Centre for Excellence Seminar – Preparing for the Royal Commission – April 2014

What CAFS is doing to prepare for the Royal Commission?

Thank you Deb for the introduction and for the opportunity to be here representing CAFS Ballarat.

Child and Family Services Ballarat began in 1865 as the Ballarat Orphan Asylum and since that time has continuously cared for children. In 2015 we will commemorate 150 years of operations.

We have diversified greatly in recent years to include such areas as Family Violence Prevention (CAFS is in fact one of the first 8 organisations accredited as a White Ribbon Workplace) and we provide Early Childhood Parenting Services and other services, Out of Home Care is regarded by CAFS as our core business. Caring for children is what we are known for.

Therefore the Royal Commission is very important to us.

CAFS attitude to those who have been in care, or are in care, or will be in care is today reflected in one of 6 key strategic pillars that underpin the CAFS Strategic Business Plan. The strategic pillar is Legacy and it is expressed as follows “CAFS aims to maintain and enhance the CAFS Legacy”.

In large part our legacy is the care that has been provided over time and the relationship that we have with those who have been in care.

We have an ongoing commitment to and respect for those who have been in care, are currently in care and to those who may be in care in the future.

Therefore our preparation for the Royal Commission is in many respects a continuation of what we already do and what we already have in place.

All of our operational activities align with at least one strategic objective and our intent to maintain and enhance the CAFS legacy is reflected in a number of programs and services:

1. CAFS Heritage Services

For quite some time CAFS has funded from within its own resources the CAFS Heritage Centre and Services.

The Heritage Centre and Service is currently located opposite our head office in Ballarat and is available essentially to those who have been in care and their families.

The service assists people to access their personal information and this assistance could be and has been the beginning of a claim against CAFS for alleged abuse.

We are fortunate that our Heritage Services Coordinator has been with the service since its inception and is well placed to assist.

Persons seeking information are invited to put in writing their request including the approximate date of entry into the Orphanage or Children's Home and any other information they think will assist in locating records.

They are asked to provide a copy of identification such as Birth Certificate or Drivers Licence and, if applying as next of kin for a relative's records, a copy of the relevant death certificate.

Under FOI legislation access to personal records is free to most whilst a family history request involves a nominal search fee.

Prior to processing a request the Heritage Coordinator contacts the person to discuss:

- What information is being sought
- What information we can and cannot release due to privacy considerations
- What support may be made available during the process and after
- How long it might take and
- Opportunities for the person to view the photographic collection and films.
- We have a very welcoming approach.

The Heritage Centre holds the records from:

- Ballarat and District Orphan Asylum 1865-1909
- Ballarat Orphanage 1909-1968
- Ballarat Children's Homes 1968-1984
- Ballarat Children's Homes and Family Services 1984-1998.
- CAFS is the legal successor to all of these entities.
- CAFS Corporate Services is responsible for records from 1999-onwards

The records include:

- Short Films
- Admission Book Registers
- Individual files (from approx. 1930s onwards)
- Photographic records
- Other items of interest eg an old cabinet from the Orphanage. This was recently acquired.

The centre is open to visitors by appointment only.

CAFS Heritage Service also organises reunions twice a year and keeps interested persons informed about relevant events including public forums related to the Royal Commission for example via email, letters, or newsletters.

Newsletters are sent regularly.

In funding the Heritage Services the CAFS Board has made a significant commitment over time.

2. Role in relation to the redevelopment of the former Orphanage site

In February 2013 CAFS was asked by Ballarat Council to play a role in relation to the redevelopment of the former orphanage site (which is very important to some former residents).

CAFS was seen by Council as the logical choice.

The original Orphanage building was demolished in the 1960s.

CAFS Board agreed to be involved because of its association with the site and because of our capacity to contact persons with an interest in the site including former residents. As noted this is a very emotional issue for some.

CAFS actually vacated the site in 1988 and moved to the city centre – our current head office.

There is a proposal to demolish most of buildings on site and to develop a mix of housing and commercial activities.

CAFS agreed to communicate with our database of former residents in relation to the development and demolition proposals and to remove and subsequently display items of interest as identified by former residents. All of this was agreed to by the developers.

We have in fact photographed and removed some items.

The items of interest include mirrors, boot lockers, plaques and a beam with children's signatures.

Some items cannot currently be removed as they are structural.

When the various applications are resolved CAFS aims to display the items of interest.

CAFS asked VCAT to consider the wishes of former residents and hearings were held last week.

3. ELCO Enhanced Leaving Care Options

ELCO is a small program funded from outside CAFS that allows CAFS to assist persons who have been in care when they are no longer in care

Whilst this program has a nominal age limit of around 29 we would look at any reasonable case. It could apply to any former resident.

ELCO is based on the notion that when young people leave care they are not fully mature. Some make bad decisions and later on need assistance – not unlike your own children.

This program provides a sense of connection with CAFS and this may be very important for some

ELCO can provide small scale practical help when needed. It is a very flexible program.

4. CAFS Legacy Centre

Recently CAFS has commenced the development what we are calling the CAFS Legacy Centre.

This is a major program for CAFS,

This will be within our head office and will require a major renovation as well significant concept development to further explore what “Legacy” means for CAFS.

It will incorporate our Heritage Services.

It will display items of interest from the former orphanage.

It will incorporate historic displays but it will be more than a museum.

We have engaged Lateral Projects in this process. They have relevant experience with the Museum for Australian Democracy (MADE) which is located in Ballarat.

We envisage that the Legacy Centre will be open for significant events eg. Heritage Weekend and for those times when it is appropriate to highlight CAFS work eg. Youth Week, Volunteers Week etc. and by appointment for former residents and others.

A key component of the legacy centre will be the opportunity for those who have been in care to tell their life story.

We see this as very important. At certain times and with appropriate consents these stories could become public.

From following the Royal Commission it is very clear that many people want to tell their story.

To put it simply the CAFS Legacy Centre is underpinned by the social work value of a belief in the worth and dignity of the individual and recognises that everybody has a story to tell.

Some will be positive, some will be negative – all are important.

We think that this is a very powerful concept and may be of particular significance for those who have been abused whilst in care and for all those who have been in care. A range of services will operate from the Legacy Centre. Some of those are yet to be developed.

5. Procedure for dealing with claims of alleged abuse

Significantly CAFS has an existing process for dealing with claims of alleged abuse and since about 2000 we have been involved in around 30 settlement conferences (as distinct from Court cases).

We assist persons who wish to make a claim through our Heritage Service. After a process of correspondence between lawyers representing the claimant and CAFS a settlement conference is scheduled.

Settlement Conferences involve the production of a claim supported by corroborative evidence (from other residents) and a psychological assessment which seeks to demonstrate the effects of abuse in care.

Notwithstanding some negotiation all of the resulting conferences have resulted in a settlement.

Sometimes this occurs after a period during which the offer remains open. In my time only one claimant has chosen to attend.

My understanding is that an early claim made in 1999 or thereabouts was contested and went to Court (resulting in great trauma and expense).

That was a learning experience for all eventually resulting in the settlement conference process as I have described.

In most cases or settlement conferences the Victorian Government is also involved as the young people and children in question were in the care of the State and placed at the Orphanage.

In a small number of cases CAFS is the sole respondent.

In these cases the young person was usually placed in the Orphanage by parents and not by the State.

We have engaged legal representation for all settlement conferences.

We will engage legal representation if asked to appear at the Royal Commission.

We have a published apology on our website and we apologise verbally to victims of alleged abuse at settlement conferences (usually via their legal representative) and in writing.

Our apology acknowledges CAFS association with Ballarat Orphanage and Children's Homes.

It notes our commitment to provide the best possible care for families and children currently using our services.

It commits CAFS to assisting former residents and their families to come to terms with their time in care and to do what we can to heal any hurts from the past.

It notes that some in care did not receive the care and nurturing that is the right of every child.

It states that CAFS deeply regrets the hurt experienced by some children.

It offers an unreserved apology to any former residents who were abused or who were emotionally or socially damaged or to any child who lived in fear or distress.

CAFS also provides information about other resources and support networks such as the Care Leavers Australia Network known as CLAN.

CAFS invites all former residents to contact our Heritage Service and asks people to let us know if we can assist.

It says we will listen to your story and offer a personal apology.

We are able to offer limited personal counselling.

We are of course cooperating with the police task force associated with the Royal Commission and have received a request for a number of files.

CAFS has been open and honest to the best of our ability given limitations on availability of information in acknowledging its history as demonstrated through service provision and Board commitment.

Through the development of the CAFS Legacy Centre we intend to take that commitment to a higher level.

Our intention is to open the CAFS Legacy Centre on 8 December 2015 which is 150 years to the day since the foundation stone was laid for the Ballarat Orphan Asylum.

Within CAFS we have a number of strategies to mitigate the risk of abuse of children in care.

They are not unique to CAFS but may be of interest:

- Up to date police checks for all staff, Board members, students, carers, volunteers and children of carers turning 18. We have elected to use an internal police checking system that raises alerts to pending criminal matters, as well as previous court appearances, not just convictions.
- Up to date Working with Children Checks for all staff, Board Members, students, carers, children of carers turning 18 and contractors. Staff who allow their WWCC to lapse are given a formal warning, and removed from all contact with children.
- Verification checks on qualifications, referees and identity. This includes verifying the bona fides of referees.
- Well advertised and easily accessible child and youth safety officers within the organisation who are available at any time to discuss any concerns a staff member may have about any child.
- All staff trained in Child Wise “Choose with Care” program.
- All staff students and carers are provided with regular supervision per internal policy and DHS standards.
- Clear complaints procedure with monitoring of follow up and timelines.
- Culture of reporting all incidents involving children via “Riskman” risk management system.
- Ensuring all minimum departmental standards are met in relation to monitoring of placements including compliance with the Victorian Carers’ register

In addition we have employed a Manager Quality and Compliance.

We are going down the path of ISO accreditation and our Board of Governance takes its governance obligations very seriously. The CAFS Program Governance Subcommittee receives regular reports on compliance and risk management including reports on incidents.

We are hopeful that these strategies will prevent a repeat of the sort of abuse that the Royal Commission has been established to investigate.

Thank you.