had to play it in.'

Records show that after the placement broke down, the department sent the PIC, then 15, to live with a relative. Departmental records show that the PIC reported:

*She is happier than she has been for the last four years. ... [The PIC] has on several occasions mentioned the past few years she spent with [foster mother]; apparently there was much more going on there than was ever written in the file. [The PIC] deals with this as ... history and is 'glad that she is out of it now'.*

The PIC told the Inquiry she had not told anyone about the sexual abuse. 'Do you know the answer to why we haven't said nothing? ... shame.' She said she wanted to tell her story in order to 'help other kids' in similar situations. 'If I can see an end result, that will be all I ask.'

### *Evidence from males*

**I**n the mid 1960s a PIC then aged five was placed in State care until 18 by a court for being neglected and under unfit guardianship. Records show the department had previously been in contact with the family due to unsatisfactory housing and domestic complaints. The PIC told the Inquiry that he was sexually abused at Glandore Children's Home, in foster care and at Stuart House Boys Hostel.

The PIC said that when he was 11 he stayed with a foster family for about eight months. He alleged that his foster father came into his bedroom and 'put his hand under the covers and just sort of stroked me ... just down the legs'. He also claimed that a foster brother, who was a few years older and slept in the same room,

*... tried to root me. ... I ended up sleeping in the hallway, the lounge room. They said, "What's wrong?" I said, "He won't leave me alone", so they built me a bedroom out the back.*



The PIC said that when he ‘couldn’t stomach [the abuse] any more’ he stole a couple of dollars from the home so that he would be moved out. He said he did not tell his departmental worker about the abuse ‘because you get hurt ... that’s what you learn everywhere, in all the government homes. You don’t say nothing, otherwise you get a kicking or worse.’

Departmental records show that the foster placement was initially considered a success but the PIC’s behaviour at home and school started to deteriorate. He was said to be erratic and disruptive and it was noted that he damaged property and stole. A report by the departmental worker stated that the foster father had isolated himself from the family by defending the PIC. There was also a suggestion in the report that the PIC said that he intended ‘to break down the placement’.

**I**n the early to mid 1970s a seven-year-old boy was placed in State care until 18 by court order when found to be neglected. The PIC told the Inquiry that his mother had been unable to look after him because he had a medical condition. He alleged that he was sexually abused in foster care and later at Slade Cottage.

Departmental records show that the PIC was placed in foster care with relatives for a few months when he was eight. The relatives had a son, who was several years older than the PIC. The PIC told the Inquiry that at first he liked the son and ‘we used to do everything together ... He was my hero.’ He alleged that one afternoon the son took him to a cubbyhouse, where he tied him to a table and anally raped him. The PIC recalled screaming and being very frightened. He said the son then cut the PIC’s chest with a piece of glass ‘and said if I tell anyone that “I’ll do worse”’. The next thing the PIC remembered was ‘sitting with a blanket wrapped around me in a police car’.

Departmental records show the perpetrator, who was also a State child at the time, was found guilty of indecent assault in the Children’s Court. He was discharged on probation subject to being of good behaviour for 15 months and remaining under the supervision of a departmental officer.

The PIC was then returned to his mother.

Police advised the Inquiry that documents relating to this allegation of sexual assault have been destroyed. The departmental files contain no information about the assault, despite the fact that the PIC reported the matter and the perpetrator went to court.

The PIC told the Inquiry:

*For all my years I thought it was a dream ... until I seen the proof on the piece of paper. ... [The assault] plays on my whole life. ... every time I see something that’s happened to a kid on TV I can’t stop crying.*

**A** 15-year-old boy was placed in State care in the late 1970s under a temporary administrative order when his mother became unable to care for him. The order was then extended by a court to the age of 18 on the grounds of neglect. The PIC told the Inquiry that his stepfather had physically and sexually abused him as a child before abandoning the family. Records show that his mother contacted the department and reported that she felt ‘incapable of caring for [her] children’ and ‘may harm them’. A social worker subsequently became involved with the family and the PIC was placed in State care. He alleged that he was sexually abused in foster care and at Stuart House.

The PIC said that his foster father sexually abused him while they were praying and also when he was in the bath. The abuse included anal penetration, both digital and penile. He said the foster father ‘told me that it was just between us’. It is unclear precisely when this occurred and it may have been during an emergency placement before the PIC was formally placed in State care.

The PIC recalled a departmental worker coming to the house but he said he didn’t tell him about the sexual abuse.

*I was afraid of what might happen to me ... I didn’t know what was going on. I was confused, I was scared, didn’t know who to trust. And adults were becoming, you know, pretty frightening to me by this stage.*

# 3

## Chapter 3 Allegations of sexual abuse

The PIC said that he did tell the worker that the foster father was hurting him and he wanted to be somewhere else. A few days later the department moved him to another foster home. He said that about this time 'I met some kids and started running away and being on the streets'. He subsequently lived at Stuart House, where he alleged he was sexually abused.

In the mid 1970s a 14-year-old boy was placed in State care until 18 by court order after committing an offence. He told the Inquiry that he was sexually abused as a child before being placed in State care and later when placed at Brookway Park and in foster care.

He told the Inquiry that one of his foster homes was 'a very confusing place' where 'there was a guy there that was abusing other girls, other foster kids'. He claimed that the foster father gave him drugs. Departmental records show that about this time the PIC exhibited behavioural problems and was involved in offending.

The PIC alleged that when absconding from this placement, when he was about 15, he met a man in the city who 'took me home to his place and I slept at his place for the night ... the next morning there he was masturbating in bed'. He told the Inquiry he often lived on the streets and 'slept in public toilets because that was the only place I could sleep to keep warm'. He also said he was approached by a man in an Adelaide park, who performed oral sex on him, and invited him into a public toilet; when the PIC entered he saw four men waiting and ran off. He said he did not disclose the alleged abuse.

In the mid 1970s an 11-year-old boy was charged with intent to defraud and was placed in State care by court order until the age of 18. The PIC's parents had separated before he turned 10 and his father was posting maintenance cheques to his mother, to support several children. The PIC said:

*I went out to the letterbox, got the cheque, forged my mother's signature and went down and cashed it at the shop ... the local shopman must have*

*spotted what was going on, told the police; the police came along and they arrested me.*

Records show that when the PIC was about 15, he was placed with a foster family. He alleged a male friend of the foster family sexually abused him. He said the man offered to play football with him but said they had to go to his place first 'to go pump the ball up' but he sexually abused him.

The PIC said he told the man that

*'I'm going to tell my foster parents what you're doing, right?' And he goes, 'They won't believe you,' because he obviously knew I had criminal convictions ... I said, 'Well, I'll tell your girlfriend then. She'll believe me. All right?' And he goes, 'No, she won't believe you, either.'*

He said: 'It was just the way he said that: no remorse; treat you like a piece of shit. "No-one is going to believe you"'.

He said the man sexually abused him again but on the third occasion he 'wouldn't allow it to happen. I don't know what I did ... I might have run away or something.' The PIC said he did not disclose the alleged abuse.

An 11-year-old boy was placed in State care in the late 1970s under a short-term care and control order by reason of being uncontrollable. The PIC was later remanded to secure care for short periods several times between the ages of 15 and 17. He told the Inquiry that he was sexually abused while at Stuart House and in foster care.

The PIC said that in his early teens he was placed in foster care at an INC placement, which was initially happy. 'I was actually laughing, having a good old time, you know. [The carer] was being a father figure, tickling me, you know, laughing with me and stuff.' He alleged that the carer pushed the PIC's face on to his penis; an incident that made him leave the home:

*It just put me back to where I was. Like, who do you trust, you know? I didn't trust anyone. ... I certainly felt ashamed, yes. Absolutely.*

The PIC said that he spent intermittent periods living on the streets between his care placements and was propositioned by men. He alleged that on one occasion he went with another boy to a man's house in North Adelaide to exchange sex for money.

The PIC said he did not feel he belonged at his various foster placements 'even though they'd try their best to make me feel comfortable and everything ... it just wasn't where I wanted to be'.

**A** PIC was privately placed in a non-government institution when he was 10 in the late 1960s and lived there for six years. His SWIC shows that at 16 he was charged with breaking, entering and stealing. He was sent to McNally Training Centre for two weeks and then transferred to Lochiel Park Boys Training Centre, and was placed in State care until 18 by court order.

The PIC told the Inquiry a residential care worker, whom he had briefly met at McNally, visited him at Lochiel Park. The worker told him that he had come to look after him. The PIC said he frequently stayed with the care worker and his son at weekends. His SWIC records that after about four months in Lochiel Park the PIC was boarding with the worker which, for the purpose of the Inquiry, is treated as foster care.

The PIC alleged that his foster carer committed a series of sexual assaults on him. They initially involved regular instances of touching and fondling.

*He just come into the room there and started slapping your backside, and it's like, okay, and then it was just like touchy-feely stuff. ... basically around the private areas. You think, okay, because I wasn't in the boys home then anyway, and I thought, 'Well, okay, I'll not worry about that', and then it basically got to the stage where it was just becoming, I suppose, more constant ... it might be a week, it might be twice in the week ... and it was, like, you freeze.*

The PIC told the Inquiry that he went on a trip with the carer and his male friend. He said both men molested him by touching him and fondling his genitals.

On one occasion, the PIC said, his foster carer took him 'around the throat' into the bathroom and raped him. He told the Inquiry that after that incident the foster carer again tried to rape him in the kitchen. The PIC said he picked up a knife when the foster carer was

*... coming towards me one day, and I just had the knife in my hand, and it was the one time in my life I actually felt good about sticking up for myself.*

He told the Inquiry:

*I just said, 'It ain't going to happen again', and it's like he just tried to butter it up by way of, 'What do you mean?' ... 'She's cool', rah-rah.*

The PIC subsequently moved to another placement. He said that giving evidence at the Inquiry was the first time he had ever disclosed the alleged abuse.

# 3

## Chapter 3 Allegations of sexual abuse

### 1980s

Twenty three people (14 females, nine males) told the Inquiry that they were sexually abused after they were placed in State care and living in foster care. Twenty two were placed in State care by a court for neglect, unfit guardianship or being found to be in need of care; one was placed in State care for committing a criminal offence. The alleged abuse involved indecent assault including masturbation and digital, vaginal, oral and anal intercourse and rape. The alleged perpetrators were foster fosters, foster mothers, foster brothers, other foster boys, relatives of the foster parents, partners of foster mothers and outsiders including a police officer, student social worker, camp worker, acquaintances and strangers.

#### *Evidence from females*

**A** PIC was five in the mid to late 1970s when she and her siblings were placed in State care until 18 by court order, having been charged with being neglected.

The PIC and her siblings were placed with foster parents, with whom she lived for more than four years. She told the Inquiry this placement was 'a nightmare' and that they endured significant physical and psychological abuse at the hands of the foster mother, who would 'always drink alcohol, all the time, every day'.

The PIC's SWIC records that when she was about 10 she was placed with another foster carer for three years. She told the Inquiry this placement 'started off okay', and then the foster mother 'started to change', becoming threatening by saying, for example, 'she was going to stab the scissors in the back of our neck and cut our heads off'. The PIC alleged that the foster mother started 'thinking sexual ... everything that we did meant that we wanted sex'. She said she did not know what sex was at the time. 'We were never taught.'

The PIC said the foster mother's son once exposed his penis to her in his bedroom and 'was trying to get me to touch his private area. He pulled my hand towards it ... I touched it slightly and I tried to pull away.' She said she ran out of his room and did not say anything about what she

had seen or experienced because 'we were scared to do anything'.

The PIC also alleged that on one occasion her foster mother called her into the bathroom, and told her to take off her clothes and lie on a towel on the floor.

*That's when she told me that she used to [masturbate] in her bedroom all the time ... she tried to put her hand down on my private area. I was screaming and kicking her hands away ... She then told me to get in the bath and she purposely dropped the soap in the water, and she was fishing around the water and she put her hand on my private area. I ... pushed it away.*

The PIC said she did not tell anyone about this incident. She told the Inquiry she cannot think of 'one moment of happiness' during her time in foster care. She said she felt, 'pretty much still the same now. Like a nobody.'

**I**n the mid 1970s, a five-year-old girl was placed in State care until the age of 18 by court order, charged as neglected. She alleged that she was abused in two foster placements and at Birken Lodge.

The PIC's SWIC shows that when she was eight, the department placed her in a government-owned home. She told the Inquiry that a year later she moved into care with a foster family where she stayed for the next seven years.

The PIC said an older foster male at the home twice 'touched my private parts' and penetrated 'with his hands'. She said she disclosed the abuse to a daughter of the foster mother. Departmental records show that when the PIC was nine, the foster mother reported that a young foster male had 'sexually assaulted' the PIC. (Other records show the man was 19 and boarding at the house.) They state that the male had reportedly undressed himself in front of the PIC, told her to take her pants off and had then 'played with her'. The PIC told the Inquiry that her foster parents reprimanded her for letting this happen; the second time she 'got a hiding' from her foster mother for 'letting him do that'.

The PIC's departmental records do not show whether she was questioned or counselled about the allegations. There was apparently no police involvement. Her records seven months after the incident describe it as 'unfortunate', that the 'young man' was 'temporarily staying at the home' and that he had 'exposed himself and made indecent suggestions'. It is recorded that the PIC 'seems happy and content in the care of the foster parents'. It is not evident that he was moved from the placement after the reported allegations.

The PIC also said that when she was 12 she did some cleaning for pocket money on three or four occasions between 2am and 10am at a nightclub where her foster father worked. On one of these occasions, the PIC alleged, she and her foster father were 'mucking around ... and he pinned me down and started touching my breasts and things like that'. He had warned her not to tell her foster mother. On another occasion, she alleged that her foster father had 'stuck the skipping-rope into my private parts'. The PIC said she told her school counsellor about her foster father pinning her down and fondling her breasts at the nightclub.

Departmental records show that in the early to mid 1980s, when the PIC was 15 and still with the same foster family, the department investigated the foster father. He admitted offering a monetary bonus for a cuddle to a former foster child, but he denied the PIC's allegations. The records also show that departmental workers interviewed three of his previous foster children. The investigation concluded that because of the foster father's 'unblemished record' and the PIC's two previous accusations about other people (that a teacher was playing with himself and a friend's father exposed himself), the allegations were found to be unsubstantiated, 'however, we would continue to monitor the situation on an ongoing basis ... as has been the practice for the past seven years'. There is no record that the department passed on her allegations to police.

The PIC was then moved to an INC placement, where she stayed for about 15 months. The PIC alleged that her new foster father had sexual intercourse with her initially once a

week and then twice weekly when his wife was out of the house.

She was then moved to Birken Lodge, which she described as like 'a concentration camp'. She recalled that most of the residents were elderly and that the home was for people with mental health problems. She said she had been receiving treatment for 'behavioural' issues. She said the son of a staff member sexually abused her more than once:

*He was touching me and ... masturbated over my sleeping bag, because at one stage I was allowed to sleep in the day room. He used to touch my private parts.*

Departmental files contain a record by the PIC's social worker that she told him she had been raped by a staff member's relative, and then 'withdrew the accusation'. The records indicate that the worker consulted the Intellectual Disability Services Council (IDSC) and there was 'no specialist available'. He then approached a psychologist who was 'happy to assess the situation'. It is recorded that the worker discussed 'the rape allegation' with the PIC, who 'did not wish to discuss the situation'; and then, 'Said we are looking at providing some special help for her to discuss sexual problems—very non-committal'.

The PIC said that after about six months, she had disclosed the abuse to a staff member at a child care centre where she was working. Records show that the PIC had attempted to cut her wrists at this time. The police interviewed her and organised for her to have a medical examination at a hospital. However, the PIC told the Inquiry that a staff member at Birken Lodge, where she was placed at that time, told her that, 'They're going to be sticking probes into your private parts', and she ran away from the hospital before being examined. The PIC retracted the allegations, and the police did not proceed. The PIC said she felt 'intimated' and 'frightened' that she wouldn't be believed. 'No-one believed me with the first one [the foster father] and so when I went there, I said it didn't happen.'

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On reflection, she said she feels she

*... pushed my way into other people's houses ... but the main thing is to go somewhere where I was safe and be able to tell people stuff ... You always think you smell, you know, that you're not worth anything, because you're told at an early age when you're in there, 'You're not worth anything, you're a mental case'.*

**A** PIC aged 14 in the late 1970s was in State care when she was placed in the South Australian Youth Remand and Assessment Centre (SAYRAC) and then put in an INC foster placement while the court adjourned criminal charges against her. Her SWIC does not record the terms of her sentence. She told the Inquiry that she was sexually abused in the INC foster placement when she was 15.

The INC foster mother gave evidence to the Inquiry that she introduced the PIC to a local police officer because she thought he might be a good influence on her. The PIC said the police officer [PO] sexually abused her when she was 15. The PIC said she and [PO] would go to a remote location to drink alcohol and sometimes smoke marijuana. Sexual activities, including penetration, occurred against her will.

*He would tell me not to tell [foster mother] and things like that. If I ever did, me being a street kid in the past and have told lies to police and been a naughty girl, that not only would I do the rest of my [bond] time in SAYRAC, it would go a lot further than that because being such serious accusations against a police officer it would be years imprisonment.*

The PIC said she left Adelaide at 16 and returned when she was 17. She said she went out with [PO] a few times and they continued to have sexual relations. The PIC told the Inquiry that at about this time she disclosed the abuse to her foster mother, who contacted the police.

The PIC said that the police internal affairs branch told her and her foster mother that [PO] had a brain tumor and

there would be no prosecution. Disciplinary charges were laid against the police officer, who then resigned.

In 2003, however, charges were laid in the District Court. The matter was listed for trial, but a defence application for a permanent stay, partly because of the delay in the charges being brought, was granted. In his decision, the judge said that after the disciplinary charges were laid and the police officer resigned, 'No further action was taken by police at the time and it is not clear why this was so'. The judge said that if police told the complainant that nothing further could be done because the police officer had a brain tumour, this was not true. Documents produced to the District Court show that in the mid 1980s the South Australian Police Internal Investigation Branch (IIB) received a complaint against [PO]. The police disciplinary review officer decided that there was insufficient evidence to lay criminal charges and recommended that disciplinary charges be laid. However, a signed witness statement by a senior retired police officer who, at the relevant time, was responsible for disciplinary matters involving police officers, states that 'I believe I was absent from work and the [disciplinary] charges were approved by' another senior officer. The statement also says that he had since read the IIB file and its summary 'and I am absolutely appalled of the recommendations that were made'. The statement continued:

*If I had seen the file I would have rejected these recommendations and would have instructed that [PO] be charged criminally ... In my view now, after reading the file the recommendations and determination to proceed with [it] as a disciplinary matter was wrong.*

Another reason for the judge granting a permanent stay was the fact that the PIC had destroyed her memoirs. It appears from the judge's ruling in court records, that after the investigating officer sought the memoirs in order to disclose them to the defence as part of the trial process, the PIC destroyed them.

**A** 12-year-old girl was placed in State care in the late 1980s until she turned 18, when a court found her to be in need of care. She was sent to a foster placement, where she alleged that she was sexually abused.

The PIC told the Inquiry that one day her foster father came into her bedroom, sat on her bed and showed her

*... these little books, like pornographic books ... he told me that he was going to leave them there on my bed for me ... he touched me and ... told me it would make me feel better.*

The PIC said she told him to leave her alone, but he came back later and ran his hand up her leg. He tried to touch her breasts and vagina, and she had 'just flipped out'. On another occasion he made inappropriate comments about her body while she was wearing bathers. She also said that he used to walk into the bathroom and 'would walk around nude, telling me it was natural'.

The PIC said that one night she 'decided enough was enough and ... I shoved him out of the way and just took off'. She did not report the abuse to her departmental worker or to her foster mother.

The PIC said that when she was about 19, she told her parents that

*I don't want to talk to [the foster parents] because we used to always run into them ... I just told Mum, 'I don't like them. I don't want to talk about them.' ... basically I said, 'Dad, stuff happened there that I'm not happy with and that shouldn't have happened, but it's not a good time to tell you,' and that's all I said.*

**A** PIC told the Inquiry that her stepfather had sexually abused her two or three times a week from the age of 10. As a result, she said, she started running away and stealing,

*... trying to get myself into trouble. I'd steal things from school. Nothing that I needed, just ... I wanted to be taken away. I didn't want to be there. I wanted to get locked up.*

By the age of 14, in the early 1980s, the PIC was placed in State care by a court under an interim order after it was found that she was in need of care. She told the Inquiry that she had reported the sexual abuse to the police and was placed in State care as a result. She was released from the order about eight months later. She said, however, that she was pressured by her family to drop the charges.

The PIC said she was sexually abused in foster care during her time in State care.

She told the Inquiry her foster father sexually abused her. She said it started with 'sitting on his lap by the pool and he started touching me' and developed into sexual intercourse. She said that the sexual contact continued for about six months. 'He was telling me he loved me and nobody would ever hurt me, and he'd look after me forever.' She recalled that her foster mother threatened him with taking the children away and she was moved to another foster home, where she tried to commit suicide.

*I didn't understand why I was being shoved out to nowhere. I didn't know. I just felt lost. I didn't understand why he could go back and live a happy, healthy everyday life like he had been living and I was back in turmoil again.*

The PIC said that on one occasion she ran away from the placement and stayed a night at the home of her friend's male relative. She slept in the lounge room and alleged that during the night the relative penetrated her with his penis and fingers. She said she reported the incident to the police. Court records show that the man was charged with rape but the Crown accepted a guilty plea on a lesser charge of indecent assault. The relative was sentenced to six months' imprisonment, which was suspended upon entering an 18-month bond and doing 120 hours of community work. The PIC said that she 'never had counselling'. The sentencing judge told the defendant that the PIC's account of the incident differed 'in material respects' from his, but,

*The prosecution is content that I should sentence you upon the version of the incident which you gave to the police. ... It was not by any means the most*

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*serious type of indecent assault and you desisted from it when the girl's objections were made clear. However, you are 41 years of age and the girl was only 15 ...*

The PIC also told the Inquiry that she had sex with a student social worker whom she met at a departmental suburban office when she was about 14 or 15—she is unclear about the timing. She said her departmental worker introduced her to the student worker 'to help me and to then help him learn'. She said she and the student worker had consensual sex at his house more than once, but he ended the relationship because it could have jeopardised his employment.

**A** five-year-old girl charged with being neglected and under unfit guardianship in the early 1970s was placed in State care until the age of 18 by court order. The PIC told the Inquiry her parents had separated and her mother suffered from mental illness. She alleged that while in foster care she was sexually abused on a camp at the age of seven.

The PIC said that the alleged abuse occurred on the first night of the camp. She recalled feeling scared because she was alone and shy. One night in the dormitory, she was still awake and a worker asked if she was all right. She said she was uncomfortable because she felt too hot; he invited her to sleep with him and she accepted because she often shared a bed with her mother. She told the Inquiry that the alleged perpetrator made her strip her clothes off. He began touching her body and put his penis between her legs. She said he tried to penetrate her vagina but did not. She remembered: 'I was very scared and I didn't know what was going on and didn't understand why [it was happening]'. She said: 'He told me that it was a big secret and not to tell anyone'.

Records show that although the PIC was released from State care at nine, the department continued to keep in touch with her. She was returned to foster care when she was 12–15 due to her mother's mental condition but was not in State care. She told the Inquiry that her foster father sexually abused her over about two years.

**A**n eight-year-old girl was placed in State care in the mid 1980s by a court under a succession of short orders, because she was in need of care. About 15 months later the orders were extended to the age of 18. The PIC alleged that family members had sexually abused her before she went into State care. One family member was convicted of sexual offences in relation to her. The PIC told the Inquiry that she also was sexually abused in various foster homes over a six-year period.

In one of the foster homes, the PIC said, a teenage boy sexually abused her when she was eight. She said the boy, who was her foster parent's son, 'used to say a lot of sexually explicit stuff' and he sexually interfered with her, including digital penetration. 'We were playing hide and seek ... He got me behind one of the silos, pulled my pants down and started doing stuff.' She said she told her mother 'straightaway, I saw her the next day', during an access visit. Records reveal that the mother notified the department and the police. The PIC was medically examined and removed from the foster family. The family's registration as foster parents was suspended but later reinstated.

Departmental records also reveal that when she was nine the PIC told her mother that a social worker had touched her in a sexual way, but no further details of the alleged abuse were noted. Records show the department conducted an investigation but could not substantiate the allegation. The PIC told the Inquiry she could not recall the allegation.

She also alleged that when she was about 10 and living with another foster family, her foster father would insert his fingers into her vagina as he gave her a piggyback ride every morning over a few months. She said that she did not tell anyone.

When she was about 11, the PIC was placed with another foster family who, she said 'were really good and they treated me just like part of the family'. According to departmental records, after about 18 months her foster mother arranged for the PIC to spend a respite weekend



with her friends, 'who were approved foster parents'. The PIC told the Inquiry she woke up to discover one of the sons 'was on top of me. He had taken my pyjama bottoms off. I couldn't scream. I couldn't do anything. I couldn't move.' She said that she reported the sexual abuse to her foster family. 'His stepfather dragged me into the bedroom where the son was and he made me watch him horsewhip him.' Records show the department investigated this incident and as a result the PIC was counselled and police started an investigation. The PIC was moved to a new placement. The department deregistered the respite foster parents on the basis of the boy's 'ongoing abuse of children' and the subsequent severe beating by his stepfather.

The PIC was then moved to another foster couple where, she said, the foster father made sexual suggestions and lurid comments to her. She said he 'didn't do anything. He was just a dirty old man'. Records show that she told her social worker and as a result the department and police investigated and she was removed from the placement.

In the mid-1970s a court found a six-year-old girl to be neglected and placed her in State care until the age of 18. Departmental records show she was returned to the care of her mother at home on at least two occasions after being placed in State care. She alleged to the Inquiry that she was sexually abused in the family home and then later in foster care.

The PIC's SWIC shows that the department placed her in a foster home when she was nearly nine, and she stayed there until she turned 18. She said it was a good family but she sometimes had nightmares and she did not know if the foster parents knew of the sexual abuse she had experienced in the family home. She told the Inquiry that an older foster boy who lived in the foster home 'touched me around my boobs'. She said that this boy would buy gifts for her and another girl who lived in the home. 'He used to buy us something to hush, hush, you know. ... I never liked him.' She did not tell her foster parents about the abuse because 'we were too scared to say anything'. She believes that her foster mother found out, however, because she kicked the boy out after 'an incident'.

An Aboriginal PIC told the Inquiry she 'might as well say my grandmother grew us up. Mum was only there part of the time.' In the late 1970s, at 11, she was subject to a three-month court order because she was uncontrollable and running away. Later that year she was charged with theft and was placed in State care until 18 by court order for being in need of care.

When she was 12 the PIC spent several months with an Aboriginal foster family. She alleged that the foster father sexually abused her. She told the Inquiry that whenever she did something wrong she was made to go into the bedroom and stand for 'what felt like a couple of hours'. She said her foster father told her to take off her clothes and to get on the bed. She recalled that 'I was like crying and upset and I didn't want to'. She alleged that he would

*... lay on the bed first and stare at me ... and then he'd get up and walk past me and stand really close to me, like breathe heavy on me and touch me on the breasts ... and then I started growing a bit of pubic hair down there as well, and he was doing the same thing down there, just rubbing it really softly. ... And then he'd say like, 'it's no good running to the police because they won't believe you because I'm a very well respected man in this town,' and I felt, like, I just was sick.*

The PIC said she did not report the abuse, which occurred 'more than once'. She told the Inquiry that she became an alcoholic by the age of 13. She said that when she was 16 she was placed with relatives who made her attend school and refused to allow her to drink. She said she was grateful to them for that.

Departmental records show that in the early 1980s a seven-year-old Aboriginal girl was placed in the care of extended family members, who were registered foster parents, when her grandmother was no longer able to care for her. No records were received to show that she was in State care at that time. The PIC told the Inquiry that her foster father sexually abused her about four or five times a week when 'he reckons I was being naughty or stuff like that, and that was my punishment'.

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In the mid 1980s the PIC, aged 10, was placed in State care under a 12-month court order, after being found to be in need of care. The order was extended to the age of 18 the following year.

The PIC told the Inquiry that in another foster placement, a male relative of her foster parents tried 'to touch my body' while she was in bed.

*I woke up and just screamed that loud so everyone in the whole house could hear me, because after everything that happened before I just didn't want to go through all that again.*

She said she told her foster family what had happened and a foster sibling 'ended up punching into him'. The foster parents set up a bed for her in their room for a few nights until she 'felt safe'. Records show this placement lasted seven months when the PIC was 12.

In the mid 1980s an 11-year-old Aboriginal girl was placed in State care by court order until 18 by reason of being in need of care. She told the Inquiry that she was sexually abused before going into State care by various relatives. She said she tried to tell her mother about one relative 'but [mother] always used to bash me with the broom and mop and say, "Shut up, you little cunt. I'm not going to listen to you."'

The PIC said that one day she told a staff member at her primary school about the sexual abuse. Records show that the Sexual Assault Referral Centre examined her and confirmed that she had been sexually interfered with. One report stated that the PIC provided a clear account of sexual abuse involving intercourse by four perpetrators at home. The allegations were reported to the police, who investigated, but records show the PIC refused to give them a statement because she was scared of violence from her family. No further action was taken. The PIC said she was placed in State care as a result of her disclosure at the school.

She said that in one of her foster placements a 'dirty man' touched her and 'pulled my pants down and started

fingering me'. She said she told a cousin about it.

The PIC also told the Inquiry that she lived on the streets for a few years when she was a teenager. She said she was sexually abused in her bed during this time and the perpetrator threatened to shoot her if she said anything.

In the early 1980s a seven-year-old Aboriginal girl was placed in State care until 18 after it was found she was in need of care. She told the Inquiry that before the order she was sexually abused while living at the home of relatives. She also claimed that a relative beat her so severely that she was taken to hospital. According to records, the department was aware of alcohol abuse at the relatives' home and had been making regular checks on the PIC while she was living there. She alleged she was sexually abused in one of her two foster placements while in State care.

The PIC was placed with an Aboriginal foster family when she was almost eight and lived there for five years. She alleged that her foster father 'used to punch me around a bit' and that her foster brother, who was a few years older, 'tried to have sex with me'. She recalled waking up as 'he was getting off me and walking away'. She said she tried to tell her foster mother 'because it happened a few times, and she said that, "He loves you. Don't worry about it. It's okay."' She said the sexual abuse continued until she was 13 and then she went to live with a relative of the foster parents. The PIC said departmental officers visited her while she was in foster care 'but I would never say anything ... because I was scared'.

A PIC told the Inquiry she was born in the mid 1970s to a teenage mother and a father who was in and out of prison. She was placed in State care under three-month care and control orders when she was aged one and three. When she was six she was placed in State care until 18 by a court after concerns were raised about the quality of care within the family. The PIC alleged she was sexually abused in one foster placement while in State care.

The PIC and a sibling were then placed with a foster couple, to whom they were related. She alleged that her foster father began to sexually abuse her several months after they came to live at the house. She said he touched her 'in the bathroom while I'm bathing' and made her 'perform sexual acts on him' including oral sex and masturbation. She said he penetrated her with 'his fingers and sometimes other objects ... bottles and candles and things like that ... quite regularly' but he never tried to penetrate her with his penis. She alleged the sexual abuse happened once a week for most of the four-year placement.

Just before she turned 10, the PIC and her sibling told their mother during a visit that the foster parents subjected them to substandard living conditions and physical abuse. They did not mention the sexual abuse. Their mother told the department and the children were not returned to the foster parents.

The PIC said that some years later she and her sibling disclosed the sexual abuse to their mother, who contacted the police and the department. The PIC said:

*It was hard enough then just to tell them the small things that we did tell them. As it was, when we did tell them ... it was a long while before it actually even went to court or even to the police to get written up as a statement.*

Records show that charges were laid against the foster father but the Director of Public Prosecutions eventually withdrew them. Departmental records show that during the time the PIC was in foster care the department received anonymous reports, which were documented, of brutality, neglect and physical abuse by the foster family towards the PIC and her sibling.

In the early 1970s a two-year-old girl was placed in State care until 18 with her siblings by court order on the grounds of being neglected. The PIC lived in many places of care. She alleged that her stepfather sexually and physically abused her in the family home, and while she

was placed in foster care. She also alleged she was sexually abused at Merrilama Cottage and Farr House.

After several placements, the PIC, then 15, was placed in foster care with a sibling in the same town as her mother and stepfather. Departmental records show the PIC wanted to reconnect with her mother, who had remarried, and that she had 'unrestricted access' to her mother while living at the foster placement. She told the Inquiry that her mother had told her that her stepfather had been in jail on two occasions for 'molesting children' and so she tried to avoid him during her visits to her mother. However, she said her mother was often sick and he was frequently at the house. According to departmental records, a departmental worker reported that the PIC's stepfather had 'a past history of sexual interference with children'.

The records show that during her seven month foster placement the PIC became involved in substance abuse, had a disruptive year at school and was suspended for smoking. It was reported she was sexually active and had 'poor self-esteem'. A family therapist reported that 'she was currently experiencing some sexual turmoil'. She left the foster placement on the therapist's recommendation.

The PIC recalled feeling 'shoved from pillar to post. By that stage I'd pretty much had a gufful.' Records show that the rest of her time in State care, about 2½ years, was spent in at least nine further placements. Departmental records show that 14 months after the departmental worker had noted the past history of the PIC's stepfather, the PIC told her new departmental worker that her stepfather had sexually abused her. The record notes that:

*Every time [the PIC] visited her mother and stepfather, the father had made sexual advances towards her. She stated he often touched her breasts and tried to kiss her on her mouth. She also said that [he] asked her for details of her sexual relations.*

The PIC reportedly stated that 'his behaviour makes me sick' and that she had seen photographs of him and others in sexual acts. She confirmed this abuse to the Inquiry.

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The records show the department was informed immediately of the sexual abuse and the PIC was taken to the police. Despite her worker's reported encouragement and counselling, however, the PIC decided not to pursue charges. She told the Inquiry that she was discouraged from pursuing charges and was told by the police and her worker that they would be difficult to prove.

The South Australia Police informed the Inquiry that it could not locate any record of the PIC's allegations; however, the Inquiry received records showing the stepfather's convictions for sexual offending in the 1970s.

### *Evidence from males*

**A**s a result of constant offending, a 14-year-old boy was placed in State care in the early 1980s on a series of short-term detention and in need of care orders. The PIC told the Inquiry that he was sexually abused when placed in foster care and later at the Exodus Youth Shelter. After going into State care the PIC was placed in an INC foster home, but said he ran away and frequented the streets. During this time, he said, he was approached by a man, with whom he stayed for several months. The PIC alleged the man sexually abused him regularly, injecting him with heroin and rendering him semiconscious before each assault. The man raped him three times a week, he said, and also prostituted him to other men in the city. The PIC said he made a statement to police about the alleged perpetrator, and was then removed from the home and taken to hospital. The man was arrested, charged and jailed for sexual offences. The PIC told his departmental workers he was sexually active while living on the streets. A social background report in his departmental file reads,

*A most disturbing development is [the PIC's] associations with older, single males ... he admitted to [a departmental worker] today that he 'sucks cocks'.*

The PIC said he was sent to another foster care placement when he was 15. One evening he went to a city hotel, where a man sat next to him and then took him for a drive.

He did not recall exactly what happened because, after being in the hotel, 'the next minute' he woke with his head

*... in this bloke's lap in the car, and I think they slipped me a mickey or something—I'm not sure ... He took me back to a house and ... administered alcohol and more drugs to me.*

The PIC said he passed out and woke in a very groggy state with his clothes on.

*... he [the man] was lying on the bed with me and I could hear other voices in the house ... I got up and said, 'Listen, we've got to go,' because I didn't trust the house ... So we ended up at a pinball parlour and that's where I collapsed and went into an overdose.*

He said an ambulance took him to hospital, where his stomach was pumped. He was released back into the care of the same man, who had 'passed himself off as my social worker'. The man had then 'dumped' him at the front of his foster home.

The PIC said he absconded frequently from care placements and abused alcohol and prostituted himself, usually while living on the streets. The department's concerns about his engaging in prostitution, being sexually abused and having a high level of resistance to departmental intervention recur throughout his records.

**A**fter a series of one-month court orders, a 13-year-old boy was placed in State care by a court until the age of 15 for being in need of care. While the PIC was in a foster care placement, he said he was taken to the Adelaide Hills, where he met a man in his mid 30s who 'gave me his phone number'. The PIC began seeing the man socially on weekends; he recalled his social worker raising concerns about the propriety of a man in his 30s seeking out a relationship with a young person in this manner, telling him 'it probably wasn't a good idea'. The PIC said his foster parents at the time 'weren't overly happy about it'. The PIC told the Inquiry: 'I was [young] and [the man] was offering friendship and love and everything I was looking for at the time, so I grabbed onto it'.

According to the PIC, the alleged perpetrator 'made inroads to the Department of Community Welfare to try and have access to me'. Records show that the foster placement broke down after 11 months and within six months the department placed the PIC, then 14, with this man and paid the man a carer's subsidy. Departmental files note that social workers planned 'to discuss thoroughly with [the man] the implications of fostering' and that fostering approval was contingent on him passing a fostering orientation course. Concerns were raised about the long-term suitability of the placement for the PIC, however it was also noted that the PIC appeared to respect the man and that he might benefit from the placement.

The PIC was at this placement for five months. He said initially he enjoyed the placement. However, during his time with the man,

*... we'd be at parties and stuff, and he'd get me really drunk and he'd talk about how he'd just be down at the local rose garden, as he used to call it, and had big dicks in his mouth and stuff ... He made it seem that homosexuality was the thing to do, and to be fun with and happy with ... he was manipulating me, grooming me to try and grow up as a gay man ...*

The PIC said the man

*... used to call me up to the bedroom and have little chats to me and he would be naked. He also left pornographic material in his bedroom when he was at work ... It was just a bunch of young boys all naked, all sitting around playing guitars and stuff. He used to hug me, and he used to grab my bottom and stuff and squeeze my buttock cheeks, and he goes, 'All right, [name]. It's all right, mate'.*

Records indicate the PIC spent about five months in this foster placement before it 'broke down'. The PIC did not report the abuse at the time. He told the Inquiry that he was aware of his social worker's reservations about the PIC's placement with the alleged perpetrator. He said he

told the worker: 'Well, look, you know, it's the only home I felt comfortable with at the time, so I had to, I had to'.

In the mid 1970s a PIC then aged three, was placed in State care until age 18 by court order because of neglect: his mother had died and the father's whereabouts were not known. The PIC lived in a foster family placement for at least 12 years.

The PIC told the Inquiry his foster mother started sexually abusing him when he was six or seven and continued until he was about 14. He said initially she would ask the other children to keep him awake until she came home so she could put him to bed, by which time he was 'always extremely tired'. He said about three times a week she would take him to her bedroom and 'put me on to her boobs and encourage me to suck and fondle them'. He said he was 'confused. I didn't know anything about sex and I thought that it might be normal. I felt bad about it and it felt strange and funny.' The abuse developed into 'getting me to rub her and putting my fingers in' and, when he reached puberty, intercourse. The PIC said he 'never talked about it outside'.

Departmental records show he had behavioural and learning problems at school, including falling asleep. He was seen by, among others, a consultant paediatrician, senior welfare workers and a psychologist. He said that when he went to see these people he was usually accompanied by one of his foster parents, but he did not tell his foster father or the professionals what was happening. He felt 'scared and didn't want to feel bad, you know, and I'd have to go back there and then I'd be in trouble'. The PIC said he did not tell his teachers at school for 'pretty well' the same reasons.

He said he started running away from his foster home when he was about 13 because of the abuse. He committed some offences while on the run and was expelled from primary school.

He left the foster placement when he was about 15, living with a relative before the department arranged Housing Trust accommodation for him. The PIC said that he did not tell the department about the abuse:

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*I had lots of them [social workers]. They'd come and go just like the INC placements. You'd never be friends with one for long because they'd go; you know there'd be somebody else.*

**A** PIC had come to the department's attention before he was six months old due to 'generalised neglect and physical abuse resulting in bruising', according to departmental records. At 21 months, he was placed in State care until the age of 18 by court order, because of physical abuse and neglect at home.

The PIC spent the next seven years in a foster care placement. Records indicate that after a few years his foster parents separated and the PIC lived with his foster mother, who had other children. The PIC told the Inquiry that from the age of eight his foster father sexually abused him by inappropriate touching, usually when he went to the toilet with him.

*From there, like, he'd try to make it into a messing-around game and says, 'Here, hold mine and squirt it around' sort of thing ... I think I probably told somebody and then I had enough of it and climbed out my window and ran off.*

Reports indicate that when the PIC was 11 he received psychiatric treatment for the sexual abuse. A letter from a hospital to the PIC's welfare worker says the boy told his treating psychiatrist of this abuse and that the information was passed on to the department. It is not apparent from the department's records whether the police were notified. It is recorded that the PIC had told the principal of his primary school that his foster father watched 'rude films' at home.

**I**n the early 1980s a PIC was first placed in State care at the age of 13 for 28 days when his parents had trouble controlling his behaviour. The PIC told the Inquiry that when he was about 12, before he was placed in State care, he was absconding from home and prostituting himself. The PIC was placed in State care under several short-term guardianship orders and detention orders between the ages of 13 and 17. He said he was sexually abused in a foster care placement.

While in State care, the PIC said, he was sexually abused in an INC foster placement and at the Southern Region Admission Unit, and while he was absconding.

Records show the foster care placement was during his first 28-day court order. The PIC said his foster mother was 'absolutely fantastic' but her male partner would sit next to the bath and masturbate while the PIC was bathing.

**A**n Aboriginal PIC born in the mid 1960s was placed in State care as a newborn and was then adopted at the age of two. About four years later his adoptive parents asked that he be placed in State care. He was found by a court to be neglected and was placed in State care until he turned 18. The PIC told the Inquiry he was sexually abused at Kennion House, in foster care and at Otherway House.

In the early 1980s, when aged about 14, the PIC was placed with a foster family in a rural area for just over two years. The PIC said the family also cared for other foster children. He enjoyed the placement but said his foster father, who was aware he had earlier been sexually abused, soon began abusing him by inappropriate touching: 'It could be anywhere. Watching TV ... but a lot of the time it was in the bathroom at shower time.' The PIC said the abuse went on for 'a while'. He said the foster father never penetrated him, although 'he wanted to ... but I hadn't done that before and I wasn't going to let him'.

He said he told his foster mother about the abuse because he was concerned about the welfare of a younger foster boy who was living in the house. The PIC said the department took him to the police station, where he made a statement. According to police records, no action was taken against the foster father. Soon after the report to the police, the PIC was removed from the foster family.

**A** PIC was first placed in State care at 13 under a short-term guardianship order in the early 1980s because of behavioural problems, according to his SWIC. When he was 14, he was placed in State care until 16 by a court after it found he was in need of care. He alleged he was sexually abused when he absconded from the

Western Region and Gilles Plains admission units and then when he absconded from an INC placement when he was 16.

He told the Inquiry:

*When I was in INC, parents ... none of those people were too bad. It was just the people that were coming around picking you up, taking you out.*

The PIC said a man who had abused him in earlier placements started taking him out of his INC home and got him a job at the business where he worked. The man would buy him meals, then persuade him to go back to his home in an inner Adelaide suburb. He described the man 'as a violent person—violent sex. He held me down and fucked me one night.'

The PIC absconded from his INC placement and during this period stayed with several men, one of whom 'come on too heavy for sex every night'. He said he began living with the man who had got him a job, and although he had sex with him, living there 'wasn't that bad, even though that he'd ... forced me once'. He told the Inquiry: 'I hung around him there for a while'.

He had contact with his departmental social worker but 'I told everybody to get stuffed at that point in my life. You know, "Youse can all get fucked. I don't want to be no ward of the State".'

**A** PIC was born in the mid 1970s to a teenage mother, and during his childhood his father was in and out of prison. Departmental records show that when he was two the PIC was placed in State care by the department under a temporary administrative order because his mother was found to be unable to care for him.

Just before his fifth birthday the PIC was charged as being in need of care and placed by a court in State care, for four months under temporary orders and then until the age of 18.

The PIC and his sibling were then placed with a foster family, where they shared a bedroom during a four-year

stay. The PIC said that his foster father became physically and sexually abusive towards him and his sibling in the last two years of the placement:

*He'd take his belt off and fucking leave welts across my back and across the back of my legs ... well, the bashing was basically to tell us to shut our mouths and if we said anything to anyone what we copped was only a minor detail of what we would have copped ...*

The PIC alleged the foster father had anal sex with him 'every fucking week for about two years' in the man's car. He said he was scared of his foster parents and did not report the abuse until after the placement ended:

*That's why I didn't tell anyone at school or outside of school, let alone the social workers and stuff like that. You always used to get prepped before we went to [the department]; if we said anything we're fucked, basically.*

The department's records indicate that during the time the PIC was in foster care the department received anonymous reports of brutality, neglect and physical abuse by the foster family towards the siblings.

One Christmas, the PIC and his sibling visited their mother and told her about the physical abuse only. Their mother reported the allegations to the department, and the foster placement ended as a result.

The PIC said that some years later he and his sibling confided in their mother about the sexual abuse and she contacted police and the department; this is confirmed in records received by the Inquiry. The PIC said:

*The police came down ... I think I made a four or five page statement, or longer than that ... when we went to court ... I asked if I had to go in and they said no, and basically from that we left. ... [I felt] disgusted ... I didn't even have my chance to say my bit. I didn't even have the chance to get the shit off my chest.*

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Records show that the Director of Public Prosecutions decided not to proceed with the charges against the foster father.

An 11-year-old boy was placed in State care in the early 1980s, after a family breakdown. He was placed in emergency foster care for about a month, where he alleged he was sexually abused. Two years later he was charged as being in need of care and placed by a court in State care until he turned 18. The PIC alleged he was sexually abused in foster care, at the Gilles Plains Assessment Unit, in the family home and when absconding from placements.

He said that his emergency foster carers were ‘the worst, the absolute worst. If I’d ever at a time felt like an outsider, it was [with] them’. He shared a bedroom with another foster son, who was about 17, and said this boy forced him to perform oral sex:

*He told me basically he was just going to beat my head in, and I still said sort of no, and he punched me two or three times, and I sort of gave in ... the abuse happened, I think, two or three times.*

Departmental records confirm the PIC was placed with this family for three weeks, and that during this time a teenage boy was also living there. Records also show that another child living with this foster family made allegations of physical and sexual abuse to the department. An internal investigation was conducted but records received by the Inquiry do not indicate what action was taken.

The PIC said that when he was a teenager he was placed in foster care for a few days with another family. He said the foster father

*... tried to have his way with me, and I wasn’t going to have it ... I basically told him I didn’t want that sort of affection ... He did [stop], but not before trying.*

He said he disclosed the abuse to former foster parents with whom he remained in contact but they did not believe him.



## 1990–2004

Twenty people were children in State care and placed in foster care during the 1990s to 2004 when they said they were sexually abused. Available records show they were placed in State care by a court after being found to be in need of care or neglected; two were placed in State care by voluntary care agreements. Sixteen were female; four were male. One additional male is included in this report because the Inquiry was not able to properly determine whether he was in State care, as his departmental files were destroyed by fire.

The allegations include indecent assault and vaginal, oral and digital intercourse and anal rape. The alleged perpetrators were foster fathers, foster brothers, other older fostered boys and outsiders including friends of the foster family, a teacher, a taxi driver and strangers.

### *Evidence from females*

**A**n Aboriginal woman born in the mid 1980s was three months old when placed in State care until 18 when a court found her in need of care. Departmental records indicate she had been physically abused and neglected at home. After being placed in State care, the PIC was put into foster care with an Aboriginal family, where she alleged she was sexually abused.

The PIC told the Inquiry that when she was eight, two male acquaintances of her foster mother raped her on separate occasions. The Inquiry received a police apprehension report detailing the offence. A male family friend allegedly told the PIC to go into a backyard shed. He followed her in and told her to take down her underwear, which she did. She told the police that he told her to lay on a bed that was in the shed and she did so. He then penetrated her anally with his penis. On the other occasion, she was at home and her foster parent was in the backyard with friends. A man known to her foster parent entered the kitchen and inserted his finger into the PIC's vagina, then pulled his trousers down and penetrated her vagina with his penis. The PIC told police that after he removed his penis there was 'all of this milk' on it.

The PIC told the Inquiry she did not tell anyone of the assault at the time because she was 'scared', but her

mother noticed bruising around her vaginal area during an access visit and 'asked questions and then I told her'. Her mother contacted police and the department however the PIC did not confirm any abuse. Six months later, the PIC's caseworker spoke to her alone during a home visit and the PIC disclosed the abuse. The departmental files show that the police interviewed the PIC on several occasions; on one occasion the foster parent watched from another room via camera. When the PIC asked about the camera and was told her foster parent was watching the interview, she became evasive. When told that the foster parent had 'gone for a walk' the PIC proceeded to recount the abuse in detail. Departmental workers also liaised with Child Protection Services to ensure that the PIC was offered counselling.

Police charged one man with unlawful sexual intercourse and the other with unlawful sexual intercourse and rape. The charges were referred to the Director of Public Prosecutions, who determined that 'there is no reasonable prospect of conviction in relation to either suspect of any offence in relation to [the PIC]' on account of inconsistencies in her evidence and medical reports.

The PIC's case files detail notifications of concern about the care provided by the foster parent that pre-date this incident by up to six years. These include: that the PIC was found wandering on a main road at the age of three years, unattended; that the foster parent had large groups of people at her house and that large quantities of alcohol were consumed on a regular basis; that the PIC exhibited sexualised behaviour six months prior to the abuse being disclosed. The department removed the PIC from the foster placement. The PIC told the Inquiry that the abuse left her 'sad and scared' as a child.

**O**ne PIC was placed in State care in the mid 1980s, initially under a series of short-term orders when she was two, then a six-year order at the age of three, finally being placed under the guardianship of the Minister until the age of 18. The PIC was deemed to be in need of care after her mother's partner physically and sexually abused her. While in State care she alleged she was sexually abused in one foster placement where she lived for almost 15 years.

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## Chapter 3 Allegations of sexual abuse

The PIC said her teenage foster brother sexually abused her between the ages of eight and 10. She said the abuse was sporadic, occurring 'for a few months and then ... he just stopped'. She said the abuse, which included intercourse, happened on 'probably four or five' occasions.

She said that about this time her relationship with her foster mother deteriorated and, probably, her own behaviour changed: 'I didn't trust them after that ... I didn't want to be left alone with him any more'. The PIC said she did not disclose the sexual abuse to her foster parents but she could 'pretty much guarantee that they knew' a second foster son was sexually abusing another foster girl in the home.

The PIC said she left the placement after an altercation with her foster mother 'and she'd hit me. I just couldn't go back any more.' The PIC later made allegations of physical abuse, which the department investigated. The records show that in late August 2001 the PIC disclosed abuse allegations against her foster carers and, at her request, was removed. She was placed with another foster family. The first foster parents were subsequently restricted in relation to the age of future foster children, although they were still allowed to foster. A criminal injury compensation claim was finalised before the PIC turned 18.

**D**epartmental records show that a PIC was placed in State care in the mid 1980s when she was five because her mother was 'concerned for the safety of child'. The PIC was placed under a short-term guardianship order and voluntary care agreement, and was later placed in State care until she turned 18 because she was in need of care. The PIC alleged she was sexually abused in a foster placement where she lived from the ages of about four to 12, before being transferred to another foster placement.

She told the Inquiry her foster father sexually abused her from the time she was seven, including touching her inappropriately, making her stand naked in front of him or watch a pornographic movie with him, and ejaculating on her. She said she thought he had sexual intercourse with her once 'but it's very confused'.

The PIC said her foster father's sexual abuse continued

until she left the placement. She recalled a female teacher asking if everything was okay; she did not tell the teacher of the abuse because 'I knew that ... I'd be in a lot of trouble when I got home. It wasn't worth it'. She had been afraid to tell anyone about the abuse until she left the placement. She subsequently told her new foster mother and the police were alerted, but the matter did not proceed: 'I remember I was scared, because I didn't want to go to court and see them again'.

Departmental files show the PIC's case workers removed her from the placement after another girl who had lived with the foster family alleged that she and other children had been sexually abused while living with the family.

As part of an investigation, the department interviewed the foster parents and their former foster children, including the PIC. Police later interviewed the PIC and, as a result, the foster father was charged with sexual offences. Two other former foster children told the department they had been reluctant to disclose the abuse to their social worker because the worker was on good terms with the foster mother.

The department interviewed the foster parents about their use of discipline and other issues. The allegations of sexual abuse were not raised because a police investigation was under way, however the alleged perpetrator made unsolicited comments denying any improper contact with children. The department's report noted several matters that 'raise a range of practice and policy issues which need to be addressed'. It noted that allegations had been referred to police in the past but no action had been taken. The report noted the 'consistency in the statements given by these children, which is cause for real concern. It is felt that these allegations cannot be discounted as they have been in the past.' It stated that the foster parents intended to withdraw from the fostering program and, if this was not the case, 'we would be recommending de-registration as foster parents, on the evidence presented'.

The departmental file did not contain any reference to the outcome of the charges laid against the foster father. The South Australia Police were unable to locate their file concerning the PIC's allegations.

A PIC born in the early 1980s experienced family breakdown and sexual abuse before being placed in State care when she was seven, under an interim guardianship order after being found to be in need of care. She had three different foster placements during her year in State care.

The PIC alleged she was sexually abused at the third placement, which lasted for several weeks. She said her foster father watched her shower, and an older boy who was also fostered to this family 'used to play with my vagina' and one night made her and another young foster girl masturbate each other. The PIC told the Inquiry they were 'terrified' because the foster brother had told them: 'Don't you dare tell anyone ... My mum won't believe you ... if you say anything then I'll burn your dolls.'

She said the foster father and the foster brother also derived sexual pleasure from watching her in the backyard: 'We were made to wear skirts with no undies on and made to jump on the trampoline'. The PIC alleged that on one occasion her foster parents had sex in front of the children, locking the lounge room doors so they could not leave.

She said she disclosed this abuse to a schoolteacher, who contacted the PIC's social worker. The PIC said the worker visited the foster home and 'told me to go and play, that everything would be okay and that no-one would ever hurt me again'. Later, the PIC said, 'I was playing, and [the foster mother] came in and I got the biggest slap across the face I think I'd ever had'.

The department continued to monitor the PIC's welfare on her return to her family and for the next seven years, due to the sexual abuse notification that precipitated her placement in State care. Her client files relating to her period in foster care note that she became agitated when other foster children were placed in the home where she alleged the abuse took place. The files note there was friction in the home and the foster mother asked for the PIC to be removed when she was required to care for sick relatives. The files viewed by the Inquiry contained no recording of a disclosure of sexual abuse.

In the early 1980s a PIC then aged 10 was placed in State care on an interim guardianship order after notifications of physical abuse. She told the Inquiry she

was sexually abused at Enfield Community Unit and in foster care while under the order.

The PIC was placed in foster care for a brief period of respite from an admission unit when she was 14. She described the placement in positive terms, but said she 'felt kind of coerced' into having sex with the foster parents' son, with whom she stayed up late watching TV and drinking alcohol. She said she had to '... have sex with him on two occasions' but did not tell anybody as 'I felt pretty ashamed'.

At 15 the PIC went to court for offending, and part of the court order was that she live with a volunteer youth worker and his wife, who had expressed their willingness to have her live with them. The PIC told the Inquiry she and her new foster father grew very close and she felt he supported and understood her. She said that within one month, he began physical contact with her, kissing her and exposing himself. She said the abuse progressed to vaginal and oral sex, and occurred twice a week.

*I ... accepted it because I thought, 'Oh, well, like, if I let it happen, well, then everything will be happy, right, then everyone will be happy'. ... I didn't want to go back to the units, I didn't want to go to jail.*

She said he told her she could report him if she wanted but she declined; she believed he was testing her but also felt 'I was completely dependent upon him. I had nobody else. It was moral support. I didn't have any family, it was just him.'

The PIC left this placement after 10 months due to friction in the family. She said the foster father visited her at her new home and continued the sexual relationship until she was 17. She tried to alert her counsellor when the abuse 'was just getting a bit much', saying she 'sort of talked in a roundabout way without giving out great detail, but she didn't get it'. The department's files contain a note, written when the PIC was 16, that members of her new foster family had raised concerns about the closeness between her and her former foster father. The social worker had directly asked the PIC whether she 'fancied' her former foster father, which she denied.

In the early 2000s the PIC made a signed statement to police, detailing her sexual relationship with the foster

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father. In the statement, she said she 'had sex over 100 times' during the 10-month placement. Police investigated the allegations and the foster father was charged, but he committed suicide a short time before he was to appear in court.

An Aboriginal PIC born in the mid 1980s was the subject of several child protection notifications received by the department regarding alleged physical abuse. When the PIC was 11 her mother signed a three-month voluntary custody agreement (VCA). After several subsequent VCAs and numerous foster placements, the PIC, then 13, was placed under a 12-month order in the hope that she could be reunited with her family. However, according to departmental records her mother was 'unable and unwilling to exercise adequate supervision and control over the child' and, when nearly 14, the PIC was placed in State care by court order until the age of 18. The PIC alleged she was sexually abused in foster care, then at the Sturt and Gilles Plains assessment units, and when placed with a male relative.

The PIC was placed with a registered INC family and told the Inquiry her foster father 'just flopped himself out one day and said, "You know what you want to do to it".' She told her foster mother, who replied, 'Oh, my husband wouldn't do that to you, you lying little so and so'.

The PIC said the foster couple's son, aged in his 20s, sexually abused her when she was aged between 11 and 13. The son had recently separated from his wife and lived in a unit next to the family home. 'Quite a few times' he had unscrewed the screen on her window, climbed into her bedroom and had intercourse with her. On one occasion, she said, he sexually abused her in a public park near the foster home. She did not disclose these incidents; he told her to stay silent, 'not to mess things up between him and being able to see his kids'. She said she felt 'sickened'.

An Aboriginal woman born in the early 1980s was 11 when a court found her in need of care and placed her in State care until the age of 18. The department placed the PIC with a series of relative foster carers, one of whom allegedly sexually abused her.

The PIC told the Inquiry that she was living in one particular placement for about three years. She said her foster carer

began to have sexual intercourse with her about 18 months after the placement started—the first time when he entered her bedroom was when she was about 14. The PIC said she was abused when her foster mother was 'not around, probably once a week.' The PIC remembered that the foster father 'told me not to tell anyone' and 'he said it's all my fault'. After the abuse started, she said, 'I started getting into fights at school, getting sent to [detention]'. When asked if she reported the abuse to her teachers she said, 'I was too scared'. She also said she did not feel she had a trusting relationship with her departmental worker.

The abuse ended just before the PIC's 16th birthday, when the foster mother found her in bed with the foster father. The PIC said that the foster mother 'had seen what was happening' and went 'crazy' at the foster father. The PIC said: 'I just ran away'. Records indicate that the police notified the department and that counselling was arranged for the PIC through a hospital child protection unit. The foster father was charged with several sexual offences, the Director of Public Prosecutions accepted a plea of guilty to attempted unlawful sexual intercourse and he was sentenced to three years' imprisonment, which was suspended when he agreed to a bond. The PIC told the Inquiry that she was never told of the outcome.

Departmental records indicate that it conducted a review panel forum when the PIC was 15, 18 months after the previous review. A member of the panel expressed the opinion that it would have been appropriate to visit the PIC, whose foster placement was in the country, before reviewing the file.

A PIC found by a court to be in need of care was placed in State care until the age of 18 when she was nine. The PIC told the Inquiry she was sexually abused before being placed in State care and also was abused in foster care and at Lochiel Park Community Living Unit and Gilles Plains Community Unit.

The PIC told the Inquiry she stayed in one foster family 'for a year, two years' when she was 10 to 11. She said the foster father was 'creepy' and would stare while she undressed in the bathroom: 'He used to try touching me and that, but I used to jump in the water'. The PIC told the Inquiry she had social workers looking after her but did not

tell anyone what her foster father was doing until ‘the end. I told the school ... because he was hurting me. He was hitting me also ...’

As a result, she was placed in another foster home, where she stayed for just over a month in the mid 1990s. She recalled that the foster father was an intimidating presence and that her foster mother frequently took her out ‘to get me and her away from him’. During this placement, the PIC said,

*[The foster father] touched me numerous times in the shed when I’d go up to the shed to play with his [dog] ... He used to just touch me, because I was starting to get boobs. He would touch me around there and stuff like that ... He got me a couple of times down below. He mainly just was fascinated with my chest and that.*

She said this happened ‘probably five times’ before she ran to a neighbour’s house to telephone the department’s Crisis Care helpline. She said she recalled telling Crisis Care ‘that he was hurting me and that he used to drink ... I can’t remember if I mentioned about him touching me.’

The department’s records for the PIC note she was a runaway from this foster home. The notation was made three days before the placement was due to end, although the reason listed for its termination is ‘planned move’. The PIC said she was then placed with foster parents whom she knew and trusted.

The department’s client files for this PIC show she told school staff and her social worker about her discomfort with the foster father’s behaviour. She disclosed that he drank, used drugs and was verbally abusive but did not indicate there had been any sexual abuse. The worker noted that the information presented did not constitute a child protection issue but also that the PIC had not raised these concerns previously. Additional notes show the PIC was often left for extended periods at home alone, which she found distressing, and that ‘she is scared of her foster father as he comes into her room’. Crisis Care workers went to the home, found the PIC alone, waited with her until her carers arrived home, then counselled them about leaving the girl unattended. The issues of alcohol and drug use were raised with them, and the foster father denied the use of drugs in front of her. One day later the PIC

absconded. Her social workers collected her from a neighbour’s home and took her back to the foster home, noting that she was ‘scared’ to return and feared retribution for absconding. The file does not record whether the workers interviewed the PIC alone on their way back to the foster home; rather, on their arrival the workers had a discussion with the foster mother and PIC together. The foster father joined them later. The notes show the discussion centred around the man’s manner of speaking to the PIC, that ‘he jokes a lot, however sometimes he takes the joke too far’. The departmental worker noted that the discussion went smoothly and that the girl seemed more at ease. The next day, the foster mother contacted the social worker and indicated that the foster father did not want the PIC to remain in the house. The file records no information that relates to possible sexual abuse. The records provided do not show that the workers followed up the PIC’s claim that the foster father entered her bedroom.

One PIC born in the mid to late 1980s had an early history of notifications of physical abuse and neglect, according to departmental records. She was then placed in State care by court order for two years when she was nearly five and three years later was found to be in need of care and placed in State care until the age of 18.

When the PIC was almost nine she was placed for about four years with a foster couple who fostered several other children. She said it was ‘the longest placement I’d stayed in’. She told the Inquiry that one year into this placement, when she was about 10, another foster child in the home, a boy of about 16, abused her. ‘I woke up to him standing ... with his dick in my face ... He was slapping me with it and then he got me to suck on it.’

She alleged that on four occasions this boy rubbed himself against her and ejaculated. She said another boy fostered to the family ‘started doing the same thing’ and ‘got me to give him a hand job’.

The PIC told the Inquiry she saw her mother ‘once every fortnight or something, but I never told her anything’. She told a friend about the abuse and her school became aware of the allegations and contacted the police. The police interviewed her—‘I told them I lied’—and she said she found them to be ‘very scary’. The department’s records show the PIC’s social worker was involved in the

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matter, contacting the foster family and advising of the incident and its outcome.

The PIC said that when she was living in the same foster home and attending the local primary school, a male who instructed school students as a private provider sexually abused her when she was about 10. This man 'used to feel our legs and stuff and try and get hugs and feel us up around our boobs and stuff like that'. She and other students complained and school staff notified the police, who interviewed the students. The instructor was charged with indecent assault and offensive behaviour. His services were withdrawn from schools. The DPP did not proceed with the matter, however steps were taken to ensure that schools did not engage the alleged perpetrator.

In the late 1980s a six-month-old baby was first placed under several interim care orders until, aged four, she was placed in State care until she turned 18 by reason of being in need of care. She spent her entire placement with a female foster carer, apart from having regular respite weekend placements and participating in programs to help her cope with her intellectual disability.

She alleged she was sexually abused in this placement when her foster mother arranged for her to be transported to primary school. She said she often had the same taxi driver who digitally penetrated her on the way to school 'a few times' when she was about 10.

The PIC said she 'told people at the school and I told my foster mum'. She also spoke to the police, 'and they said it was my word against his. They didn't take me seriously.'

The department's records show that the PIC disclosed this incident in the late 1990s. She alleged a taxi driver attempted to force her to touch his penis and that he 'massaged' his penis on two or three occasions. The records state that the driver tried to touch the PIC's vagina and that he told her not to reveal what had happened 'or he'd get cranky'. Police were notified. A subsequent note on the PIC's file indicates that 'the driver has been sacked and a medical has confirmed the assault' and charges were laid.

A PIC was about six in the mid 1990s when she was placed in State care under an interim court order as a result of sexual abuse in the home. Records indicate she was placed with several foster families. The PIC alleged her foster father sexually abused her at her first placement, which lasted about six months.

The PIC said the foster father touched her inside her clothing at the breakfast table almost daily. She did not understand at that time whether this was right or wrong.

*I don't think I ended up telling anyone until I came to Mum's place. I think a couple of years down the track I ended up opening up a lot of stuff.*

Several years after the PIC left this foster home, her former foster father was arrested and charged with various sexual offences relating to another child. He was subsequently jailed.

When she was nearly 10, the PIC was placed with another foster family who gave her, she said, support and encouragement. The foster mother in that placement told the Inquiry that the PIC 'couldn't stand anyone sort of touching her'. She said she spoke to the department and 'they only told me what they wanted to tell me, which was just, "We think that she may have been abused"'.

A PIC born in the mid 1980s was initially placed in State care under voluntary care agreements and short-term court orders due to parental abuse and neglect. She spoke to Inquiry staff, who obtained her records, but did not give evidence in a hearing. The records indicate that in the late 1980s the department placed the PIC in emergency foster care due to parental abuse and neglect. In the early 1990s, aged five, the PIC was placed in State care until she turned 18 and lived with the same foster parents. Guardianship was transferred to the foster parents when she was 10.

Records indicate that in the late 1980s, before the PIC turned three, the department investigated allegations that her foster father in an emergency foster care placement had sexually abused her. It was suggested in the file that she had spoken of sexual interference by her 'daddy' but it is stated in the file that the departmental office

'have absolute support and faith in the integrity of the foster parents'.

Two years after the allegations were made the foster couple were reapproved as foster parents. In the early 1990s the PIC was placed under the legal guardianship of the foster parents until the age of 18. While the PIC was no longer in State care, the foster parents remained approved foster carers. The department's file reveals that in the mid 1990s, allegations of sexual abuse were made against the foster father, relating to an unnamed eight-year-old girl in the foster family's care. Around the same time, another foster child who had recently been placed with the family alleged sexual abuse against the foster father. Police were informed, but the notes on the file state that 'there are no reasons for concern for the safety of these [children]'. A handwritten note says: 'Police unlikely to proceed. No substantiation by other children. Work with family about concerns.' The report concludes:

*It is [the department's] view that, given all the information, the uncertainty which surrounds both the allegations and the unclear outcomes, and the now negative views of the foster mother; that ongoing fostering by this family may not be considered appropriate for either the family or future children placed in their care.*

The outcome of the investigation in relation to the allegations by both foster children is recorded as 'uncertain'. Despite the department's view that ongoing fostering by the family may not be appropriate, about 18 months later it reapproved the foster parents to care for children aged two to seven in emergency care. About three years later their foster status was terminated.

At 14 the PIC made disclosures about alleged sexual abuse by her former foster father, who was at this time her legal guardian. He was charged, convicted and imprisoned for an indecent assault and several counts of unlawful sexual intercourse. The offences were committed when the PIC was aged between 10 and 14.

**D**epartmental records show that a PIC's family came to the department's attention when she was five in the early 1990s, because of reports that her mother frequently drank and behaved erratically. A court declared

the PIC to be in need of care, and placed her in State care under interim guardianship. At six she was placed in foster care with foster parents.

Records indicate that about a month after being placed in foster care the PIC made a report of sexual abuse by the foster father. At that time, the foster parents had other girls in their care. The department conducted an investigation; a child protection summary report in the records notes that there was sufficient cause for concern and the matter was referred to the police. The PIC received support from the Child and Adolescent Mental Health Service (CAMHS) and was seen by a clinical psychologist.

The department's investigation of the PIC's allegations reached an 'uncertain' conclusion: investigators believed something happened between her and the foster father and said her allegations had substance, but they could not conclude that sexual abuse definitely occurred. Records show the foster father was interviewed by police and was reported for two counts of indecent assault, but was not arrested or prosecuted.

The foster parents were not deregistered but, rather, there was a two-month non-placement time. Records indicate that in the mid 1990s they were reapproved to provide emergency care for children aged two to seven.

In the early 2000s, the foster father was convicted of indecent assault and several counts of unlawful sexual intercourse in relation to another girl in his care, who had been aged 10–14.

The PIC did not give oral evidence to the Inquiry but wrote to the Inquiry:

*Growing up I always felt dirty. From the age of six I was made sexually aware. Sexuality, sex, innuendo—all related—are things in life a six year old shouldn't be aware of. As well as being aware, there was the issue of not understanding—both what happened and why. Due to the assault my small developing personality was affected and preoccupied with questions about my assault, about my body ... Where the hell were they to protect me when I was six years old? Do you know what I mean?*

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## Chapter 3 Allegations of sexual abuse

A PIC born in the late 1980s was first placed in State care at the age of 12 years for her care and protection. She was then placed in State care under two 12-month court orders when she was about 13, after the department received allegations of physical and sexual abuse by a relative. The PIC lived in a government admission unit as well as foster care.

When she was 12, the girl went into foster care with a couple. She told the Inquiry the foster father ‘kept going into my room and he just raped me every Thursday’ when she got home from school.

*The last moment when I told [my foster mother] when she got home, she didn't believe me. She kicked me out the back and I stayed out there and just yelled out to her and said, '[foster dad] did do it to me', and she didn't believe me. She said, 'You can piss off.'*

The PIC said her foster mother then came outside and asked her, ‘Do you want to come back inside and sort it out?’ She said the foster mother phoned the police ‘and she got me moved’.

Departmental records indicate the PIC made allegations against the foster father about a year after arriving in the foster home. The police investigated, as did the department’s Special Investigations Unit (SIU). About six months after the allegations were made, the outcome of the department’s investigation was inconclusive, but it did not support the foster father continuing as a foster parent. He resigned and the SIU recommended that he not be considered for future registration. The police report stated that there was insufficient evidence to proceed with a prosecution due to ‘nil further evidence’ to corroborate the girl’s version of events that was ‘vague’ because of her mild intellectual disability.

Her parents, who separately gave evidence to the Inquiry, said the department never sought their views about where their daughter should live or who should look after her. ‘It was all done by the [department]. We had no say whatsoever.’

An Aboriginal PIC aged three in the late 1980s was placed in State care for five years—she told the Inquiry members of her immediate family had sexually abused her. Records show that subsequently she was placed in State care by court order until she turned 18 for ‘care and protection’ because she was deemed to be at risk.

The PIC made a statement to the Inquiry that she was raped twice by an adult son of her foster parents in the late 1990s when she was 16. She did not want to proceed to a hearing, finding it too traumatic to talk about.

An Aboriginal PIC born in the late 1980s was placed in State care at 10 when her mother signed the first of a series of voluntary care agreements. The girl was also placed under several one-year guardianship orders into the 2000s. She told the Inquiry that her stepfather had sexually abused her. Records indicate she disclosed this alleged abuse to the department when she was about 16 and the department notified the police.

Just before she turned 14 in the mid 2000s, while she was still in State care, the department sent the PIC to a foster placement where, she alleged, a son of the foster parents, aged in his 20s, had come into her ‘little cabin out the back’ and raped her. She said she tried to stop him but he ‘like, kind of suffocated me with a pillow ... I thought I was going to die’. After that incident, she stayed in the foster home for about two more weeks, during which the son

*... kept trying to get into my room ... and I'd tell him, 'If you come anywhere near me, I'll scream, mate. I don't give a fuck, I'll shoot you or something. I don't care.' But he used to keep trying and I just got sick of it, and I started abusing his parents and stuff.*

Records show the PIC was in this placement for only nine weeks. They show she told her next foster mother about the sexual abuse and that the department and police were advised and the alleged perpetrator was charged. But the records state the PIC did not want to proceed with the complaint. She told the Inquiry, ‘I just didn't want to go through with it any more because I was too scared of what was going to happen, so I just left it’.



### *Evidence from males*

**A** PIC was seven in the early 1990s when he was placed in State care under an interim court order because he was in need of care. He was later placed under a two-year care order before being placed in State care until he turned 18.

While in State care the PIC was placed in a foster home for about six months. He told the Inquiry that while he was there a teenage boy who was a friend of the foster family sexually abused him twice. He said that during a sleepover the boy stayed in the PIC's bedroom and climbed into his bed and fondled him. The next day, outside the foster home, the boy demanded oral sex when they were 'down the river'. The PIC could not go into detail. He said, 'It's just hard for me to even kind of tell that story again ... then down the river ... I just, yes, fucking got told to do shit and done it'.

**A** PIC born in the late 1970s was placed in State care at the age of 10 as a result of his constant absconding from home and refusal to attend school. The PIC was placed initially under the guardianship of the minister, on a short-term order. He told the Inquiry that his father and stepfather sexually abused him before he went into State care. At 12 he was placed in State care until he turned 18 by a court which found him to be in need of care. He spent time at several government admission units, where he said he was sexually abused, and also engaged in child prostitution while living on the streets.

His evidence to the Inquiry and his departmental records show that he continued to run away from his placements, and that he associated with known paedophiles. Records indicate the department knew of these associations when the PIC was assessed by the Child Protection Service for a Youth Court application for an INC placement at the age of 12. The records say he had been subject to chronic emotional abuse and was at risk on the streets because he was 'naive paedophile bait'.

Departmental records show that when the PIC was nearly 16 the department asked a man whether he would be willing to foster him. According to those records, the department knew, from information provided by the police, that the man was a known paedophile and had been

charged with sexual assault of an underage boy. About three months later, the records show that the man advised the department that the PIC was known as a 'rent boy'. Almost two months after that, the records show that the man advised the department that the PIC was staying with another man, who allegedly had a history of giving young people pills before having sex with them.

The PIC told the Inquiry that—when he was aged 15 or 16—he met a gay man in Adelaide who, along with his male partner, sexually abused him 'back at his place ... maybe a couple of times'. The PIC said that he went to their house and they did sexual things to him. He said he was not given drugs but stayed the night and in the morning felt 'only hung-over; that would probably be about the only thing'.

**T**he mother of an Aboriginal PIC born in the mid 1990s gave evidence to the Inquiry that her son was sexually abused while in foster care. It appears from her evidence and documents from the Flinders Medical Centre Child Protection Service that the boy was under a 12-month guardianship order from about the age of seven. While under that order, he was placed with a foster family, which also fostered a 14-year-old boy. The department knew that this teenager, who had a mild intellectual disability, had previously been sexually abused.

The PIC and the teenage boy shared a bedroom. Records show that after the teenager's placement with this foster family broke down he went into another foster placement, where he made a disclosure that resulted in the involvement of the department's Special Investigations Unit and police. The police interviewed the PIC, who was then eight, but it appears he did not make any clear disclosures.

Records indicate that a few days after the PIC's interview with the police, his foster mother contacted the department and said the boy had told her he was unable to tell police what the teenager had done because of a threat that he would be beaten up. The foster mother also said that, in her opinion, the PIC was scared and wary of the police and was not comfortable talking with them.

The PIC's mother told the Inquiry that police charged the teenager with sexual assault of the PIC but, due to his age, the matter was resolved in a family care meeting in the

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## Chapter 3 Allegations of sexual abuse

Youth Court, to which she was not invited. However, she understood that as a result of the meeting the teenager was required to write a letter to her son, and that a department worker was to ensure the letter was appropriate before posting it. Instead, she said, the teenager posted an inappropriate letter direct to the PIC after being given his address.

The Inquiry was unable to verify whether an Aboriginal PIC who gave evidence was placed in State care under any court orders because a fire destroyed his client files. However, the government's Justice Information System's (JIS) computer records show the department was involved with the PIC from the time he was 14, due to child protection matters. The PIC, born in the late 1970s, came to notice when JIS was still under construction, so a comprehensive client history could not be recovered from this source. The PIC told the Inquiry he had been sexually abused when placed in foster care, at the Gilles Plains Assessment Unit and Magill Training Centre, and when living on the streets.

He said he experienced violence, and alcohol and sexual abuse in his family, and that his family had been transient. At 14 he left his family to live with friends and on his own, and became involved in child prostitution.

The PIC told the Inquiry he was abused in a foster care placement when he was 14. He had been placed with a woman who had several other State children in her care and was lax in disciplining them. She had worked shifts and often asked an older male friend to stay with the children during her absence. The PIC said this man forced him on about 10 occasions to perform oral sex, but he did not disclose this abuse to his foster parent or to the department.

A PIC who was placed in State care under several voluntary care agreements and interim guardianship orders from the ages of 10 to 18, had been known to the department since he was three years old in the early 1990s, due to concerns about sexual abuse and domestic violence.

In the early 2000s, when he was 14, he was placed in foster care with a man who, a couple of months later, forced his way into the toilet and anally raped him.

*After he did it, he said to me, 'If you tell anyone, I'm going to make your life a living hell and your family', and then I was scared that it was going to put my life and ... my mum and my sister's life in risk, and I didn't want to do that.*

The placement ended a few weeks later when the department and police were notified that the man had punched the PIC. The PIC said the first time he spoke about the anal rape was months later, when he confided in a friend. The next day he reported it to police; records show this was about seven months after the alleged assault. A month later, the alleged perpetrator was charged and the matter proceeded to trial but was later withdrawn. The PIC said the office of the Director of Public Prosecutions 'did believe me, but then we found out that ... there wasn't enough evidence'. He told the Inquiry that when he was told the case was not going ahead he felt 'quite pissed off'.