

## The Care Leaver's perspective

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The Royal Commission into Institutional Responses to Child Sexual Abuse provides a fresh and insightful assessment of the state of play in historic recordkeeping practices. The Royal Commission frames the discussion through the twin concepts of

- 'records as core business' and
- 'records as in the best interests of the child'.

These are both critically important. The real challenge is making those concepts work in reality.

However, the Royal Commission's terms of reference have created problems. As Justice Coate has explained, the vast array of institutions it encompasses vary enormously in scope, what they do for children and the way they operate. It is difficult to offer advice about records that is pertinent to all of them.<sup>1</sup> The records that should be kept about 24/7 'locked-in' children must necessarily be very different from those kept about a child who voluntarily attends a sporting club or a community organisation on a sessional basis.

By contrast to that broad remit, the Royal Commission is limited to a narrow focus on matters relating to sexual abuse. We at the Care Leavers Australasia Network (CLAN) say that accurate records must be kept about all critical events affecting the nurturing and protection of the child in care, not just sexual abuse. We envy the records of childhood that others take for granted – birth certificates, photographs, artworks, school reports and medical histories, and other childhood mementos.

We survivors of 24/7 'locked-in' institutions reach back into a strange past where birthdays, anniversaries, christenings and other family occasions were never celebrated. We reach back to a past where there were no family stories handed down by parents and other relatives. A past which disconnected us from family and community.

### Archives as a repository of hope

In reaching back to this past, we apply for our 'file' expecting to find detailed, accurate records about our time in 'care' and the answers to questions about our childhood, for example:

- Who put me into 'care'? Why? Many think we must have done something wrong.
- Where were my parents? Many of us were told, sometimes maliciously, that our parents did not love us, were dead or were bad people.

- What became of my brothers and sisters? Many of us were split up.
- What medical treatments and vaccinations did I receive? I feel a goose when the doctor asks and I can't tell her.
- Did I have school reports and certificates?
- Why was I transferred to other placements?
- Who were the staff who looked after me? Did they record the fights I had?

In short, the archived records represent a repository of hope where we will find answers to questions that have nagged away at us, all the years of our adulthood.

## Hopes dashed

However, many Care Leavers are profoundly disappointed, even shocked and sometimes re-traumatised, because, if their records haven't been lost or destroyed:

- Many have large gaps in information, meaning it is not possible to create a coherent story.
- Many contain inaccurate or misleading statements.
- Official records are almost entirely negative. Far from finding milestones and achievements as we grew older, we discover the content is almost always about us as problems with insulting and demeaning, or downright hostile comments about us or our parents.<sup>2</sup>

Parents and children were rarely encouraged to keep in contact. Letters were rare. Nobody thought it important to keep alive the prospect of future reunion or reconnection with our family. The records were never envisaged as an important resource to that end.

We Care Leavers were never given the opportunity to contribute to our personal record – so what passes as an account of our childhood is one-dimensional. It's clear that the writers of those records never imagined that the subjects of their writings might one day read what was written about them and their families. The makers of records could write opinions masquerading as facts without being made accountable for their value judgements. In effect, they compiled secret dossiers – and were never called to account.

## Rights to records

The Royal Commission's Consultation Paper does not give sufficient weight to fundamental issues relating to rights about personal records. The United Nation's Convention on the Rights of the Child (1989) declares the right of the child to an identity, the right to maintain contact with parents, the right to have a say in decisions that affect them.<sup>3</sup> The Convention should influence how records are made and access to them.

Some of you may know the National Standards for Out-of-Home Care, which were agreed across the national child protection community in 2011. Standard 10 states:

Children and young people in care are supported to ... have their life history recorded as they grow up ... to help them recall the people and events that have shaped their lives.<sup>4</sup>

CLAN has written its own Charter of Rights to Childhood Records.<sup>5</sup> High on the agenda is the retrospective application to Care Leavers of the right of the child to contribute to

the making of the record and the right of the child to share ownership of the record once it is made.

We agree with David Denborough, who says: ‘Everyone has the right to define their experiences and problems in their own words and terms.’<sup>6</sup>

### Counter-narratives: hearing the silenced voices

It is not too late to learn the importance of involving children in contributing to their own story. Children in out-of-home care today can and should have the right to make a contribution to their record as it develops. This can be done in a range of creative ways other than by written documents.

Is there a way of doing this retrospectively for Care Leavers? In the vast majority of cases, the official records do not supply a coherent narrative that meets the need to know the truth about the past, and to tell the truth to others such as our children.

Therefore, CLAN is encouraging a process of creating a counter-narrative that is richer and more psychologically satisfying for Care Leavers, and to offer a more balanced history to other Australians. In part, this can be in the form of using existing rights to add our own version of events to official records where they are inaccurate or misleading – or incomplete.

Preferably, it means writing our own versions of our stories gleaned from sources outside official records, and publishing them in a variety of modes and spaces. This is happening more and more.

### Interpreting the metaphors of our lives

Let me finish with an anecdote to make the point that paper documents sent to the archives are not the only truth. It concerns the former Ballarat Orphanage, my home for 11 years. This struggle will interest Bonney Djuric and others who fought to preserve the historic Parramatta site.

In 2011, former residents of the orphanage began a long campaign to constrain the demolition plans of the new owner of the heritage site. Facing the Victorian Heritage Council, and later the City Council and the Victorian Civil & Administrative Tribunal, the developer commissioned a history. An old brick wall *circa* 1880s was under scrutiny (Figure 1). The hired historian ducked into the paper archives and reconstructed this description of the wall:

the pier-braced brick boundary wall ... runs for approximately 100 metres, and most of this is in a weathered variant of Yorkshire bond with three stretchers separating each header. The wall was evidently punctuated by a gateway, as there is a clearly ‘filled-in’ part with much later brick and a dip in cornice height of about 30 cm. This section is about 10 m wide in stretcher bond.<sup>7</sup>

I think of all those children whose lives were governed by that wall – and those who used it as their means of escape. I was one who regularly sat on that wall facing the spot where the tram terminated at the orphanage corner, hoping and yearning to see one of our parents alight. The weeks turned into years before, one day, our father did step off a tram – and after he had gone, the superintendent told me dad would not be allowed to visit us anymore if he upset me again. My brothers and I were reunited at the wall 40 years later (Figure 2). In our minds – our personal archives – we would never think of it as ‘a weathered variant of Yorkshire bond’.

The past can’t remain the exclusive property of the powerful. Ultimately, we are all historians capable of making meanings of the metaphors of our experience.



**Figure 1.** Photograph of the wall at Ballarat Orphanage, photographed by Frank Golding, 2012.



**Figure 2.** The Golding brothers, Bill, Bob and Frank, photograph by Kathryn Tremaine, 2005, reproduced with permission.

## Endnotes

1. Institution is an entity that ‘... provides, or has at any time provided, activities, facilities, programs or services of any kind that provide the means through which adults have contact with children, including through their families.’ Royal Commission terms of reference, available at <<https://www.childabuseroyalcommission.gov.au/about-us/terms-of-reference>>, accessed 27 November 2016. See *Institutional Responses to Child Sexual Abuse Redress and Civil Litigation Report*, Sydney, 2015, pp. 5, 100.

2. For ways in which records re-traumatise Care Leavers, see Jacqueline Z Wilson and Frank Golding, 'Latent Scrutiny: Personal Archives as Perpetual Mementos of the Official Gaze,' *Archival Science*, vol. 16, no. 1, March 2016, pp. 93–109.
3. Articles 8, 9, 12 and 13 respectively. United Nations, Convention on Rights of the Child, UN, Geneva, 1989.
4. Department of Families, Housing, Community Services and Indigenous Affairs together with the National Framework Implementation Working Group, *An Outline of National Standards for Out-of-home Care*, Commonwealth of Australia, 2011, p. 12, available at <[https://www.dss.gov.au/sites/default/files/documents/pac\\_national\\_standard.pdf](https://www.dss.gov.au/sites/default/files/documents/pac_national_standard.pdf)>, accessed 27 November 2016.
5. See the CLAN website, <<http://www.clan.org.au>>, accessed 27 November 2016.
6. David Denborough, *Narrative Justice Charter of Story-telling Rights*, working paper, Dulwich Centre, Adelaide, n.d.
7. Lovell Chen, *Architects & Heritage Consultants, Former Ballarat Orphanage. Conservation Management Plan*, Melbourne, 2013, A30.