

Royal Commission into Child Criminal Assault

AUSTRALIAN DEMOCRATS ACTION PLAN
ROYAL COMMISSION INTO CHILD CRIMINAL ASSAULT
CHILDREN AND YOUTH

“The crime of child abuse requires not just punishment but also prevention. A harmed child can produce decades of a harmed adult and there can also be a generational effect. This reality poses huge costs for those directly affected and for wider society.”

Senator Andrew Murray, initiator of two Senate inquiries into children raised in institutional care

The Federal Government has a moral and social obligation to show leadership in the fight against the physical and sexual assault of children. These issues are a national concern. If we are ever to properly address this issue, we must first understand it completely. Because of its inquisitorial powers, a Royal Commission would provide a major opportunity to investigate widespread allegations of assaults in the past, ensure that justice is served and to examine comprehensive measures for protecting children in the future. The alternative is more taxpayer dollars being spent on mopping up the carnage that criminal assaults on children bring.

Democrats Action Plan

Continue to push for the establishment of a Royal Commission into the sexual assault of children and child abuse in general.

The Issues

Apart from numerous state-based inquiries that have revealed systemic abuse and neglect of children raised in out-of-home care, a trilogy of national inquiries have revealed the long-term social and economic consequences of children subjected not only to general abuse and neglect, but also the evil crime of sexual assault. The reports of these inquiries are:

- Human Rights and Equal Opportunity Commission (1997) *Bringing them Home*, the ‘stolen generation’ report;
- Senate Community Affairs Committee (2001) *Lost Innocents: Righting the Record*, a report on child migration;
 - (2004) *Forgotten Australians*, a report on Australians who experienced institutional or out-of-home care as children;
 - (2005) *Protecting Vulnerable Children: A national challenge*; the second report of the inquiry into children in institutional and out of home care

Media reports of the sexual assault of children are common. Whether in the past or in the present, the unpalatable truth is that many children have suffered criminal assaults in Australia, whether in children’s homes or foster care, in schools or parishes, or in the sphere of private families, and more recently detention centres.

Regardless of repeated calls for a Royal Commission into this issue by many in the community, the Prime Minister’s response has been negative. However, the Democrats consider that an inquiry into the scale of criminality against children and



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the concealment of crimes within institutions can only be successfully pursued through a Royal Commission because of the powers attached to it. We have moved motions in the Senate calling for such an inquiry and have received support from other parties, but no support from the Coalition Government.

A Government initiated Commission of Inquiry into Children in State Care commenced in South Australia in November 2004. Because of the huge number of people coming forward to give evidence (nearly 2000 in February 2007), staff numbers have doubled and the inquiry has been extended twice. In May 2007, the inquiry was also expanded to Aboriginal communities in SA. In an interim report, Commissioner Mullighan suggests survivors of child sexual, physical and emotional abuse should be given the same lifelong benefits as war veterans. He claims the response so far has been inadequate. He also stated that he believes his inquiry has only scratched the surface. He is due to deliver his final report to the State Government at the end of 2007.

Commissions of Inquiry have been completed in Canada and Ireland. The many survivors and their families in Australia deserve nothing less. A Royal Commission will:

- Observe that there are distinct groups amongst victims: Aboriginal children taken to be raised on missions and/or in foster care; former child migrants from the UK, Ireland and Malta shipped to populate Australia with 'good white stock'; and Australian born white children who for no fault of their own became state wards. Ball-park figures suggest that well over 500,000 children were raised in out-of-home care last century.
- Hear personal accounts of criminal assaults as well as sustained psychological abuse disclosed by victims, family members and legal guardians. For many, these experiences will be revealed for the first time.
- Understand that if you harm a child, the adult that the child becomes will feel the effects of that harm for their entire adult lives. Too many live on the margins of society and endure homelessness, unemployment, welfare dependency, substance abuse, criminal convictions, failed relationships, mental health problems and premature deaths, often from suicide.
- Realise that apart from the knock-on social and human costs, the long-term economic costs to the community are immense. The Kids First Foundation and the Abused Child Trust estimates that child abuse and its effects cost taxpayers \$5 billion annually.

A royal commission is not about politics. It is about the need to address past injustices and to protect our most precious resource, our children.



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