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# Q&A

## COMMISSIONER HELEN MILROY

by Rebecca Gallegos



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### **Can you tell us what the broad aim of the inquiry is, and what it aims to achieve by hearing the stories of Australians impacted by institutional sexual abuse?**

The Royal Commission into Institutional Responses to Child Sexual Abuse is examining how institutions in Australia have responded to allegations and incidents of child sexual abuse. We are uncovering where institutions have failed and will make recommendations on how to improve laws, policies and practices. Our aim is to create a safer future for children.

Drawing upon the experience of individuals and the investigation of systemic issues, we are required to make recommendations that will provide a just response for people who have experienced sexual abuse as a child while in the care of an institution.

Our work is divided into three pillars: private sessions; public hearings and research and policy.

Private sessions allow survivors of child sexual abuse to speak directly with a Commissioner in a private and supportive environment. Public hearings follow a formal process, with evidence presented to the Royal Commission by a range of witnesses following investigation and research.

Our research program provides evidence to address the Terms of Reference, by answering specific questions, identifying and critically appraising existing literature and policy responses, filling research gaps and driving analysis and recommendations. The Royal Commission's research is likely to make a major and lasting contribution to the national and international research community.

### **How have the experiences of those impacted by the Stolen Generations differed to those of non-Indigenous people?**

When child protection systems were first established in Australia, a parallel system emerged for Aboriginal and Torres Strait Islander children. Aboriginal and Torres Strait Islander children were forcibly removed from their families, based on their race, and

sent to institutions such as missions, reserves, pastoral stations, dormitories, schools and children's homes. Many were adopted by non-Indigenous families.

In 1997, the *Bringing them Home* report found that many children of the Stolen Generations experienced terrible physical and sexual abuse, with an overwhelming majority of cases being unreported. They also experienced other forms of abuse, such as the denial of cultural identity and practices, which made it difficult for Aboriginal and Torres Strait Islander children to understand their cultural heritage. They experienced a loss of connection with family and community, as well as a loss of language and culture. The societal views of Aboriginal people and their children may also have contributed to the discrimination experienced by children.

The historical legacy still plays out today with the continued high rates of disadvantage and increased vulnerability of Aboriginal and Torres Strait Islander children to adverse life outcomes, including sexual or physical abuse.

We are only in the early stages of analysing data from private sessions, so it is difficult to fully outline how the experience of Aboriginal and Torres Strait Islander people who experienced child sexual abuse in an institution differs to non-Indigenous people. This is an important line of enquiry and one that the Royal Commission is continuing to explore.

### **Why has it been important to create resources targeted at Indigenous people; as well as having Indigenous staff at the Commission?**

Aboriginal and Torres Strait Islander people who have experienced child sexual abuse while in the care of an institution must have the opportunity to be heard. The Royal Commission employs dedicated Aboriginal and Torres Strait Islander counselling and support staff, as well as community engagement officers who work with community groups and service providers to encourage survivors of child sexual abuse in an institution to come forward.

From our early consultations with Aboriginal and Torres Strait Islander peak bodies, it was acknowledged there may be additional barriers for Aboriginal and Torres Strait Islander people coming forward due to cultural, historical and language barriers. This is particularly the case for those who were removed under past government legislation, such as the Stolen Generations.

So far, about 806 people from Aboriginal or Torres Strait Islander communities have phoned the Royal Commission to either find out more information or share their story. People from Aboriginal

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and Torres Strait Islander communities are also attending private sessions in significant numbers. As of April 2014, the Royal Commission recorded that 188, or six per cent, of people attending private sessions identified as being Aboriginal or Torres Strait Islander. However, we must take into account that this number may not be entirely accurate, as we do not routinely ask in a private session whether someone identifies as being an Indigenous person.

We know there are some people who are yet to make contact with the Royal Commission, and that there may be cultural or language barriers preventing them from coming forward. That is why we work closely with trusted community organisations and have developed culturally sensitive communication materials, to better explain the work of the Royal Commission and encourage Aboriginal and Torres Strait Islander people to share their story.

**Many people sharing their stories would obviously find it extremely difficult. Do Indigenous people in particular have a difficult time sharing such stories, and How is the Commission supporting Aboriginal and Torres Strait Islander people to tell their story?**

We acknowledge the challenges some survivors of child sexual abuse face in retelling their experiences. We know telling your story can be difficult.

Private sessions are conducted in a culturally sensitive way, with recognition of the needs of Aboriginal and Torres Strait Islander people who have experienced child sexual abuse. Aboriginal counsellors and community engagement staff are available to assist survivors of child sexual abuse and provide a cultural bridge for safe passage through the processes of the Royal Commission. Interpreter services are also available if required.

Where possible we have also tried to understand gender issues, the need to have all male or all female staff present at times, and the need to follow community and cultural protocols.

People attending a private session are also welcome to bring a support person, such as a family member or friend. In some unique cases, group private sessions have been made available for a number of survivors to share their story with a Commissioner collectively.

In some cases, group private sessions have been held to meet particular needs of some survivors in regional and remote Aboriginal communities. We recently held private sessions as part of a weekend gathering for an Aboriginal community in Queensland.

Separate sessions were conducted for men and women, allowing survivors to speak freely in a culturally safe environment. We were proud to work alongside service providers including the Healing Foundation, Link Up QLD, Gallang Place and the Institute for Indigenous Urban Health to deliver the private sessions.

**There are still high numbers of Indigenous children in out-of-home care ('OOHC') today. Is prevention of abuse in OOHC for Indigenous children something the Commission is looking into?**

We are investigating how child sexual abuse can be prevented in out-of-home care. It is a priority issue in our research program. We know that children placed in care have often experienced complex and traumatic life experiences that increase their vulnerability. The latest report from the Productivity Commission stated that the number of children in care has increased since 2009. The rising number of Aboriginal and Torres Strait Islander children in out-of-home care was of particular concern. Our issues paper on preventing sexual abuse of children in out-of-home care generated significant interest in the community. The Royal Commission received 63 submissions from a diverse range of interested parties.

We recently held a roundtable on preventing child sexual abuse in care, bringing together state and territory government representatives, regulators, policy experts, providers, Aboriginal and Torres Strait Islander peak bodies, academics and advocacy groups. The discussion focused on the four key themes of monitoring and oversight; recruitment, assessment and training of carers; prevention through practice and supporting and responding to children in care.

We specifically sought to include the expertise of Aboriginal and Torres Strait Islander people in the roundtable discussion, and continue to consult with a wide range of Aboriginal and Torres Strait Islander organisations.

**The Commission has held some private sessions within the prison system. Given the high incarceration rate of Aboriginal people, particularly men, has the Commission offered culturally appropriate sessions for Indigenous inmates, or are there plans to talk to people who have been in prison, or are currently in prison, in state and territories such as Western Australia and the Northern Territory?**

We are offering private sessions for people in prisons as part of a trial program in New South Wales ('NSW') and the Australian Capital Territory ('ACT').

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In private sessions at a women's gaol in NSW, 40 per cent of the inmates we spoke to identified as Aboriginal or Torres Strait Islander.

Aboriginal counsellors and community engagement staff from the Royal Commission have been involved in the design and implementation of the pilot project. We are also working closely with Aboriginal Legal Services (ALS), Aboriginal Inmate Development Committees, and other relevant support services to deliver culturally sensitive private sessions.

Although the focus of this program is to listen to the stories of current prison inmates, we are also working with 'ThroughCare' and community corrections to promote our work to people who are no longer in custody.

Once the pilot is completed we will consider making private sessions available to prisons in other states and territories, and in juvenile justice detention centres.

Many people in private sessions have been through the prison system and have clearly articulated the pathway from one form of institutional care in childhood to others throughout their life such as juvenile detention and prison.

**The 'ThroughCare' program has recently been defunded by the Federal Government; will this impact on the work the Commission is doing to engage with those in the prison system?**

We are working with a number of correctional facilities to provide an opportunity for inmates to share their story with the Royal Commission. The program is being delivered with the assistance of state and territory departments of corrective services, the ALS, Aboriginal Inmate Development Committees, and other relevant support services. The inmate engagement program will continue despite the cut to ALS 'ThroughCare' funding.

**Do you see the inquiry as part of the healing process? What can we do as a community to ensure that all Indigenous people have access to appropriate healing programs?**

For many survivors, the experience of child sexual abuse in an institution has a profound effect on mental and psychosocial wellbeing. When self-reporting the impacts of abuse, survivors often identify impacts on behavioural and mental health, relationships, educational and economic outcomes and physical health. These impacts can also continue across the generations.

It is vital that we as a community continue to support survivors of child sexual abuse and their families, especially children. Culturally appropriate, community based support services are important in this process. Aboriginal and Torres Strait Islander sexual assault service providers, counsellors, legal services, health practitioners and other community based organisations play a critical role in providing survivors of child sexual abuse in an institution with ongoing support.

Through private sessions we are bearing witness to child sexual abuse in institutions and allowing survivors to be heard. Some people who have shared their story with the Royal Commission have described the experience as being part of a 'healing process'. Others have told us that they felt 'immense relief' or felt 'empowered'.

We also offer counselling and support services to all people who share their story with us in a private session. Counsellors are available following the private session to listen to survivors and provide support. They can also provide a referral to a community based support service for ongoing counselling if required.

Sharing your story can be difficult, but support services are available. I encourage anyone who has experienced child sexual abuse in an institution to contact the Royal Commission. As far as we are able, we will assist you to tell your story in a culturally supported environment, with dignity and respect.

This is a unique opportunity for all of us to change our thinking about child protection in Australia, and to acknowledge and respect the significant contribution of Aboriginal and Torres Strait Islander children to the unique identity and cultural heritage of our nation. All children need protection and the right to a healthy, happy, nurtured childhood.

*Commissioner Helen Milroy is one of six Commissioners appointed to the Royal Commission into Institutional Responses to Child Sexual Abuse. Commissioner Milroy is a Consultant Child and Adolescent Psychiatrist and Winthrop Professor at the University of Western Australia. She is a descendent of the Palyku people of the Pilbara region of Western Australia.*

*For more information about the Royal Commission visit: [www.childabuseroyalcommission.gov.au](http://www.childabuseroyalcommission.gov.au).*

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