

# Royal Commission into Institutional Responses to Child Sexual Abuse

## Response to the Consultation Paper Redress and Civil Litigation

### The work of Relationships Australia

This submission is written on behalf of Relationships Australia's eight member organisations.

We are a community-based, not-for-profit Australian organisation with no religious affiliations. Our services are for all members of the community, regardless of religious belief, age, gender, sexual orientation, lifestyle choice, cultural background or economic circumstances.

Relationships Australia provides a range of support services to Australian families, including counselling, dispute resolution, children's services and relationship and professional education. We aim to support all people in Australia to achieve positive and respectful relationships. We also believe that people have the capacity to change their behaviour and how they relate to others.

Relationships Australia has been a provider of family relationships support services for more than 60 years. Relationships Australia State and Territory organisations, along with our consortium partners, operate one third of the 65 Family Relationship Centres across the country. In addition, Relationships Australia Queensland is funded to operate the Family Relationships Advice Line, work previously undertaken by Centrelink staff.

Relationships Australia organisations each provide a range of support services to people whose lives have been, or are being, affected by change, challenge, crisis and/or trauma. Each of our organisations has been contracted to provide a range of supports to people who are affected by investigations undertaken by the Royal Commission into child sexual abuse. We have worked closely with the Commission over the period since its inception to ensure that our services dovetail with Royal Commission operations. A number of our organisations have also worked with State and Territory Inquiries to support people affected by child sexual abuse and to inform policy outcomes.

The information in this submission reflects our experience. Our comments are informed by listening to the experiences of clients, discussion with practitioners and service providers, research and reports produced by the Royal Commission and other Inquiries.

## Introduction

Relationships Australia supports many of the overarching principles in the Consultation paper, including equal access and fair treatment for survivors of child sexual abuse. We also support the Royal Commission's commitment to the three elements of redress: monetary compensation, direct personal response and ongoing support of survivors.

## Structural issues

### Current failings

We commend the Commission for acknowledging that individual experiences of child sexual abuse occur in the broader context of social failure to protect children and that accountability must include adequate compensation. However, while we recognise that affordability must be considered, we would be concerned if the design of the monetary component of the redress scheme started from a cost basis, rather than a victim-centric, human rights approach.

### Elements of redress

- There needs to be a smoothness and continuity in the redress process for all of the elements to ensure the process is connected with the person. This should include an integrated system response that is easy to navigate and provides seamless transitions in line with an individual's journey (not pushing people from here to there). An example of where continuity was not achieved was when the Australian Government provided compensation after the National Forced Adoption Apology through Access to Allied Psychological Services (ATAPS), rather than existing post adoption support services. ATAPS did not have a connection with the adoption community and had very few clients attending the program.
- Access to life-long therapeutic counselling and psychological care should also include case management, skills building and education, for example, therapeutic parenting skills. These additional support services will assist victims to break the cycles of disadvantage for themselves and their children, and holistically address experiences of the trauma.
- Any monetary payment should include compensation for the costs of past and reasonably anticipated future medical and health expenses as a result of the abuse. The redress payment should cover compensation for both grief/loss and health needs (dental/optical/ongoing physical injuries). The Commission could develop a matrix to determine levels of pain and suffering as well as a matrix to determine future medical expenses to ensure equity for survivors across Australia.
- It is our experience that clients' access to their records can be an important part of redress and funding should reflect this. This is particularly the case given there has been a reduction in Find and Connect funding and therefore potentially a reduction in record searching and family tracing services for Forgotten Australians.

- Forgotten Australians are ageing and there is concern that they will be institutionalised in aged care facilities and this may result in re-traumatisation. For these people, secure and appropriate housing could form part of redress.

#### General principles for providing redress

- There are several elements of redress; however, we feel the most crucial element is for redress to contribute to a sense of healing.
- The redress scheme must be culturally appropriate. For example, a culturally appropriate strategy is needed to ensure Aboriginal clients are informed about the redress scheme and their possible involvement. Additional considerations may be required in locating people, as well as considering cultural and family considerations in redress strategies.
- The redress scheme needs to be publicised, including via promotion through Aboriginal media outlets.
- Key stakeholders need to be involved in this process including the Stolen Generation as well as other targeted Aboriginal controlled organisations, for example, APONT, Danila Dilba Medical Service, and Congress.

#### National or State or Territory schemes

- Relationships Australia supports a National scheme as offering the best support for survivors. It would provide:
  - Fairness or equality, equity, consistency across institutions.
  - Easy access and could include broad and visible Australia-wide promotion.
  - Less complexity for survivors and consistency in procedures and support services.
  - Better access for survivors who no longer reside in the State or Territory in which they were abused or where they experienced abuse in more than one jurisdiction; Find and Connect services provide an example of one such successful approach.
  - A State-based scheme or institutional scheme would lead to fragmented responses and invariably make it more difficult for survivors to access redress. A fragmented scheme would also make it more difficult for the scheme to develop policy for non-government institutions that may have National or State-based jurisdiction. Relationships Australia has assisted a number of survivors to navigate services interstate as it can be difficult to access information, eligibility criteria and referral pathways. Our experience in assisting people across States shows that this adds to the cost of service delivery and the traumatisation of victims. This would require the agreement of all jurisdictions and may take longer to establish but it is worth striving for a single National scheme.
  - In order to prevent future institutional child abuse, a national framework and policy for acceptable standards should be established. For example, it could describe an institution's responsibilities in relation to alleged child sexual abuse; how they train their staff in understanding the dynamics of child sexual abuse, including disclosures and reporting; and appropriate organisational responses to this, including

accountability. The framework would need to be delivered to institutions with appropriate training so they are able to implement these standards.

- National standards could also inform and provide value to other important social issues, including for children who experience child abuse in the family.
- Clients have suggested that more responsibility and financial cost be placed with institutions, and that they carry the full cost (incl. administration) for any redress scheme. It would be useful for each institution to understand, dollar for dollar, how many children were abused whilst in their care, rather than each institution paying a 'flat rate' to a fund. The Commonwealth and States would then only have to carry a financial burden for abuse that occurred in their own institutions or as a compensator of last resort where the institution was no longer in existence. However, safeguards would need to ensure that institutions did not implement their own support services in lieu of contributing to the National redress scheme in order to minimise costs.
- Information from clients on the operation of current State redress schemes provides evidence of the risk of policy fragmentation that results in inequity between survivors. For example, a client who is seeking compensation from the South Australian Redress Scheme, has been re-traumatised by the experience. The client believes the South Australian government is still refusing to be accountable as they did at the time when he disclosed the abuse.
- We also note that there has been no official recognition and apology to Forgotten Australians by the Northern Territory Government. Modelling of survivors in the Northern Territory needs to recognise that potentially a higher percentage of the population will require redress. This is because around 30% of the population identify as Aboriginal or Torres Strait Islander and a high proportion of these people are Stolen Generation or impacted by Stolen Generation policies.

## Data

- Acknowledgement of the lack of data in the Consultation Paper should lead to recommendations and dedicated future funding for proper data collection and evaluation of the redress scheme. If evaluation were to be conducted from the inception of the scheme, early results could be used in a feedback loop to inform ongoing improvements over time.
- Data should also be collected to monitor processes and ensure compliance with the scheme by institutions.

## Direct personal response

### Principles for an effective direct personal response

- Many institutions have a poor record of responding to survivors. Our experience indicates that many survivors feel that a direct response from the institution is an important part of their recovery and would contribute significantly to the healing process. Many survivors want and need a process that provides the opportunity to meet with the institution to give their pain and suffering a voice.

- We support the view of the Royal Commission in the Consultation Paper<sup>1</sup> in identifying the three elements of a direct personal response as:
  - Receiving an apology;
  - The opportunity to meet with senior institutional representative and receive an acknowledgment of the abuse and its impact; and
  - Receive an assurance or undertaking from the institution that it has taken steps to protect against further abuse of children at that institution.
- A fundamental factor in ensuring the safety and integrity of the process during a direct personal response would be to involve a neutral third party. Without the assistance of a professional practitioner such a process has a real danger of resulting in re-victimisation and re-traumatisation.
- Below are some of the inherent risks associated with a direct personal response that is not facilitated by a neutral third party:

#### Re-victimisation

There is sufficient evidence, for example as stated in the Report for Adults Surviving Child Abuse: The cost of childhood trauma and abuse in Australia, to show that survivors can easily be re-traumatised by untrained individuals who may inadvertently show signs of intimidation through body language and voice tone. Without a neutral trained professional to detect any attempts by an institution to gain an advantage, this kind of situation can easily go undetected and leave the survivor feeling re-victimised throughout the process.

#### Lack of empowerment and safety

In order for the process to be a positive experience for the survivor it must be set up with a focus on ensuring empowerment, safety and respect for the survivor. Whilst many institutions may work hard to ensure this is the case there is evidence through the Royal Commission hearings to show that many institutions do not understand the impact of trauma on the survivors and have self interest in protecting their own institution over and above their concern for the survivor. This risk is very real and processes must be put in place to ensure that the risk is mitigated through a well-coordinated process that ensures the survivors feel heard, supported and understood.

#### Abuse of power imbalance and language

Without adequate professional support and facilitation from a neutral third party there is a very clear and imminent risk of a power imbalance in a process that allows survivors to meet with an institution with an expectation of an apology and to feel understood and fully listened to.

This is a particular issue for survivors who are in detention where these people are already positioned in a powerless situation within a correctional facility that reinforces power and

control over its inmates. Having a comprehensive understanding of the complex issues that inmates face would be an important factor in these meetings.

The agenda of meetings can be controlled by the powerful institution and erode the integrity of the process. Many survivors have been brainwashed as children to be very compliant with their abusers and do not have the assertiveness skills required to manage the content and direction of the meeting. The use of language is an important factor to help provide a balance of power or control in the process. For example, a facilitated process by a neutral party can ensure that language is culturally appropriate. “At the individual level it is very common for a person who wishes to assert his/her authority and superiority to use longer words to impress, to intimidate or perhaps to mystify and confuse the audience” (Language: The Ultimate Tool of Social Control , M. Ashraf Bhat, PhD). This is particularly the case where survivors have lower literacy and socioeconomic circumstances due to their interrupted education as a result of the abuse.

#### Trauma Informed Care

Trauma-informed services are adept at responding to the issues and complexity of needs that a traumatised person may have within a particular setting and are able to incorporate principles of care appropriate for traumatised people including trust, safety, person-centred care, choice, collaboration, and empowerment (Kezelman & Stavropoulos, 2012; Salasin, 2005). Key factors that underpin work with survivors are the principles of trauma-informed care, and of safety, integrity, trust and empowerment as stated in the Adult Surviving Child Abuse guidelines. There is no guarantee that institutions understand these principles or have undergone training in trauma-informed care principles. Without these fundamental understandings and training for senior members of institutions there is a very high risk that the direct personal response process would be an abusive process that causes further harm to survivors and sets them back in their recovery process.

Where there is a lack of understanding and sensitivity to trauma in delivery of services, some programs and services may inadvertently trigger trauma symptoms so that patients or clients revert to using coping mechanisms that can impact on their ability to successfully engage with the service (Savage et al., 2007).

To mitigate the risk of harm, the direct personal response process must be provided by an agency that is trained in trauma-informed practice and has processes in place to ensure integrity, safe practices and overall governance. These trained professionals should have specific training in mediation and trauma work. Relationships Australia supports an independent national redress body that monitors this element of the process. As stated above, if not done well, personal responses can be harmful (as has been the case with many survivors contacting institutions where their abuse occurred, only to be held at arm’s length and /or encountering disrespectful communication). The model also needs to consider principles that ensure accountability to the wider society. This requires a feedback loop that

provides opportunity for people to feed into the effectiveness of direct personal responses, and a mechanism to adjust the policy environment to take account of this feedback.

- In addition, there should be scope for collective redress for survivors that identify as being part of a group.
- Our clients advise that the institution should be required to acknowledge the history of abuse. How this is done will depend on the individual institution and the wishes of survivors. Clients have expressed concern regarding a 'mandated' apology from institutions when it has been 'forced' or 'legislated for'. There also may be conflicts of interest for any of the personnel delivering the apology due to their current or previous roles. It is unlikely that mandated apologies will significantly contribute to healing in these circumstances.
- For example in Tasmania, clients that have engaged with the Catholic Church to seek compensation before the "Towards Healing" scheme speak about being further traumatised by the experience. One client who was contacted by a representative of the "Towards Healing" scheme stated their response was inappropriate and further disempowering. Relationships Australia support the emphasis in the paper on the need to provide a framework for direct personal responses, training and supervision for people delivering these responses, and support for survivor through the experience. Personnel within institutions providing a direct response should also be required to be senior/executive level.

## Counselling and psychological care

### Principles for counselling and psychological care

- While many survivors value individual psychological support, we urge the Royal Commission to consider a range of treatment options in the design of the redress scheme. Treatment and support options that can be beneficial include: music therapy, group programs, peer support, art therapy and massage.
- There should also be culturally appropriate healing, support and counselling for Aboriginal survivors, with confidentiality of prime importance. Policy frameworks need the flexibility to provide assistance for culturally appropriate forms of healing; for example, culture camps, yarning circles for families to reconnect, share, explain and work out ways of family healing. These services also need sufficient lead time, including 6 to 12 months forward planning in the consulting, listening and designing of the scheme. The scheme should also provide whole of community healing responses, particularly for Aboriginal survivors on community who have extraordinary geographical, cultural and language considerations.
- Clients have expressed concerns over counselling/therapy being delivered within the Medicare framework. Many clients tell stories of arrogance, feeling stigmatised by 'diagnosis', and hurried to tell their story and to 'move on' from the abuse by

psychologists and psychiatrists. Relationships Australia suggests a complex trauma accredited practitioners' scheme as far more helpful and healing for clients.

- It is critical to ensure services engaged as part of the Royal Commission have no connections to institutions who have perpetrated sexual abuse.

#### Current services and service gaps

- Generalist psychological and medical services are not considered specialist services for dealing with institutional child abuse and we believe there is a need for specialist services that provide a trauma based approach – see 'A cry for help.' This report clearly indicates that these people are not well served by general mainstream services. Well trained mainstream workers, however, can enquire into the effects of child abuse and assist in guiding people to the right services. Relationships Australia South Australia is one organisation that has led workforce development training through Respond South Australia as well as existing post care services, and has provided child support training to workers and community members (Foundation courses as well as working with survivors both women and men in conjunction with the website <http://www.respondsa.org.au/>). This experience and training can facilitate a 'ready' workforce specific to this population as well as geographic responses.
- For the Northern Territory Aboriginal population, both remote and urban, a clearly identified service gap exists in the provision of adequate and realistic resources for long term (before, during and after), local, culturally appropriate counselling, support and whole of community healing. What is currently funded underservices the area and doesn't make provision for the resources needed to service regional and remote areas in culturally appropriate ways.
- Child sexual abuse impacts not only on a survivor's own sense of identity but also on the community's identity. Therefore, individual healing is dependent on the community as a whole also experiencing meaningful healing. Healing is about belonging, reconnecting and restoring identity and therefore it must also be about community healing. We also know that sexual abuse perpetrated against one generation impacts on the generations that come after. Therefore, children and grandchildren also carry the trauma of their elders before them and must also be offered services.
- The Royal Commission may also wish to develop policy on the role of counsellors in supporting survivors through legal processes. For example, Relationships Australia has been increasingly receiving requests for victim statements from the lawyers of survivors who have been accessing counselling services. These requests for reports to support legal processes from practitioners who are not trained in preparing documents for court may well be at odds with the counsellors role in facilitating therapeutic change.

#### Principles for supporting counselling and psychological care through redress

- There should be a holistic suite of services, and not just mental health and psychological care. Services should include specialists, life skills, support during redress and case management. Adequate resourcing for long-term (before, during and after), local, culturally appropriate counselling, support and whole of community healing is required.

- The redress scheme/process should be flexible enough to allow different outcomes depending on the needs and goals of survivors.
- Survivors and advocacy groups must be involved in the design and development of the process
- It is essential that any redress scheme be designed to ensure that survivors are not re-traumatised by the process by having them re-live the abuse. Nor does it require survivors to prove that the abuse occurred.
- There should be equity of access across the country.
- Individual survivors should be able to voice whether justice has been achieved and the scheme should take account of their views.
- Non-monetary and therapeutic benefits should be able to be claimed by survivors to cover a range of present and future therapeutic needs including, but not limited to, ongoing counselling through a provider of their choice, housing, finding and reconnecting with family, medical costs, subsidised housing, health and aged care supports in the last years of their lives, funeral costs, and education for survivors, children and grandchildren.

#### Options for service provision and funding

- The scheme should offer flexible service responses to clients (a no wrong door approach) and innovative and tailored models for support services. For example, mental health care plans need to be expanded and broadened to cover a more holistic approach to support, including case management.
- Our experience in supporting survivors shows that specialist services need to be independent and have the ability to provide a comprehensive suite of services. (See case example attached). There is a need for a service system that is responsive to the consumer's voice and has diverse cultural and population approaches.
- Innovative or traditional support services should also be trauma-informed, the core principles of which should include: choice, cultural competency, support for survivor empowerment, safety, collaboration and trustworthiness. Trauma-informed approaches aim to minimise further trauma through a conscious attempt to reduce and eliminate triggers for victims, assist in healing and recovery, and prevent future traumatisation and violence.
- One promising approach that is more victim-focussed than traditional legal system approaches is restorative justice. Restorative justice models are being explored in a number of national and international jurisdictions in the fields of human rights, criminal justice and child abuse.
- Restorative justice is organised around the normative values of respect, peacefulness, and responsibility, and at the procedural or operational level it involves some kind of encounter to develop relationships, repair and transform. "Restorative justice theory emphasises that every crime involves specific victims and offenders, and that a goal of the criminal justice process should be to help them come to resolution....resolution requires that the rights of victims be vindicated by exoneration from responsibility for

the injuries they have sustained as well as receiving reparation for those injuries. That is not all that is required. The offender must make recompense for there to be full resolution ... Recompense is something given or done to make up for an injury. This underscores that the offender who caused the injury should be the active party (Van Ness et al., 2002).

A key feature of a restorative justice model is a formal meeting or conference, at which the survivor, offender(s), and community, or their representatives, are present in order to discuss and process what happened, identify the nature of the harms caused, and determine what needs to occur to rectify the wrongs and repair harms; victim forgiveness is not required (Randall, 2014).

- There are many models already used in a variety of settings to assist with the healing processes and restoration. One model that is currently employed in Australia to assist with family disputes is called Family Dispute Resolution. This process could be tailored to suit the needs of the 'direct personal response' process. As stated previously, skilled practitioners are required to facilitate the process and support the survivor.

#### Family Dispute Resolution (FDR)

- The FDR process encompasses the key principles of respect, equality and an outcome that ensures safety for the vulnerable parties. FDR involves members of a family unit and a neutral third party facilitator/mediator to facilitate the meeting. The members set the agenda and the facilitator works to ensure that each party is heard and understood with the outcome being an agreement or understanding of the way forward.
- The process is value driven with a view to providing a space where people can express themselves, and it brings healing and understanding to the parties involved. It is a therapeutic approach to a complex situation that addresses underlying issues where all parties are empowered to move forward.
- FDR is a multi-staged process and is currently used across the country by many service providers with very successful outcomes. Factors that are important include: a willingness by parties to accept responsibility for any abuse that occurred and a commitment to engage in the process.
- Relationships Australia considers that it is possible to develop a working model for 'direct personal response' that is informed by the therapeutic principles of FDR and its processes.

## Monetary payments

### Monetary payments under other schemes

- While learnings from previous Royal Commissions and redress schemes can be considered, we urge the Royal Commission to be innovative and victim-focussed in the design of a National redress scheme.

- Of note there has been no Northern Territory government response.
- In Queensland some Aboriginal Royal Commission and/or former Queensland Aftercare Resource Centre clients expressed great dissatisfaction with the Queensland ex gratia compensation scheme. Clients report that the tiered approach to compensation was not clearly explained to them or their communities. We suggest that greater transparency and community consultation is built into any redress scheme.
- Many reported that the payment of \$7000 (level 1) felt grossly disproportionate to the injuries suffered as children, compounded by the emotional strain required to report the abuse. We suggest that any monetary payment to be reflective of /have some relationship to the type and extent of abuse suffered, and that the survivor be informed of how that amount was calculated.
- In order to obtain a level 2 payment significant evidence of the abuse and its severity was required. This was unachievable for many due to the passage of considerable time since the abuse occurred. Consequently, clients reported that the payment felt insincere, obligatory and failed to consider the intergenerational impacts of trauma.
- In Tasmania, clients who have sought and received compensation express problems with the process, particularly the “unfairness” of payment amounts. More than one client has used the words “slap in the face” when referring to the amount they received in compensation.
- Many of our clients experience significant, entrenched problems linked to experiences of abuse. In light of this, and average payment of \$85,000 would seem a more appropriate amount than \$65,000.
- For most clients accessibility has been, and still is, a barrier, especially if they are unaware of available support. Depending on the institution where the abuse occurred, there is often no clear pathway or guaranteed outcome. In cases where a client’s best option is to engage a solicitor they lose a significant chunk of payment to cover solicitor fees. One client was advised by a solicitor that if the client went ahead it was likely to be a poor outcome because the institution has no money and suing an individual is fraught with problems.

#### A possible approach

- Relationships Australia favours figure 1 (page 20) as it would provide a more equitable distribution of redress compensation. We also prefer a broader definition of abuse that is linked to sexual abuse, but includes physical abuse and torture, emotional abuse that involves grooming, intimidation and coercion as well as neglect. In addition we see it as important that there is recognition of the context of a child’s life, for example, a highly disadvantaged environment would potentially, but not necessarily, lead to more severe longer term impacts.

#### Other payment issues

- Provision of payments to be made in instalments may be an important consideration for Aboriginal clients in remote communities and there is a need to closely consult with Stolen Generation and other key Aboriginal agencies including the Healing Foundation.

However, we do not support paternalistic control of compensation payments by the scheme administrators.

## Redress scheme processes

### Eligibility

- Eligibility for redress should be broad and inclusive.

### Duration

- Relationships Australia supports the view of the Commission that any redress scheme should not have a fixed closing date. While some people are able to speak out when the abuse occurs, for others it can take decades before they feel able to discuss their experiences. The latter is the case for many of people we have seen through our support services. Clients have expressed their frustration and anger when advised they are outside the dates to be eligible to seek compensation.
- The Scheme should also recognise that child sexual abuse leaves a lifelong impact and survivors will need support at different intervals and transition points in their lives.

### Publicising and promoting the scheme

- Any redress scheme will need to be publicised widely as possible. In our experience, many survivors are adept at 'blocking out' or avoiding anything about sexual abuse. Others have sought assistance but not found the right support, or felt able to access what was being offered (e.g. they may have enquired about Towards Healing but were deterred by the process or response). In Victoria, even in the past few months we have had people present at our service who are not aware of the work of the Royal Commission.
- Particular strategies are required for publicising redress scheme for rural/remote and Aboriginal populations.

### Application processes and support

- Relationships Australia Victoria reports that the overwhelming majority of the survivors who have come to their Reclaim service have not sought redress or compensation. Of the small number who have accessed current schemes or civil litigation most have found them unsatisfactory at best; or at worst abusive and traumatic. Many survivors will require support in order to access redress and this should be factored into any proposed scheme. The support provided should be as flexible as possible and tailored to the needs of the client.
- In our experience many survivors' educational, social and employment opportunities have been negatively affected by their abuse and therefore, literacy, among other things, is an important factor. Particular note and consideration also needs to be made for clients (including Aboriginal) where English is not the primary language. Hence, application processes and documentation should be straightforward and written in plain English. We suggest that application material be reviewed by a plain-English literacy expert.

- Due consideration also needs to be made for the impact of increased levels of distress and trauma if compensation is not granted to a victim/survivor.
- Another concern for clients is that the onus of proof appears to be their responsibility and therefore we support the recommendations in the Consultation Paper that the burden of proof is the less onerous 'reasonable likelihood' test.
- Many of our clients who have received compensation report they felt pressured into accepting the amount offered and to sign a waiver form. Relationships Australia commends the principles covered in the Consultation Paper for legal support for survivors.

### Support for survivors

- Our clients have experienced complex trauma which requires mostly complex responses in counselling, support, and assistance over a long period of time.

## Funding redress

### Possible approaches to funding redress

- Overall we would promote that the redress scheme is independent of the institution, and also that cultural responsiveness would be better addressed within a community-based setting.
- We support dedicated funding that is independent of government election cycles and changing fiscal priorities. We also favour a funding model that isolates redress funding from mainstream government programs.

## Interim arrangements

- While we support timely establishment of a redress scheme, we urge the Royal Commission to keep the rights and needs of survivors at the centre of its focus. Therefore we would not support the implementation of a scheme that considers timeliness or affordability as a greater or equal consideration when compared to quality and completeness.

Thank you for the opportunity to provide a submission to the Consultation Paper on Redress and Civil Litigation. Should you require any further clarification of any aspect of this submission or need information about the services Relationships Australia provides, please contact myself or Paula Mance, National Policy Manager, Relationships Australia.

Yours sincerely,

A handwritten signature in cursive script that reads "Alison Brook".

Alison Brook  
National Executive Officer

27 February 2015

## Case study

This case study illustrates the complex circumstances and needs of clients accessing Royal Commission counselling and support services at Relationships Australia.

The person who is the subject of this case study was sexually abused in institutional care. He is aged in his mid-fifties and has been married three times. He has been married to his current partner for 8 years. Although his former drug and alcohol issues are now resolved, poor conflict resolution skills and lack of emotional regulation are negatively impacting on his relationship with his current partner and children. The focus of counselling is on the impact of past trauma on his life today.

He has very poor physical health, a historical lack of medical and dental care, and a current inability to access appropriate and affordable services. He also has significant mental health issues, with many and varied diagnoses, bipolar disorder and post-traumatic stress disorder to name a few. Poor mental and physical health has restricted his employment options, resulting in a life spent on welfare.

The person is currently receiving the Disability Support Pension. Long term welfare dependence has led to financial issues and poverty. He is also at ongoing housing tenure risk due to lack of understanding of basic budgeting (never taught) and being unable to manage on a limited income.

This person's story is consistent with other survivors of institutional child abuse. Many clients presenting at Relationships Australia have poor interpersonal relationships, issues with sexuality, and a history of domestic violence. Other common issues also include spiritual questioning and feelings of loss around religion, especially if the abuse occurred within religious institutions. This often results in an inability to connect with spiritual assistance even though the person may desire such a connection. This person is also experiencing significant self-esteem issues due to feelings of worthlessness as a child and this has impacted on his ability to sustain employment and relationships.

The client presented with a lack of empathy within relationships, an inability to feel worthy of love, and is unable to understand what love actually is. He is also experiencing grief and loss over the childhood he didn't have. Grief and loss extends to the loss of his biological family, not feeling 'connected' to community and family, ongoing feelings of isolation, and an inability to form sustainable interpersonal relationships. He has also experienced frustration and grief when records and family history was not available to him or files had been redacted, destroyed, or he had been refused permission to view them.

These issues have significantly impacted on his own ability to parent his children. A lack of positive parenting role models in his own life has led to poor relationships with his own children. For many clients presenting at Relationships Australia there has also been interaction with child protection services and subsequent removal of children. This leads to a further intergenerational impact on children and grandchildren and feelings of being 'owned by government' due to ongoing intervention by child protection services.

This person is determined to work through these issues as he would like his marriage to last and support his two children that are within this marriage. The children from previous marriages and relationships are reluctant to engage with him due to past drug and alcohol misuse. Case management with this client focusses on relationship support, poverty, housing and working through grief.

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See also:

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