



Alliance for Forgotten Australia's Statement on the
15th Anniversary
of the National
Apology.

The apology in 2009 created hope for justice, recognition and healing, 15 years later unfinished business remains.

On 16 November 2009, on behalf of the Australian Government, Prime Minister Kevin Rudd delivered an unqualified apology to Forgotten Australians and Former Child Migrants who suffered abuse or neglect in institutional or out-of-home care. He was supported by the (then) Opposition Leader, Malcolm Turnbull. The Great Hall at Parliament House in Canberra was filled with hundreds of Forgotten Australians and their supporters.

For many the apology held a huge significance for those who suffered abuse and neglect, people have been waiting all their lives for someone of high-standing, to acknowledge what they had experienced.

The National Apology offered validation and the assurance that Forgotten Australians' stories were being heard and ensured that there was action being taken to improve quality of life and promote emotional and psychological healing.

The apology followed unanimous calls to start delivering on the recommendations of the three Senate Inquiries: *Lost Innocents – Righting the Record (2001)*, *Forgotten Australians: A Report on Australians who experienced institutional or out-of-home care as children (2004)* and the recent *Lost Innocents and Forgotten Australians Revisited (2009)*.

15 years is a long time – so much has changed since that day in November 2009, but this chapter on righting the wrongs of the past is not yet finished.

The Alliance for Forgotten Australians (AFA) considers it timely that it draws attention to what has been achieved since the apology and equally what remains unfinished business. While much has been achieved there are still critical issues that remain outstanding with many Forgotten Australians continuing to struggle with ill health, mental health, addictions, homelessness, and early ageing.



For many the transition into adulthood was affected not only by the horrific trauma of their childhood but also by the lack of education provided while in care, severely limiting their employment prospects leading to a lifetime of struggle and poverty.

There remains unfinished business, all too often Forgotten Australians have been left with the crumbs of justice, the leftovers of over stretched Government budgets and gatekeeping of the Government purse strings by Bureaucracies.



In remembering the apology of 2009, we must ensure those in power today and into the future recognise their obligation to Forgotten Australians, as spoken by former Prime Minister Rudd,

“Today, and from this day forward, it is my hope that you will be called the ‘Remembered Australians’”.



The following is AFA assessment of the progress against the 39 Recommendations of the 2004 Senate Report, and what remains unfinished business.

Apology

Recommendation 1 & 2

Achievements

On 16 November 2009, Prime Minister Kevin Rudd made a formal apology on behalf of the nation to Forgotten Australians/Care Leavers.

All States have issued statements of apologies in various forms, with NSW response to survivors generally been the most lacklustre.

Unfinished Business

While the main religious bodies have issued statements there are some religious bodies that have resisted proper acknowledgment of the extent of abuse and neglect in their institutions.

Redress

Recommendations 4 & 6

Achievements

The National Redress Scheme was established on 1 July 2018. The Scheme has so far provided 19,486 survivors with offers of redress and has made payments of approximately \$1.47 billion dollars.

All Australian Government institutions, state, and territory government institutions and 570 non-government institutions are now participating in the Scheme.

Approximately 70,000 sites across Australia are now covered by the Scheme.

Approximately 136 unique institutions have been declared that they are defunct or cannot financially participate in the Scheme.

Institutions that have declined to join the Scheme and are named in an application for redress and can join but have chosen not to join or have not responded to the Scheme's requests to join, there are consequences for these institutions.

All State and territories except for NSW have put in place Redress schemes, with Victoria to commence its scheme in December 2024.

Unfinished Business

The National Redress Scheme failed to provide redress for the emotional and physical assault of children and young persons, including assault leading to death.

NSW the most populous Australian state, is without a state funded redress scheme, leaving individuals to pursue state civil litigation, which is costly, protracted, and emotionally damaging, a traumatizing means to get justice.

Applications for redress cannot be assessed until the responsible institution, or institutions, have fully joined the Scheme.

Handling Abuse Allegations

Recommendations 5, 7 and 9

Achievements

The Australian Catholics have established, the Australian Catholics Safeguarding Ltd (ACSL).

The Australian Salvation Army announced it has established a dedicated office provided through the Centre for Restoration.

UCA Redress Ltd is a company that has been established by the Uniting Church in Australia to be the national body for the Uniting Church.

The Anglican Church of Australia has established a Safe Ministry Commission.

There are whistleblower protection laws in place under the Corporations Act, which applies to regulated not-for-profit and charitable entities.

In 2012 the National Children's Commissioner position was established within the Australian Human Rights Commission.

Unfinished Business

Limited evidence of processes that promote reconciliation and healing in religious institutions processes for handling abuse allegations.

No evidence of the churches and agencies publishing and disseminating comprehensive annual data on all abuse complaints received, and results of the review of their processes and procedures.



Access to Records

Recommendations 12, 13, 14, 15, 16, 17 & 18

Achievements

Legislation in each state requires the government to keep the personal records of children who were in 'care' permanently.

In each state or territory, there is a government department whose job it is to respond to requests for access to the records of state wards.

FOI and privacy laws have clear rules for how governments and other organisations keep personal records, and store them into the future.

The Find and Connect web resource is the online component of a nationwide program, developed to help people find information about the institutions they lived in, the legislative and social environment that created the welfare policies of the time, and, where records created about the children exist, and how to access them.

Find & Connect support services help Forgotten Australians to find family, access records.

Unfinished Business

Lack of consistency nationally in relation to records access guidelines. The decision to release personal records and which parts of them to release is made by the individual or team processing the application and reviewing the records.

Redacting of records has become increasingly problematic.

Royal Commission

Recommendation 11

Achievements

The then Prime Minister, Julia Gillard, announced the decision to establish the Royal Commission into Institutional Responses to Child Sexual Abuse on 12 November 2012.

The Royal Commission into Institutional Responses to Child Sexual Abuse was established on 11 January 2013.

The Terms of Reference directed the Royal Commission to inquire into, and report on, 'institutional responses to allegations and incidents of child sexual abuse and related matters'.

Unfinished Business

The Royal Commissions' primary focus was sexual abuse, it failed to examine the nature and extent of criminal physical assault of children and young persons, including assault leading to death, as described in Recommendation 11.



Advocacy & Support groups

Recommendations 19, 20, 24, 25, 26, 27, 28, 29, 30, 31, 32 & 33

Achievements

The Alliance for Forgotten Australians (AFA) was established. AFA was launched on 16 October 2007.

Following the 2009 Apology, the Australian Government announced initial funding of \$26.5 million over four years for Find and Connect services. This funding has been extended to June 2026

In 2016, an Information package was developed as a resource for service providers in the aged care sector, particularly for those in residential care.

From 1 December 2009, the Aged Care Act has recognised 'care leavers' as a 'special needs group'. The inclusion of 'care leavers' in the Aged Care Act 1997 means that the needs of Forgotten Australians must be considered in the planning and allocation of aged care places.

Under the Aged Care Quality Standards and Charter of Aged Care Rights, care leavers are identified as a cohort eligible for specialised services.

The HACC programs explicitly recognise the needs of care leavers.

The Care Finder program was launched in 2023 as part of the recommendations from the Royal Commission into Aged Care Quality and Safety and in response to the findings from the Care Navigator program.

National Homelessness data reports on young people leaving the care system into homelessness, that is they identify people transitioning from foster care/child residential placements or transitioning from other care arrangements as a reason for seeking assistance.

Unfinished Business

Funding of the Find and Connect services is inadequate to meet costs of service delivery, ensure access in regional locations and respond to the increasing demand for services.

There is limited evidence of enduring enhancements to the curriculum or training of health and community professionals.

There are no specialised or tailored health or dental responses targeting Forgotten Australians/Care Leavers.

There are no specialised or tailored aged care services for Forgotten Australians/Care Leavers, other than those provided by specialised homelessness providers.

Forgotten Australians/Care Leavers, lack access to specialised aged care services despite being a recognised special needs group, and they are left to navigate a system

with inadequate support. Better targeting of the Care Finder Program is required.

Data is not available to quantify the number of historical Forgotten Australians/Care Leavers who continue to experience homelessness.

An increase in literacy and numeracy funding is required, as well as better targeting of existing funding and provision to Forgotten Australians/Care Leavers through the delivery of courses in community settings via outreach models or partnerships with community organisations, such as Find and Connect Providers and libraries.

There are no alternative pathways into higher education specifically for Forgotten Australians/Care Leavers unless they fall under the equity access for regional/remote/Indigenous.



Protecting Children

Recommendations 8 & 39

Achievements

In 2012 the National Children's Commissioner position was established within the Australian Human Rights Commission.

The National Centre for Action on Child Sexual Abuse was founded in 2021.

The Australian Government developed the National Framework for Protecting Australia's Children 2021–2031, Safe and Supported is Australia's framework to reduce child abuse and neglect and its intergenerational

impacts. It builds on the National Framework for Protecting Australia's Children 2009–2020, which laid the foundation for national collaboration on protecting Australia's children.

In more recent times there has been a shift towards developing a trauma-informed workforce, reflecting the multiple and complex needs of vulnerable children and young people who come into contact with child protection and youth justice.

Unfinished Business

While the curriculum at tertiary institutions has developed over time to focus on child protection and related issues, the graduates who find themselves in the child protection and youth justice work, continue to find the work challenging and intensive, impacting on their safety and wellbeing through consistent exposure to stress and trauma. These experiences lead to high turnover and large unmanageable caseloads putting vulnerable children and families at greater risk.

Recognition

Recommendations
34, 35 & 36

Achievements

The Government invited applications from all State and Territory Governments, and, in 2007, all six states received \$16,666 to assist them to establish memorials.

The Inside exhibition was on show at the National Museum of Australia from 16 November 2011 until 26 February 2012. The exhibition remains digitally on the Museums website.

Concluding in 2012, the National Library of Australia has recorded people from all over Australia talking about their experiences in institutional care, in the Forgotten Australians and Former Child Migrants Oral History Project. More than 200 people told their life stories. Access to the stories is available at the Library's website.

Unfinished Business

The establishment of a national memorial in Canberra, 'reflecting the national ownership of this piece of Australia's history' has yet to be realised.



Research & Data

Recommendations
37 & 38

Achievements

In 2015, the Research Study Report - *No Child Should Grow Up Like This: Identifying long term outcomes of Forgotten Australians, Child Migrants, and the Stolen Generations*, was launched, it was the first national research project of its type in Australia and made a major contribution to understanding the experiences of Forgotten Australians

The Child Family Community Australia (CFCA) information exchange is hosted by the Australian Institute of Family Studies (AIFS) and funded by the Department.

The National Library holds a catalogue that enable people to find books, pictures, maps, oral history interviews, manuscripts and more. Some items can be viewed online, but most can be requested to be viewed at the Library in Canberra.

Unfinished Business

Further research is required to understand if the needs of Forgotten Australians/ Care Leavers are being met.





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