

# Find and Connect Service

## Scoping Study

Department of Families, Housing,  
Community Services and  
Indigenous Affairs



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### **Disclaimer**

The views expressed in this report are those of the authors and do not necessarily represent the views of the Department of Families, Housing, Community Services and Indigenous Affairs. Whilst all reasonable care has been taken in the preparation of this report, no liability is assumed for any errors or omissions.

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## GLOSSARY

AFA	Alliance for Forgotten Australians
care facility	Any of the places where children (care leavers) were accommodated, for example, children's homes, industrial schools, orphanages, training farms, group homes and group home campuses, formal and informal foster care, boarding homes, institutions, etc.
care leavers	In this report, the term refers in particular to Forgotten Australians, former child migrants, members of the Stolen Generations, and other children who were placed in formal or informal care separate from their families during the 20 <sup>th</sup> century and particularly the earlier part of the century to the 1970s.  Note: We acknowledge with respect that the terms "care", "care leavers" and "Forgotten Australians" are not accepted by some as representing their reality. The terms are used here to avoid the need for longer descriptions which would make the report less readable.
care records	The term has been used in this report to denote records of all types, held by both state and non-government organisations, which were generated as a result of a child being placed in a care facility and relate directly or indirectly to the particular child while accommodated in the facility
CLAN	Care Leavers of Australia Network
CMT	Child Migrants Trust
COAG	Council of Australian Governments
CDSMAC	Community and Disability Services Ministers' Advisory Council
FaHCSIA	Commonwealth Department of Families, Housing, Community Services and Indigenous Affairs
FOI	Freedom of Information
Forgotten Australians	
	People who spent time as children in children's homes, orphanages and other out-of-home care facilities during the last century, particularly the earlier part of the century to the 1970s
Former child migrants	
	People who as children who arrived in Australia from Britain and Malta through historical child migration schemes and who were placed in care facilities such as homes, orphanages and training facilities
NAA	National Archives of Australia
personal records	
	As used in this report, the term includes all records about a particular individual, including their care record (if they are a care leaver) and also other records about the individual person which may not have been generated as part of a care record, such as birth records, medical records, court records, etc.
RTI	Right to Information
SCARC	Senate Community Affairs References Committee

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## **Executive summary**

Following the November 2009 apology by the Prime Minister to Forgotten Australians and former child migrants, in May 2010 the Minister for Families, Housing, Community Services and Indigenous Affairs, Jenny Macklin MP, announced funding of \$26.5 million over four years for a Find and Connect Service.

The proposed components of the national service include:

- a national website and single online access point to help care leavers find records held by past care providers and government agencies
- a national 1800 telephone number for care leavers to call if they want to speak with trained staff to help them locate their personal records
- a national network of specialised search and support services to help care leavers locate and access personal records and, where possible, reunite with family members. Care leavers will also be connected with counsellors and other support services where required
- new counselling support services specifically for care leavers, from appropriately trained and skilled providers, to provide support for care leavers as they trace their families.

In June 2010, the Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) contracted Encompass Family and Community to scope the Find and Connect Service and define a delivery model.

### **Methodology**

The scoping study was undertaken through consultation with government officials across the eight jurisdictions, 105 care leavers (Forgotten Australians, former child migrants, members of the Stolen Generations and other care leavers), 25 agencies and representative groups providing aftercare, tracing and support services, 36 representatives of past providers of accommodation to care leavers, and 23 representatives of other relevant non-government organisations. In addition a survey of past providers of care was conducted.

### **Finding and accessing the records**

*“This is a human right, to know where you come from – it’s a national obligation to let us have access to our own history” (a care leaver).*

Each of the Senate Inquiry reports about Forgotten Australians and child migrants made a number of consistent recommendations about facilitating access to personal records, including information about family of origin. Access to records is at the core of an effective Find and Connect Service.

These records are held by state and territory departments responsible for child and family welfare, by the national and state archives and state libraries, and by a large number of organisations, mainly churches and other charities, which provided accommodation to children separated from their parents in the 20<sup>th</sup> century.

Most of the states and territories and some church bodies have completed an audit of the children’s homes which existed within their jurisdiction during the last

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century. These can, with the permission of the owners, provide the basis for the information to be contained in the Find and Connect Service database about where records are now stored. However there remains considerable work to be done to identify all potential sources of care records, and to up-date the existing directories. For some care facilities, no records exist, due to policies of the time or destruction of records since. Care leavers remain sceptical about such claims:

*"They say there are no records – that they were destroyed. But there must be records"* (a care leaver in WA).

Other types of records held by states and territories and some non-government organisations can also assist a care leaver to know more about their childhood, for example, birth certificates, school records, health clinic records, etc. Such records are held by a variety of departments and instrumentalities, and may be the only means for some care leavers to fill gaps in knowledge about their identity. This reinforces the need for a whole-of-government response to the release of personal information to care leavers. The Find and Connect Service aims to be a single national entry point for records searches, providing information about the many potential sources of care leavers' personal and family history, how to request access, and linkages.

The lack of cataloguing and indexing of existing records, noted again when the Lost Innocents and Forgotten Australians reports were revisited, remains a significant issue.

*"Some are mis-filed, some are not yet added to the database, and not all the records have been gone through – some are still in boxes"* (a past provider).

The extent to which historical records have been catalogued and indexed by the states and territories varies significantly, with some still having large volumes of documents which are not easily accessible. While some existing church organisations have undertaken considerable work to achieve full or partial indexing of their records holdings, there remain significant amounts of personal records about care leavers which have not been indexed or even catalogued. These records contain past history for thousands of care leavers. Completing the indexing represents years of work in some cases. While acknowledging the enormity of the task and the associated cost, national inquiries (SCARC 2004, p.262 and p.283, HREOC 1997) have vigorously asserted the importance of this work.

The scoping study highlighted the importance of adhering to archival standards in the management of records for ease and duration of accessibility. It is proposed that there be a national framework to guide records management in relation to archiving historical care records held by past providers of accommodation. Work already undertaken by the Victorian *Who Am I?* Project could help inform this. Some past providers are likely to require assistance. As part of a national strategy, an "historical care records" project (facilitated by the proposed records management unit of the national Find and Connect Service) is suggested. It would include national guidelines about retrieval and archiving practice specific to the management of historical care records. It is proposed that seeding grants to assist organisations to obtain archival guidance and advice would be part of the strategy, along with encouragement to consolidate small holdings, and consideration of access to records as part of existing quality assurance regimes.

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Access to personal records is also impacted by legislation, particularly around the release of third party information, for example information about family members. Where a care leaver is applying for information from their own history, all state and territory governments have policy enabling such release. However ‘restricted’ information may be expunged or ‘blackened out’. Many care leavers argue vehemently that this information forms part of their childhood history and as such is information *about them*.

*“The blackened spaces are often their brothers and sisters”* (Bonney Djuric, Parra Girls).

This argument, about the right to privacy versus the right to personal information about one’s identity and background, has been raised in each of the Inquiries. The Forgotten Australians inquiry (SCARC 2004, p.276) described the process of having to seek a third party’s permission to access records as unjust and cruel, and not recognising that understanding one’s own story is integrally linked to that of other family members. This argument has largely been acknowledged in the legislative and policy responses to the needs of adult adoptees, and the policy responses to the needs of members of the Stolen Generations. The needs of Forgotten Australians and former child migrants are the same.

Pending any overarching legislative change, consideration should be given to promoting more liberal and consistent use of the existing avenues for release of information. For the Find and Connect Service to operate equitably across the nation, there needs to be a consistent application of the enabling provisions of state and territory legislation around information provision. This should include moves towards consistent policy around administrative release of information to care leavers. An ongoing discussion should also occur around use of the enabling provisions of FOI/privacy legislation. This report recommends that liaison occurs with the states and territories, and through CDSMAC, SCAG and the Information Commissions as relevant, to adopt an in-principle joint statement of commitment to an enabling approach to release by government departments of the personal information of historical care leavers, consistent with the intent of the 2004 Senate Report recommendations.

It is also proposed that national standards should be developed around the administrative release of records to past care leavers and around release under existing state and territory FOI and privacy laws, including the promotion of a pro-release bias consistent with recent legislative change in some states.

There is no legal compunction for non-government agencies to make their care records available (Goddard 2006). While a number of non-government agencies provide highly professional services around the supported release of information to care leavers, organisational policies vary from very liberal access to restricted access which expunges all references to parties other than the applicant. The concept of national legislation (a “care leavers’ right to information” Act), to legally force organisations to provide access to records, was raised during the consultations, reflecting the depth of feeling by care leavers about this issue. It is reasonable to suggest a set of legislated principles around the rights of care leavers to information about themselves and their family history. Pending such legislation, the Find and Connect Service should engage with all relevant non-government organisations around good practice standards for release of information.

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The means by which states and territories respond to requests for information from care leaver records varies considerably with different organisational approaches, legislative frameworks and numbers of dedicated staff available. With the ageing population of Forgotten Australians and former child migrants, delay can have huge implications:

*"We'll all be dead waiting – they need to double-up on the people doing it. Some of us have missed out (on meeting relatives) by as little as two weeks"* (a care leaver in NSW).

In the context of commitment to the implementation of the outcomes of the 2004 Senate Report (SCARC 2004), all jurisdictions should be encouraged to dedicate sufficient staffing capacity to meet current demand and to respond to a probable increase in demand following the launch of the Find and Connect Service.

The national Find and Connect Service has a role in working with all parties towards greater standardisation of the process for care leavers to apply for information from records. The concept of 'common access' options was considered by both the SCARC (2001, p.272) and the HREOC (1997, p.350), and is being trialled in Victoria in relation to Stolen Generations records. It is recommended that protocols for common access between state-based organisations with already-established working relationships be considered by all jurisdictions.

Care leavers consulted for this study emphasised the need for support around the release of personal information, noting that it was impossible to say what piece of information would be upsetting or disturbing to a recipient. It was argued that even care leavers who felt they did not need support should be informed of how to access it.

*People need to be warned "You're going into deep water and if you don't want to drown, here is your life-raft"* (a care leaver representative).

The proposed 'national standards' around the release of records should include standards around the essentials of supported release to avoid risk to the care leaver and fulfil the duty of care of the releaser.

Other issues addressed by the report around access to personal records include improved access to births deaths and marriages records (for example, a protocol with the Registrar in each jurisdiction), safe access through intermediaries to facilitate contact with relatives (eg through Centrelink, Medicare, the closed electoral rolls etc), and the more widespread waiving of costs for care leavers to access their personal information.

### **The Find and Connect website**

Universal support was expressed during the consultations for the concept of a Find and Connect Service website to offer a single point of entry for care leavers beginning a search for personal records. It is important that the website design is based on sound principles which will stand the test of time and cater to the complexity of the content and search functions.

Given the functions and deliverables expected from the national database, it is recommended that the Pathways website ([www.pathwaysvictoria.info](http://www.pathwaysvictoria.info)), developed by the eScholarship Research Centre at the University of Melbourne, be

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considered as a prototype for the development of the Find and Connect Service website, if agreed. It is considered that to replicate the work already undertaken would be an unnecessary duplication of cost and effort, and unlikely to achieve the same standard of result. No other example of a specialised website with the search functionality and archival integrity of Pathways was identified during the scoping study.

It is an imperative that each page of the website, and in particular the home page, includes a prominent “*What you need to know*” section about preparing for searching, what records may or may not contain, “*What to expect*” etc. The consultations for this scoping study made clear the vulnerability of care leavers. While the website will not give direct access to any personal information, its purpose is to facilitate such access and as such it needs to promote emotionally safe ways of doing so.

The website should include broad-based information to assist care leavers to search for personal records and locate family members. The existing directories of historical care facilities can, with permission, be used to populate the Find and Connect Service database, along with ongoing research to fill the gaps.

### **The 1800 number**

The primary function of the 1800 telephone number is to provide frontline support to care leavers or their representatives, to point care leavers in the right direction for finding their care and personal records and/or searching for family. The secondary function is to link care leavers with support and counselling within the Find and Connect Service network, or with other agencies.

*“The first call to the 1800 number has to work, people are deciding to ‘come out’, it’s a very difficult decision”* (a care leaver in South Australia).

It is widely anticipated that demand on the 1800 number will be high. As a key frontline Find and Connect Service unit, the 1800 number workgroup therefore has a critical role to play. The hours of operation are proposed as 9am to 7pm, Monday to Friday, with some flexibility to be available on days such as Mother’s or Father’s Day and Christmas Day. The 1800 number must be well-promoted, and arrangements made to ensure that mobile phone charges are not a barrier.

### **Find and Connect support services**

The Find and Connect Service, comprising the 1800 number workgroup and the network of support services, along with state-funded services such as the Aftercare Resource Centres (ARCs), will help deliver the support care leavers require during efforts to search for information about themselves and family, and to reconnect with family. To these ends, the three inter-related functions for the Find and Connect support services involve providing practical assistance and emotional support to care leavers to: a) request records about themselves from various sources, b) search for records that identify, or contain information about, family members, and c) re-connect safely with family members, where desired and possible.

To achieve a national spread with equitable access, additional capacity within existing services as well as new programs and services are needed. To meet needs in regional, rural and remote locations, a mix of employed workers and

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brokerage funds is proposed. Find and Connect support services must be located where they will fill gaps in service provision, be accessible to care leavers for face-to-face support, and be able to access the range of resources required to facilitate searches (state and territory departments, for example). This suggests prioritising new services in South Australia, Western Australia, Tasmania and the Northern Territory, and capacity-building where necessary in other states and territories. In large regional centres, the capacity to locate Find and Connect support service workers within relevant community-based organisations can be explored. These workers would liaise with capital city Find and Connect support services to undertake any physical searches which may be required, eg to check archives.

Find and Connect Service counselling services may co-locate with other support workers, and also be available across many locations through the use of brokerage funds on a sessional basis. Recruitment of a pool of counsellors will necessitate working with professional associations, such as the Australian Association of Social Workers and the Australian Psychological Society.

It was widely predicted during the consultation that the Find and Connect Service will be inundated with requests by persons who may have their records but have not been able to locate relatives.

*“There’s not currently lots of services for finding family. It’s not just the ‘find’, but help with the connecting – we don’t know how”* (a care leaver representative, Sydney).

However the demand is difficult to predict. Existing aftercare services have not experienced a high demand for family tracing work; however their current focus is on information retrieval and practical support.

Given the specialist nature of the services to be provided, a range of induction, learning and development issues needs to be considered in relation to staff. A careful recruitment and selection process will be needed to attract staff who have the capacity and skills to do this work. Staff with behavioural sciences qualifications will be required to respond to the complex needs of care leavers, and, at the same time, all support workers will need to have the capacity to build search and tracing skills and quickly acquire knowledge about the historical policies and approaches to out-of-home care in Australia. There is a clear need to involve care leavers at a whole-of-program level and at a service delivery level, especially in the induction and ongoing learning and development of staff.

In relation to the role of past providers, care leavers and others argued that, in any tendering processes to disburse the funds, potential service providers should be asked to declare whether they have any affiliations with past providers of care and, if so, how they offer redress for any past poor practices damaging to children in their care.

### **The proposed model**

The proposed model for the Find and Connect Service integrates the national website and 1800 help number with a network of support services to provide support and tracing services and specialist counselling. It envisages integration with state-funded ARCs and tracing services, rather than duplication. It is proposed that the national Find and Connect Service would have a developmental role in promoting the cross-sector adoption of national standards around release

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of information, and in supporting work around records management. These development roles would support the making available of, and the release of, personal records.

The model needs to include strong strategic leadership, given the ongoing developmental requirements and need to work with all jurisdictions and the community sector. Other features are an emphasis on quality assurance and monitoring, given the duty of care owed to care leavers. It must be accessible across jurisdictional boundaries and geographic areas. In particular, the service must have high levels of transparency with strong two-way communication with care leaver representatives. This includes having a simple and well advertised complaints and grievance resolution procedure for service users.

These features would be best met by a model which includes:

- National strategic leadership through an administration body contracted by FaHCSIA to provide a national service which administers the website and the 1800 number, and includes two liaison and development units – a “records management” unit and a “national standards” unit
- State-based localised service delivery, through Find and Connect support services funded through FaHCSIA, integrated as part of a network which includes existing state-funded services. These may include new services in areas of unmet need, capacity-building of existing services, and individual positions attached to existing generalist services
- Localised specialist counselling positions, available through the use of brokerage funds where necessary
- Partnership with the units of state and territory departments and instrumentalities responsible for the historical and personal records of care leavers, and partnership with past providers, through state and territory peak bodies and national church bodies. It is anticipated that state and territory departments would play key roles in liaising with past providers within their state
- Partnership with care leaver representative groups as user representatives in an advisory role.

These features are represented in Figure 1 on page 61.

The option of the Find and Connect program being administered separately through each state and territory, with funding administration and program oversight through FaHCSIA, is not recommended. Reasons include the need for significant national coordination of key aspects of the service, including the website and 1800 number and the developmental work required to address gaps and barriers and build partnerships and protocols.

The role of the proposed “records management” unit will be, in particular, to liaise with the states and territories and past providers about frameworks and action plans for the cataloguing and indexing of care leaver records not currently accessible. The role of the “national standards” unit will be, in particular, to consult and liaise with the states and territories and with past providers towards the adoption of national standards for release of personal information to Forgotten Australians, former child migrants and members of the Stolen Generations, and to promote good practice in the support of care leavers around this release and reunion work.

A summary of recommendations appears at page 62.

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## PART ONE: INTRODUCTION

### 1.1 BACKGROUND

#### The Inquiries

In November 2009, the Prime Minister, on behalf of the Australian nation, made an apology to Forgotten Australians and former child migrants acknowledging that those children did not always receive the care to which they were entitled in institutions and foster care in the 20<sup>th</sup> century. The Apology responded to the findings of the 2001 inquiry into child migration schemes from the United Kingdom and Malta – *Lost innocents: righting the record - reporting on child migration* – and the 2004 inquiry into children in institutional and out-of-home care in Australia – *Forgotten Australians: a report on Australians who experienced institutional or out-of-home care as children*.

The Human Rights and Equal Opportunity Commission released the report of the inquiry into the separation of Aboriginal and Torres Strait Islander children from their families – *Bringing Them Home* – in 1997. On behalf of the nation, the Prime Minister apologised to the Stolen Generations in January 2008.

In addition, a number of state governments have held inquiries into the standard of care received by children in institutions during the 20<sup>th</sup> century, for example Queensland and South Australia. Much earlier than these inquiries, the *Royal Commission into Aboriginal deaths in custody* referred to similar issues, noting the importance of facilitating access to government archival records about the family and community histories of Aboriginal and Torres Strait Islander peoples.

All of the inquiries heard stories of adults separated from their family and community. Some of those children were in state care, some were forcibly removed and others were voluntarily placed by parents who were unable to provide the necessary care. Many of the children were separated from their siblings on admission to a facility. Many were denied access to adequate medical and dental care, and to education. Many remember being treated harshly and cruelly. Most were denied a nurturing and caring childhood. Many of those children had no contact with their siblings, parents and other family members for a very long time and those feelings of loss and abandonment have continued throughout their lives.

While the inquiries made recommendations focused on preventing the same situation from happening again, a common theme is the nexus between the access to personal records, the individual search for identity, and healing and re-connection with lost family.

#### Government responses

In response to the inquiries, a number of state governments also tendered formal apologies. Some states offered compensation or redress schemes to provide financial compensation and supports to those who experienced abuse or neglect to assist with healing. Queensland, New South Wales and Victoria have funded community-based ‘aftercare resource centres’ providing support, counselling, searching and referrals related to having been in care. In South Australia and

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Tasmania, some post care services are offered through the relevant government departments. In Western Australia, Forgotten Australians Coming Together (FACT) has called for the establishment of an aftercare resource centre in that state (Humphries 2010, p.3).

Limited government funding for support and advocacy services to care leavers across Australia is provided to the Care Leavers of Australia Network (CLAN).

A network of Commonwealth and State government-funded searching, support and reunion services exist across Australia to assist members of the Stolen Generations to find and connect with family, culture and community.

For former child migrants, limited Australian government funding has been provided to the predominant agency, the Child Migrants Trust (CMT), to assist with finding and contacting family, and related counselling. The Trust operates from Melbourne with an office in Perth. As part of the British Government's apology in 2010 to people sent overseas under child migration schemes, a family restoration fund to support travel and other costs for former child migrants wishing to reunite with their families was recently announced.

### **The ongoing need**

In 2004, the Senate Community Affairs References Committee (SCARC) (2004, p.29) noted that more than 500,000 children had been institutionalised during their childhood in Australia over the 20<sup>th</sup> century. Between 6,000 and 7,500 children (SCARC 2001) were brought through child migration schemes to Australia and 50,000 Aboriginal and Torres Strait Islander children were forcibly separated from their families and communities. The exact number of care leavers is not known.

It is however acknowledged that these adults bear a long term impact from the loss and abandonment associated with their childhood separation from family and these experiences impact on daily life today. In a booklet to assist professionals working with care leavers, the Alliance for Forgotten Australians (AFA) (Harrison 2008, p.4) state:

*Many Forgotten Australians are already in the health and welfare system ... for conditions such as mental illness or substance abuse....(or).... homelessness or family violence or unemployment. They may come to the notice of child protection agencies or the criminal justice system. They will almost certainly be among your existing clients, usually without mentioning their abuse. That abuse is, however, often the root cause of their problems.*

Similarly, the description of the Queensland Aftercare Resource Centre's model of practice (<http://www.aftercareresourcecentre.org.au/arc.asp?PID=8> accessed on 12 July 2010) states:

*Many ARC clients have suffered the trauma of familial neglect, separation from family of origin members, perceived abandonment, and experiences of physical, emotional or sexual abuse by family members,... their subsequent placement within.... institutions, detention centres and foster homes where in turn they were systematically abused has compounded significantly the traumatic experiences. Many of these clients have experienced multiple traumas...*

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The breadth of needs stemming from the experience of separation from family and consequent institutional care is far reaching. It includes physical and mental health, optical and dental care, life skills development, access to counselling and other welfare services, and opportunities for social support particularly with other care leavers. In 2004, the SCARC (p.308) noted that professionals best met care leavers' needs by being able to work across separation, grief and loss, depression, sexual assault and relationships, rather than care leavers seeing multiple counsellors to whom they were therefore forced to repeat their story. Existing aftercare services acknowledge these legacies with the Queensland, New South Wales and Victorian services, drawing on brokerage funds for holistic services to care leavers.

The healing process for some care leavers includes finding personal records. A common and dominant theme in inquiry reports is the importance of access to personal and family records as a key means of understanding one's identity and connections with family and significant others. Assistance with finding records is therefore a feature of aftercare services, the Link-Up network, CMT, CLAN and other agencies working with care leavers. The records can provide details that are critical to tracing family members from whom separation has occurred.

Currently, across Australia, care leavers do not however have equitable access to aftercare support. Dedicated, comprehensive aftercare resource centres are limited, as are specialist tracing and support services targeted to care leavers. The nature of care leavers' childhood experiences clearly indicates that working with care leavers is a specialist area demanding a model that acknowledges, understands and responds to the lasting impacts of loss and abandonment in childhood. This scoping study verified widespread support for services to assist care leavers across Australia with finding records, searching for family members, and connecting with lost family where possible.

## **1.2 PROPOSED FIND AND CONNECT SERVICE**

In May 2010, the Minister for Families, Housing, Community Services and Indigenous Affairs, Jenny Macklin MP, announced funding of \$26.5 million over four years for a Find and Connect Service as a key part of the commitments made by the Prime Minister in the national apology to Forgotten Australians and former child migrants.

### **Overview of the proposed service**

The proposed Find and Connect Service recognises the legacy owed to Forgotten Australians, former child migrants, members of the Stolen Generations and other care leavers denied the experience of childhood with their own family and often not provided with the standard of care to which they were entitled. The service is initially targeted to adults accommodated as children in state, agency-based and informal care during the 20<sup>th</sup> century, recognising that this population of care leavers is ageing, with urgent needs around searching and connecting.

The purposes of the proposed Find and Connect Service are to assist care leavers to:

- exercise their right to information, especially as required to meet needs around personal history and identity
- trace family members (siblings, parents etc) lost as a result of life in care

- 
- connect and reunite with family where possible and desired.

To these ends, it is proposed that the Find and Connect Service will provide:

- a comprehensive national database about the location of existing care records and how to access them, and help streamline access to care records
- comprehensive information about how to request access to other personal records, such as births deaths and marriages, shipping records, electoral rolls, military records etc, and assist with access to these types of records
- information about requesting access to personal records held internationally
- emotional support
- referral and brokerage for support and counselling related to finding, searching and connecting.

The proposed components of the national service, as announced by the Minister in May 2010, include:

- a national website and single online access point to help care leavers find records held by past care providers and government agencies
- a national 1800 telephone number for care leavers to call if they want to speak with trained staff to help them locate their personal records
- a national network of specialised search and support services to help care leavers locate and access personal records and, where possible, reunite with family members. Care leavers will also be connected with counsellors and other support services where required
- new counselling support services specifically for care leavers, from appropriately trained and skilled providers, to provide support for care leavers as they trace their families.

### **1.3 THE SCOPING STUDY**

In June 2010, the Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) contracted Encompass Family and Community to scope the Find and Connect Service and define a delivery model for the Commonwealth to consider in developing and implementing the service. The identified tasks were to:

- scope the design construct of a new Find and Connect Service
- map existing record sources, identify commonality and the gaps in service provision and the potential to access these record keeping sources as part of the new Find and Connect Service
- identify state and territory legislative and provider barriers that restrict access to records within and across state and territory boundaries
- clarify minimum proof of identity requirements, the barriers that prohibit access, the cost associated with retrieving these records, and the essential access needed to meet international requirements and in each state and territory to verify identity
- clarify existing cost implications that members of the public face when searching and being provided with copies of records
- identify the potential for care leavers to access non-public records, such as past electoral records
- identify the extent to which care leavers currently require case management and counselling support to assist with the recovery of their records, and
- clarify the usefulness of either a centralised or devolved personal and past care provider record keeping system.

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## **Methodology**

Broadly stated, the purpose of the scoping study was to consider how a national Find and Connect Service should operate, what functions it should incorporate, the barriers and issues to be addressed around access to care records, and how care leavers should be supported to access the service. The scoping study was undertaken through consultation with:

- 57 government officials across the eight jurisdictions, face-to-face, telephone and email (see Appendix A)
- 105 care leavers across Australia. Seven focus groups with care leavers were held in Queensland, New South Wales, Victoria, South Australia and Western Australia (see Appendix B). In addition, a further 17 comments from care leavers were received by telephone, email and post
- 25 agencies and representative groups currently providing aftercare, tracing and support services, and mutual support, to Forgotten Australians, former child migrants, the Stolen Generations and other care leavers (see Appendix C). In addition, brief consultation occurred with a meeting of 13 members of the Alliance for Forgotten Australians (AFA) on 23/7/10
- 36 representatives of past providers of accommodation to care leavers across Australia, through focus groups, by telephone and email feedback (see Appendix D). In addition, 35 past providers completed the online survey (see below), of which 9 were agencies not represented in any other consultation forum
- 23 other interested individuals and representatives of relevant non-government organisations, through face-to-face contacts, telephone and email (see Appendix E)
- In addition, brief consultation occurred with the 20 attendees of the Forgotten Australians and Child Migrants Projects Consultative Forum meeting, on 25/6/10.

### *Online survey of past providers*

The purpose of the survey of past providers of care was to obtain detailed information from as many past providers as possible about their record holdings. Survey questions elicited:

- a broad description of existing records
- reasons for 'missing' records
- proportion of existing records readily accessible through 'indexing'
- estimation of the resources required to complete indexing of the records
- information about responses to care leavers seeking access to the records.

The link to the survey and explanatory notes were emailed to 86 email addresses of past providers, obtained from state and territory contacts, existing directories and contacts made during other consultations. Two reminders were sent.

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After elimination of duplicates and incomplete replies, a total of 35 responses was received from the 86 organisational contacts, a response rate of 41%. See Appendix F for a table of respondents.

## 1.4 LITERATURE REVIEW

The scoping study included a review of national and international literature and a search for information about comparable finding, tracing and connecting services for care leavers.

In Australia, many care leavers have written about the experiences of their childhood in institutional care and the enduring adverse effects. A representative publication by Joanna Penglase (2009) draws on interviews, inquiry submissions and personal experience. Documenting the experiences of care leavers has also occurred through inquiry processes, notably the *Bringing them home* report in 1997, the *Lost Innocents – Righting the Record* report in 2001, the *Forgotten Australians* report in 2004, and *Forgotten Australians and Lost Innocents Reports Revisited* in 2009. These documents between them represent a powerful chronicling of the voices of care leavers. The submissions, deliberations and recommendations of these reports were noted in the scoping study, particularly those about past record keeping, access to care and personal records held by government and non-government agencies, and related requirements for supports and counselling.

There have been few research studies to date, particularly in Australia, focusing on the experiences of older care leavers finding records, tracing family and reuniting with family. Until recently, most international research focused on the experiences of adoptees. The limited published research, however, provided consistent and useful information for this scoping study. This research comprises:

- several UK studies about accessing care records (Goddard, Feast, & Kirton, 2005; Goddard, Feast, & Kirton, 2008; Horrocks & Goddard, 2006; Kirton, Peltier & Webb, 2001; Pugh & Schofield, 1999; Winter & Cohen, 2005)
- a profile of an Australian past provider's efforts (Murray, Malone & Glare 2008)
- a recent comparative study about access to care records in Australia and the UK (Goddard, Duncalf & Murray 2010).

Information from the literature review relevant to the scoping study has been integrated throughout the report.

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## PART TWO: FINDING AND ACCESSING THE RECORDS

*“This is a human right, to know where you come from – it’s a national obligation to let us have access to our own history” (Leonie Sheedy, CLAN).*

Each of the inquiry reports about Forgotten Australians and child migrants made a number of consistent recommendations about facilitating access to personal records, including information about their family of origin (see Appendix G). Access to records is at the core of an effective Find and Connect Service. It is important that the service does not raise the expectations of care leavers, only to become one more pathway to a dead end, due to information being unavailable.

### 2.1 LOCATING THE RECORDS

There are three broad categories of personal records:

- information about individual care leavers, recorded by child welfare departments and past providers of accommodation (eg wardship and children's home records)
- other records that can provide care leavers with more information about their childhood (eg records held by educational, health, youth justice, social security, migration agencies)
- information that can assist care leavers to identify and locate family members, (eg births deaths and marriages records, electoral rolls, military records).

In practice these categories are not exclusive – information about a care leaver's education and health may be held in a children's home record, but alternatively may only be held in the unrelated files of the educational or health authority. Similarly, some information about family members may be recorded within care records, while other information may only be available from other public sources (eg births deaths and marriages). The Find and Connect Service will assist care leavers to access each of these types of records. However, a key consideration in scoping the service has been the availability of care records – those held by states and territories as ‘wardship’ records and by past providers of accommodation. These include a variety of different types of records, for example:

- admissions and discharge records
- registers of various types – medical, punishment, maintenance payments
- case notations
- minutes books and log books
- financial and other administration records which list children by name
- records of placement with foster families or employing families
- records of various activities, eg religious ceremonies
- minutes and other management records
- photographs and other memorabilia.

#### Sources of care records

The main holders of historical care records are:

- the state and territory departments responsible for child and family welfare
- the national and state archives which hold records deposited by the government departments and by some churches/charities

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- large church and charity organisations which provided accommodation during the last century.

In addition, personal care records are held by:

- state libraries, some of which have holdings of the historical records of past providers
- a large number of smaller organisations, mainly churches, other charities and training institutions, which were providers of accommodation
- some state health facilities and past facilities for the care of children with disabilities
- state juvenile justice facilities and children's courts
- for care leavers born overseas, overseas governmental and charitable institutions.

For Forgotten Australians who were accommodated in private orphanages and private children's homes, and through private fostering arrangements, records related to these types of arrangements, if indeed any records were kept, are very difficult to locate.

Since the *Bringing Them Home* report emphasised the need to document where records are held, to facilitate the provision of information to members of the Stolen Generations, most of the states and territories and some church bodies have completed an audit of the relevant accommodation facilities within their jurisdiction during the last century. This has entailed extensive research and has in most cases included information about what types of records are held and where they are located. Some relate specifically to past providers of accommodation to care leavers, while others such as *Connecting Kin* (1998, NSW) include broad based information about searching for records and address the needs of past adoptees as well as care leavers. These directories include:

- *Connecting Kin – Guide to Records* (NSW DOCS 1998)
- *Missing Pieces* (Queensland Department of Families 2001)
- the *Pathways* website (Victoria)
- *Signposts* (Western Australian Department for Community Development).

In addition to these resources related mainly to facilities for the care of children, most of the states and territories have produced resources to assist members of the Stolen Generations to locate family members. These contain additional information for searching, and are broader than a listing of the homes where children were accommodated. Most have relevance to other care leavers in addition to Stolen Generations members. They include resources such as:

- *Finding Your Own Way* (Nunkuwarrin Yunti of SA Inc 2005)
- *Looking West – A Guide to Aboriginal Records in Western Australia* (The Records Taskforce of Western Australia 2004)
- *Finding Your Story – A Resource Manual to the Records of the Stolen Generations* (Public Records Office Victoria 2005).

Some churches also produced resources following the *Bringing Them Home* report, and these also have wider applicability. They include:

- For the Record: Background Information on the Work of the Anglican Church with Aboriginal Children and Directory of Anglican Agencies providing residential care to children from 1830 to 1980 (Boyce 2003)
- *A Piece of the Story – National Directory of Records of Catholic Organisations Caring for Children Separated from Families* (Australian Catholic Social

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Welfare Commission and Australian Conference of Leaders of Religious Institutes 1999).

Other specific search guides and resources have been produced by government archives. They include the National Archives of Australia (NAA) history of child migrants:

- *Good British Stock – Child and Youth Migration to Australia* (Goldrey 1999).

There is of course overlap of the information in documents which cover the same geographic area, eg St Joseph's, Neerkol, in Rockhampton is listed in each of *Missing Pieces*, *A Piece of the Story*, and *Good British Stock*, as well as the Queensland State Archive.

The existence of these directories provides the basis for the information to be contained in the Find and Connect Service database about what facilities existed, whether records exist for a particular facility, and where these records are now physically stored. However they do not provide all the data required for a comprehensive Find and Connect Service database. The following issues will need to be addressed if using the directories as a basis to set up the national Find and Connect Service database:

- there is currently no comprehensive guide for Tasmania or for the Northern Territory, though listings for these jurisdictions are included, as relevant, in national guides such as *For The Record*, *A Piece of the Story* and *Good British Stock*
- the information available in the existing directories is variable in terms of the amount and type of detail about records held. Some provide historical contextual information and others do not. In general, their key value is in verifying that some records which identify children are held, and how to seek access to these records
- the existing directories are also variable in their currency and accuracy, with information needing to be added as more records are located, some inaccuracies of entries, and contact details for requesting access needing to be kept up-to-date
- the directories are not all comprehensive, for example *Missing Pieces* is limited to licensed facilities, consistent with Queensland's Forde Inquiry
- not all the existing directories include institutions for which no records have been located or where the records are known to have been destroyed, for example, *Connecting Kin*
- there are sources not included in any of these directories, such as the records about government institutions located in the Northern Territory and ACT prior to self-government, now held in the National Archives.

The existing directories represent an enormous amount of work already completed by state governments, some churches, and some Commonwealth government instrumentalities, to document where personal records related to the accommodation of care leavers are held.

There remains considerable work to be done to ensure that all potential sources of care records have been examined, and to document all known places where children were accommodated, along with what records, if any, are held. Ongoing work is required to ensure currency, accuracy and comprehensiveness of the existing directories.

1. It is recommended that, as part of establishing a Find and Connect Service database, FaHCSIA:

- requests the permission of owners/copyright holders of each of the existing relevant directories (including the Pathways (Vic) electronic database and the church-based directories) to use the content to develop a Find and Connect Service database
- liaises with the NSW, Queensland, South Australia and Western Australian state departments to provide an updated electronic version of existing directories for these states, and to fill gaps in their directories including facilities for which no records are known to exist and covering the facilities in which formal and informal care was provided
- liaises with the Tasmanian, ACT and Northern Territory state and territory departments to request the consolidation, from existing sources and new research if necessary, of a comprehensive directory for those states and territories.

### **When no ‘care’ records exist**

Barriers to access to care leavers’ personal information include that no records exist or can be located. This may be because:

- records were never made in the first place, beyond perhaps an admissions entry in a register. As a rule, the longer ago a person was accommodated, the less information is likely to have been recorded – “*Records were just not kept, there were different views about what was important to record back then*” (a past provider)
- records were destroyed when some facilities closed, or when judged to no longer be of practical use – “*Many records were destroyed when the orphanage closed. It wasn’t malicious, it was just how things were*” (a past provider)
- records were lost or destroyed in natural disasters, such as fires, floods and cyclones – “*Fire destroyed the records for 1948-1957*” (a past provider)
- if any records exist, their current whereabouts is unknown.

Care leavers remain sceptical about such responses to their requests for records, and the belief that records are being “hidden” remains strong with some:

*“They say there are no records – that they were destroyed. But there must be records”* (a care leaver in WA).

There is considerable anger about the past destruction of records, during periods when policies about the retention of historical records were not informed by

current understanding of their value. The Find and Connect Service needs to take this sentiment into account, and as far as possible provide clear, accurate and consistent information about the accidental or deliberate destruction of records, including which records and why they were destroyed (eg Campbell 2009a, p.6).

2. It is recommended that the Find and Connect Service database:

- includes prominent information about the reality that many records do not exist, with explanation of the historical context
- includes accommodation facilities for which it is reported that no records are held, including information about why this is so
- where relevant and available, includes evidence (eg historical photos or newspaper reports) supporting claims about the destruction of records by natural disasters.

### Sources of other types of personal records

In addition to care records, there are many other types of records held by states and territories and some non-government organisations which, when available, can assist a care leaver to build a picture of what happened during their childhood. These include, for example, school records, hospital and health clinic records, child endowment, shipping and migration records, court records, etc. A starting point for many is applying for their full birth certificate.

The Births Deaths and Marriages (BDM) officials consulted for this study recognised their key role in helping provide information about an individual's birth. Other types of personal records are also held by a variety of departments and instrumentalities, and access to this information is sometimes the only means care leavers have to fill gaps in knowledge about where they were and when. This reinforces the need for a whole-of-government response to the release of personal information to care leavers.

In addition to information directly pertaining to their personal history, care leavers seeking family information will make use of many types of other key search-for-family records (BDM, electoral rolls, migration, Centrelink, drivers licensing records, cemetery records, military records, trades association membership, etc) if they are available. Issues of access are discussed below.

3. It is recommended that the Find and Connect Service, as a single national entry point for care leaver searches, includes comprehensive information about the many potential sources of care leavers' personal and family history, with information about how to request access, and linkages.
4. In relation to any other agency to which a link is provided from the Find and Connect Service website, liaison should occur (at the appropriate level of government) to ensure that the agency is attuned to and able to respond appropriately to, requests for information from care leavers.

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## Cataloguing and indexing

*For records to be easily accessed they must be indexed and preserved. Indexing the records of an institution can be complex...the Committee considers that the task is too important and care leavers have waited too long to access records for agencies to rely on an ad hoc approach based on volunteer archivists. All agencies need to make a commitment of time and funds to improve identification and preservation of records (SCARC 2004, p.262 and p.283).*

The term ‘indexing’ is used in this report as a general term referring to identifying items in a way which enables the holder to easily check whether a record pertaining to a particular person is held, and secondly enables them to readily locate the physical record.

The lack of cataloguing and indexing of existing records remains a significant issue impacting the initial effectiveness of a Find and Connect Service. When records are not indexed it is not possible to make timely responses about whether a record relating to a particular person even exists.

*“Some are mis-filed, some are not yet added to the database, and not all the records have been gone through (some are still in boxes)” (a past provider).*

Where manual searching is required to determine whether a record is held, the enormity of the task may make this impossible or the cost involved is prohibitive for the searcher.

### *State and territory records*

All of the states and territories have electronic indexing of current and (for most) past records of children in care. However the extent to which historical records have been catalogued and indexed varies significantly. State departmental representatives of Victoria, Western Australia, South Australia and Tasmania reported that all wardship records are indexed. This is not necessarily the case for other types of relevant records (for example, ‘voluntary fostering’ files, ‘welfare’ files where no wardship order was made, child maintenance records – the types of records and how they were categorised at the time varies significantly from state to state).

In Queensland there remain records held in the State Archives which are indexed by surname only. New South Wales has indexed all surviving ward files; however it holds thousands of boxes of unindexed records which may contain personal information about Forgotten Australians. New South Wales has appointed a project officer to consider how best to index these historical records. In the Northern Territory, historical files are not well-indexed and therefore difficult to retrieve, and records held in the Northern Territory Archives, relating to both departmental care and accommodation of children by churches and charities, are not all indexed.

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5. It is recommended that the states and territories be requested to report, through CDSMAC, on progress with indexing of records pertaining to the care of Forgotten Australians and other care leavers held by state and territory departments and instrumentalities (including state and territory archives and libraries), in line with the intent of the 2004 Senate Report recommendations.

### *Non-government agency records*

The issue of lack of indexing of relevant records is even more acute for the records held by non-government agencies. These records are held by a myriad of church and charity organisations that were past providers of accommodation to children, and in some cases by government archives or libraries where the churches or charities have lodged historical records.

Some existing church organisations have undertaken considerable work to achieve full or partial indexing of their records holdings. For example:

- MacKillop Family Services, as custodians of records from care facilities operated by the Christian Brothers, Sisters of Mercy and Sisters of St Joseph, have fully indexed the collection for about 115,000 children, including 15,000 photographs
- United Protestant Association of NSW Ltd has completed indexing for the approximately 3,500 children for whom files exist, from 13 institutions
- The PHIND electronic index to records held by the Sisters of Mercy, Sisters of Nazareth and the Christian Brothers, includes all 1,356 former child migrants thought to have been placed in Catholic homes across Australia from 1938 to 1965.

Some state governments have provided some financial assistance to churches and community organisations to locate and index records. For example, in the mid 2000s, the Western Australian government, through Lotteries West, provided small amounts to assist participating organisations to electronically index their records. A subsequent audit in 2007 commissioned by Mercy Family and Community Services (Seymour 2007) noted that of the participating 12 non-government organisations, only one agency (the Sisters of Nazareth, who operated only one home) reported they had a complete electronic index of records. For the others, finalising electronic indexes was ongoing or yet to commence. Progress since that time, and for the remainder of the 37 organisations listed in *Signposts* as past providers of accommodation, requires further investigation.

Quantifying the work required to complete indexing of all personal care records held by non-government organisations is very difficult. Relevant issues are:

- the sheer number of past care facilities. A cursory look at the existing directories shows over 1,200 different facilities listed
- the amount of physical records held by an organisation. This varies from a few registers only, to many thousands of paper records of various types and other records such as photographs
- the extent to which record holdings have been consolidated or centralised by the governing bodies responsible for various facilities
- the extent to which organisations responsible for the records have accepted the importance of facilitating access to them

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- the approach taken by organisations to the preservation, cataloguing and indexing of the records. Some have used professional archivists, others have done their best with the use of volunteers, with the inherent risk that some of the integrity of the records will be lost
  - the resources which have been applied to the task of indexing records. This is related to priorities, and also to the size of an organisation's collection and the demand for release of information.

There remain significant amounts of records containing personal information relevant to the histories of care leavers which have not been indexed or even catalogued and are therefore effectively unable to be located. These records contain past history for thousands of care leavers. However the work to complete the indexing represents many weeks or years of work, with the associated costs.

The survey for this scoping study indicated that, of the 35 participating agencies:

- 17 stated that they had completed an index of all records held
- 15 had completed partial indexes
- 3 other responses related to very small holdings for which indexing was judged as unnecessary.

When asked how long it had taken them to achieve indexing, these examples were given. There is considerable variation, as the type and content of records varies, and the volume is not directly related to the number of children involved:

- for MacKillop Family Services, it took the equivalent of 84 weeks of work for their data entry persons (under the advice of an archivist) to index the records for 115,000 children
- for the South Australian Professional Standards Office (Catholic Church), it required the equivalent of 180 weeks of work to index the records of 14,000 children from 25 care facilities
- for the Perth Diocesan Trustees (Anglican), it required about 50 weeks of work to index the admissions registers and related records for the 4,707 children from three care facilities.

Taking into account that the survey respondents were, in general, organisations which were already responding to requests for information and were interested enough to participate in the consultation for the Find and Connect Service, it is of note that, for some, considerable work remains to be done to have catalogued and indexed all their various types of records. When asked to estimate the time required to complete this work, the nine agencies that responded estimated periods of between six months and three years full-time work, with most estimating at least a year of work would be required.

### **Framework for non-government agency records management**

While acknowledging the enormity of the task and the associated cost, national inquiries (SCARC 2004, HREOC 1997) have vigorously asserted the importance of indexing and preserving care leavers' records.

*The Committee considers it imperative that the remaining records of children who have been in care are found, identified and preserved. The Committee is concerned that there are many instances where records of great value to care leavers are still being found in out of the way places, in cupboards and basements. Some agencies have attempted to centralise records but others*

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*still appear to have a somewhat cavalier attitude to these important documents* (SCARC 2004, p.283).

The work already done by many organisations towards archiving their ‘care’ records must be acknowledged. Nevertheless this scoping study reinforced three issues which are barriers:

- the human resources required vis a vis other organisational priorities (as discussed above)
- the complexity of the task if it is to be done well
- for some agencies, reportedly, a reluctance to make records freely available.

The view was expressed in April 2010 as part of the *Who Am I?* Project workshop (Tropea, Elkner & McCarthy 2010) that a framework was required to support organisations to organise and manage their historical care records, towards the objective of all such records eventually being accessible to care leavers.

The variability and inconsistencies in the standards and form of indexing were noted by the scoping study – these vary from use of archival standards or guidelines, to the use of a Microsoft Excel spreadsheet to list names. For many of the large church organisations, archivists are part of their organisation-wide management of historical records. Where larger organisations or consortiums have employed an archivist (for example as part of the Pathways project in Victoria) this has the obvious advantage of archiving which will stand the test of time. In setting up the Pathways website with 12 participating agencies, the *Who Am I?* Project provided assistance to the agencies to audit their records collections using the *Self-Assessment Tool for Archives*. The outcomes highlighted the need for strategic planning around the archiving of records, the complexity of the task, and the extent of human resources required (Tropea et al 2010).

In a submission to the scoping study, Executive Assurance Pty Ltd and PRISM (information management consultants, Victoria) noted that archiving work by past providers of care needs to prioritise information sources such as client-files, admissions registers, minute books, matron’s/superintendent’s notes, and name cards, as these are the most fruitful sources of care leaver information. They asserted that the process needs to be informed by an archival framework, with a work-plan drawn up for each participating organisation based on a survey and audit of their holdings. Goddard, Duncalf and Murray (2010, p.10) also argue for generic guidelines about preservation, archiving, and supported release of records.

The proposal that there be a national framework to guide records management in relation to archiving historical care records is strongly endorsed by this scoping study. This could, it is hoped, be informed by the work already underway by the *Who Am I?* Project.

#### *Incentives to participate*

As noted above, the cost of achieving good standards of records management, particularly retrospectively for historical records, can be considerable. This issue of cost as a barrier was illustrated by seven survey participants who reported that they had not fully indexed care records due to lack of resources.

At the same time, a recurrent theme of the care leaver consultations for this study was that churches and charities that had been involved historically in the provision of accommodation to care leavers had a moral obligation and an

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ongoing duty-of-care to ensure that records were available to those now seeking information about their childhoods. Many strongly argued that the costs involved should be fully borne by the organisations, and not be subsidised by government monies including in particular the monies available to implement the Find and Connect Service. The counter argument is that monies spent on assisting organisations to make records more accessible would be of direct benefit to the care leavers involved.

The scoping study identified that some past providers are likely to require assistance to catalogue and index records to make them more accessible. In addition to a set of guidelines, it may be necessary to provide seeding grants to help organisations ‘get started’, perhaps to purchase archival advice towards how to apply the guidelines in their case.

In addition, participation by organisations to locate and manage records as part of the Find and Connect Service network development might be increased by:

- more emphasis on historical records management as part of quality assurance regimes
- awareness raising of the risks represented by unmanaged records versus the risks of managed release of information
- raising the profile of the issue as a professional standards issue within the sector
- advice and clarification around the release of information within existing privacy laws (linked to the proposed national standards project of the Find and Connect Service – see below).

6. As part of the implementation of the Find and Connect Service, a national strategy is required to address the issue of records held by past provider organisations which are not yet accessible. This would focus on facilitating the linking of these past providers into the Find and Connect Service network. It is recommended that the strategy include:
- agreement by FaHCSIA, the states and territories, and peak non-government organisations about an ‘historical care leaver records’ project (facilitated by the proposed records management unit of the national Find and Connect Service)
  - developing (or sourcing existing) national guidelines about good retrieval and archiving practice specific to the management of historical care leaver records
  - working actively with past provider organisations with records not yet being managed in an accessible way, to facilitate their involvement
  - linking their progress to the quality assurance and risk management requirements of commonwealth and/or state licensing and standards regimes wherever feasible.

In practice, for this project work to be prioritised, it will need to be actively facilitated through the national Find and Connect Service in liaison with FaHCSIA and the state and territory departments, ie using state-based archivists, historians, and/or records management experts, but funded and project-managed through the proposed records management unit of the national Find and Connect Service. To work through the states and territories to encourage non-government organisations to opt-in would take too long and

require considerable project management. It will be more efficient to work directly with past providers in relation to historical records.

7. As part of the proposed national strategy to promote access to historical care leaver records, it is recommended that FaHCSIA and the Find and Connect Service:
  - make self-auditing tools available, to help organisations identify and prioritise tasks in the management of their historical records
  - identify the types of records to be prioritised for cataloguing and indexing by participating organisations
  - provide seeding grants to assist organisations towards the cataloguing and archiving work involved, on the condition that this work is to be completed in accordance with the proposed archiving guidelines
  - provide active advice and guidance about applying the proposed national guidelines for records management
  - encourage the consolidation of small records holdings into larger holdings, or their release to appropriate archiving facilities (eg state libraries).

### **Consolidation of holdings**

A recurrent theme of the consultation with care leavers was that records held by non-government past providers should be centralised in the one location for ease of access by care leavers. It was argued that the records should not be viewed as the property of the organisation, but rather as belonging to the people to whom they relate, and should be held in trust for them by a centralised ‘care leavers records’ body. Furthermore, past providers should if necessary be forced by law to release records and to make them available, including releasing them to a centralised database to be administered independently.

*“There needs to be a federal law passed to say ‘Hand the records in! Put them all in a room in Canberra where we go to read them” (Melbourne focus group of care leavers).*

*“Even before the service is established, we need legislation that directs the churches to ‘give the files up’. They have records which they will not release and they should” (a care leaver in Brisbane).*

These arguments largely reflected the frustration felt by many care leavers unable to locate or access full records which they believed were likely to exist. In some cases, these arguments reflected the reality of access to known records being refused (discussed below).

While a single national archive of care records is not feasible, there are good arguments to promote the consolidation of current holdings spread across disparate areas of the one organisation (eg through different dioceses, or parishes, or other geographic or organisational boundaries). This has already been done by a number of religious orders and congregations. Where smaller organisations cannot afford to index and manage future access to records, their continuing duty of care may best be filled by working with others to consolidate their holdings or release the records for archival management by the state.

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## 2.2 ACCESSING THE RECORDS

Knowing where records may be held is a starting point only to locating personal records about an individual care leaver. Some care leavers who were part of the focus groups for this study stated that receiving their ward records from the relevant state department, and/or their records from an accommodation facility, had been a straightforward process: “*It took three weeks and I got 300 pages*”. However these accounts were a minority. Trying to gain any information about their time spent ‘in care’ remains a frustrating and emotionally exhausting process for many.

*The lack of assistance to access records, destruction of records, the fragmentation of records over a number of agencies, poor record keeping, privacy restrictions, unsympathetic and unempathetic people on help desks, and when records are located, ensuring the access does not result in more trauma* (SCARC 2004, p.256).

These issues are recurrent in the literature around access by care leavers to personal information, where records are known to exist:

- the impact of privacy legislation on the release of personal information
- the barriers to accessing third party information about family members
- the repetition and confusion in having to apply to multiple possible sources
- the costs of accessing material
- the delays in receiving it.

### **Enabling access to personal information held by governments**

The literature confirms that a primary factor in care leavers accessing their care records is the need to understand identity and to answer questions about the past (Goddard et al 2010, p.2; HREOC 1997; Murray et al 2008; Pugh et al 1999, p.16). Care records are looked to as a source of this information as many care leavers spent all or some of their childhood away from their family, the usual store of family memories, anecdotes and history. Details sought from records include information about parents, siblings and other family members.

This core issue relates to the application of privacy legislation as part of the administrative release of personal records. Where a care leaver is applying for information from their own history of being accommodated, all state and territory governments have policy enabling such release. However the release of personal information is the point at which the interface between what is judged to be ‘personal’ information of the applicant and what is judged to be ‘restricted’ comes into sharp focus. Its manifestation is the expunged or ‘blackened out’ information from personal records.

#### *The right to personal information*

Many of the care leavers consulted for this study argue vehemently that no information about other parties should be expunged from the copy of their personal records, as it all forms part of their childhood history and as such is information *about them* (ie who was a part of their world, why certain things happened, what happened to other family members). It is strongly felt that information about family members, in particular, is inextricably linked to one’s own

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sense of personhood and identity and therefore is by definition personal information about the care leaver.

*“The blackened spaces are often their brothers and sisters”* (Bonney Djuric, Parra Girls).

*“It’s detrimental to your health by not knowing. If you can’t give access to the gaps, you might as well build a hole and put us in it”* (a care leaver in Melbourne).

The Forgotten Australians inquiry (SCARC 2004, p.276) described the process of having to seek a third party's permission to access records as unjust and cruel, and not recognising that understanding one's own story is integrally linked to that of other family members. Rather than responding with caution, requests for access should be responsive to care leavers' lifelong and distinctive information needs (Goddard et al 2008, p.60).

The counter view that information about others should not be released without their permission, even the identity of family members, was also put by a minority of persons consulted.

This argument about the right to privacy versus the right to personal information about one's identity and background, has been raised in each of the Inquiries. In balancing competing rights, there are strong arguments that the right to identity and to knowledge of one's history, including family members, is paramount. This argument has largely been acknowledged in the legislative and policy responses to the needs of adult adoptees, and the policy responses to the needs of members of the Stolen Generations, enabling the release of information which will assist individuals to identify members of their family of origin and reach an understanding of their own early life story. The needs of Forgotten Australians and former child migrants are the same. The psychological needs of care leavers who became separated from family as a result of being in care are similar to those of persons who have been separated from family as a result of adoption, and to those of the Aboriginal Australians taken from family as children.

#### *Legislation and release of information*

There has been a push for national enabling legislation to override state FOI/information privacy laws to facilitate the release to care leavers of identifying information about family and background history. Similarly, there have been consistent calls for reform of Freedom of Information (FOI) legislation, including, notably, by the Senate Inquiries:

*The Committee supports calls for the Commonwealth and States to seek to reform FoI and privacy regimes to ensure better provision for care leavers to access information on their relatives and family, for example, through a discretion to allow third-party access in FoI legislation in legitimate cases* (SCARC 2009, p. 221).

The consultation for this study highlighted that this is a current view held by many. It was also argued that care leavers' access to personal records should be consistent with approaches to adoptees seeking birth family information, with similar enabling legislation (Campbell 2009b, p.6; HREOC 1997, p.339; SCARC 2004, p.275). However, while the human rights and needs of care leavers in

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relation to their identity are the same as adoptees, the ‘third party’ privacy issues are more complex.

Pending any overarching legislative change, consideration should be given to promoting more liberal and consistent use of the existing avenues for release of information. In most states and territories, release of personal information from government-held care leaver records can occur administratively (with reference to the FOI/Right To Information (RTI) framework). However, particularly in relation to information that includes a third party, release usually requires application under the FOI or RTI legislation. The decision-making capacity of persons administering FOI/RTI legislation can be enabled, as well as restricted, by the parameters of the legislation. This is highlighted by the discrepancies in practice between states and territories in decision-making under similar legislation.

During this scoping study, anecdotal accounts were given of differences in the release of information about third parties (eg basic identifying information about a care leaver’s family members), depending upon:

- who was asked, with some decision-makers being more liberal than others
- when the request was made, with policy changing over time
- the working relationship between the person requesting the information and the decision-maker
- differences between jurisdictions in what information is judged to be sensitive or exempt
- whether the information was requested by a member of the Stolen Generations or by another Forgotten Australian.

There should not be significant discrepancies. The information which can be gained should not depend on where a care leaver lives or lived as a child, which state or territory government is involved, which government unit is responding, and whether a government or non-government organisation holds the information. It should not depend on the circumstances in which the person became disconnected from family or became an adult without knowledge of their childhood history, if the common thread was government action or government-sponsored intervention.

For the Find and Connect Service to operate equitably across the nation, there needs to be a consistent application of the enabling provisions of state and territory legislation around the provision of personal information. This should include moves towards consistent policy around administrative release of information to care leavers. The 2009 Senate Report (p.221) noted that “in some cases administrative arrangements are in place which, while still subject to FOI and privacy principles, can improve access for care leavers”. This was confirmed by this scoping study.

An ongoing discussion should also occur around use of the enabling provisions of FOI/RTI and privacy legislation. The scoping study noted that reform of FOI legislation has occurred in Queensland, NSW and Tasmania, and is currently under review in WA. While the 2009 Senate Report recommended legislative reform, it is our view that promoting cultural change in decision-making around release – using the existing provisions around public interest and exempt

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information – is likely to be more effective in the short term. A 2009 decision<sup>1</sup> (<http://www.oic.qld.gov.au/files/indexed/decisions/pdf/210604%20-%20Dec%20-%2009-07-09.pdf>, accessed 26 August 2010) of the Acting Information Commissioner (Office of the Information Commissioner Queensland 2009) in Queensland, regarding a decision under FOI legislation, demonstrates the potential for change. Queensland officers advised they are now much more likely than even 12 months ago to release family information from the records of a care leaver, with release now being the default position. The following extract from the 2009 decision of the Information Commissioner Queensland is highly relevant to the current debate:

*In relation to information concerning identity and personal history:*

- *it has been acknowledged by Parliament that Care Leavers have suffered significant harm whilst in the care of the State and are entitled to special assistance to aid them in rebuilding their lives*
- *inquiries concerning children in State care have identified that having access to information about their identity and personal history is of fundamental importance for Care Leavers in seeking to resolve the myriad effects of their early lives...*

*In view of the above and the public interest factors discussed in relation to section 44(1) of the FOI Act, I am satisfied that the public interest in ensuring that Care Leavers are afforded every opportunity to repair the damage done to their lives and reach their potential provides a compelling, that is, forceful reason that necessitates disclosure of the matter in issue.*

The *Forgotten Australians* report noted that ‘family’ information and records may hold information valuable to tracing family members or the person’s history, yet that information is treated as ‘third party’ (SCARC 2004, p.276). *Bringing Them Home* (HREOC 1997 p.335) differentiated “...third party identifying information which permits a searcher to identify his or her own family information and community links and, on the other (hand), information which is solely personal to the third party.”

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<sup>1</sup> Decision of the Acting Information Commissioner, 9 April 2009, about the “public interest” in deciding to release, to an ex-resident of St Vincent’s orphanage, information which, he believed, would explain why he was put in care and provide information about his parents and siblings.

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8. It is recommended that liaison occurs with the states and territories through FaHCSIA and the national Find and Connect Service national office, to:
    - through CDSMAC, SCAG and the Information Commissions as relevant, adopt an in-principle joint statement of commitment to an enabling approach to release by government departments of the personal information of historical care leavers, consistent with the intent of the 2004 Senate Report recommendations
    - in line with the above, develop and promote national standards around the administrative release of records to past care leavers and release under existing state and territory FOI/RTI and privacy information laws. Promote a pro-release bias with release being the default position and restriction requiring clear justification on an individual-case basis
    - promote a national network of state and territory information managers incorporating persons administering the release of information from state care leaver records, Aboriginal and Torres Strait Islander family and community historical records, adoption records, etc. The objective is to support consistency and learning in applying the national standards, towards a culture of pro-release.
  9. It is recommended that national standards for the administrative release of historical care leaver records be developed in consultation with representatives of non-government past provider organisations, and with representatives of care leavers.

Goddard et al (2008, p.54) noted the need for a clear legal framework and practice guidance (as with adoption) for the delivery of access to records. The proposed development of national standards which incorporate a pro-release bias for decision-making around the release of historical care leaver records is consistent with recent NSW and Queensland Information Commission statements about the intent of RTI laws in those states (eg [http://www.oic.nsw.gov.au/oic\\_aboutus/legislation.html](http://www.oic.nsw.gov.au/oic_aboutus/legislation.html) accessed 8 August 2010).

A number of persons consulted for the scoping study raised the importance of the need, if information is to be expunged, to spend the time explaining to the care leaver why each piece of information has been deleted, ie what type of information it was, what category of person it related to, and why it cannot be released. This must be detailed. In addition to demystifying the expunged information somewhat, this process is also an accountability mechanism for those making decisions about the release of information (and is in line with legal requirements under FOI/RTI legislation).

### **Enabling access to information held by non-government past providers**

Non-government agencies are covered by the principles of the Commonwealth *Privacy Act 1988*, but most are not bound by the same legislative requirements as government agencies and there is no legal compunction to make their care records available (Goddard 2006). There are a number of non-government agencies which provide highly professional services around the supported release of information to care leavers, along with, in some cases, advice and assistance around the search for family if desired. Many others have a nominated person who responds to requests for information by checking whether a record is held and, if so, providing copies.

It appears that the organisational policies of these agencies vary from very liberal access to most personal information contained in records held, to more restricted access which expunges all references to parties other than the applicant.

Anecdotal information was provided about some past providers who will not release information, or release only minimal information, or claim to have none, allegedly due to sensitivities about the risks of litigation. Other anecdotal information relates to agencies effectively withholding information, due to lack of staff time prioritised to attend to this.

The matter of national legislation (a ‘care leavers’ right to information’ act), to legally force organisations to provide access to records and to make any information available, was raised during the consultations. It is certainly reasonable to suggest a set of legislated principles around the rights of care leavers to information about themselves and their family history. Pending such legislation, the involvement of past providers as part of the Find and Connect Service network can be encouraged by peer influence and compliance expectations.

10. It is recommended that proposed stakeholder groups for each state and territory for the implementation of the Find and Connect Service (see recommendation 29) should include, as part of their ongoing agenda, the need to promote national standards around release, in line with the proposed standards (see recommendations 8 and 9).
11. It is recommended that FaHCSIA, through CDSMAC if necessary, explore the potential for standards around the release of information by non-government organisations to care leavers being linked to quality assurance requirements of commonwealth and/or state licensing and standards regimes wherever feasible.

It is considered that the storage of records and making them accessible to the persons they concern is a matter of good practice which is, or should be, part of the standards regimes being implemented in most states and territories to improve quality assurance in funded organisations. These standards, variously called, include standards around privacy and client access to information held about them. This includes past clients. As compliance with standards is increasingly becoming tied to funding, standards around access to information by clients must be interpreted to include access to historical information by care leavers. It then becomes a matter of risk management for an organisation to have this area of quality control in place.

### **Streamlining application processes**

The means by which states and territories respond to requests for information from care leaver records, and the dedicated staffing available, varies considerably.

Some states have specific Aboriginal and Torres Strait Islander community and personal history units, most have units implementing release of information under adoption legislation to which care leaver records release has been added, and some have relevant professionals assisting with administrative and RTI release of fostering and wardship records within information management branches. It

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appears to work well where there is a strong liaison between branches or units dealing with different forms of release of personal information (eg adoptions, fostering and care, Aboriginal and Torres Strait Islander history, and general FOI).

New South Wales is currently setting up a centralised unit to process applications for personal information. Queensland has had a well-functioning and integrated system for some years, as has Victoria. Other states and territories report that they are responding to requests for release of information but are at various stages of developing their professional standards and capacity. The staffing dedicated to the release of records can impact the timeliness of release. For example, Western Australia, where one officer is responsible for the release of wardship records, reported an 18 month to two year waiting time for administrative release.

Due in particular to different staffing levels, time taken to process applications varies considerably. With the ageing population of Forgotten Australians and former child migrants, delay can have huge implications:

*"We'll all be dead waiting – they need to double-up on the people doing it. Some of us have missed out (on meeting relatives) by as little as two weeks"*(a care leaver in NSW)

and frustrations:

*"The main issues of FOI are costs, delays and shuffling of support workers, being part-timers or volunteers, so you wait, then call back, they are either on a tea break or about to go home, thus forgetting to follow up or call back, the support workers' standard line now is, I'm sorry but you are #125 on our wait list call again in six months, then they get promoted, forget you ever called, then you have to start all over again"*(a care leaver in NSW).

12. It is recommended that, in the context of commitment to implementing the outcomes of the 2004 Senate Report (SCARC 2004), and through CDSMAC, all jurisdictions be encouraged to dedicate sufficient staffing capacity to:

- meet current demand for release of information from care leavers within reasonable time-frames
- respond to a probable increase in demand following the launch of the Find and Connect Service
- provide pro-active responses around enabling release (eg actively seeking permission from third parties where required)
- provide professional support around release of sensitive information.

#### *'Common access' options*

Care leavers often need to request access to records held by a number of different agencies – relevant records are scattered across a number of government agencies, past providers, jurisdictions, welfare services etc (Campbell 2009b). Frequent feedback from care leavers during consultations concerned the frustration and emotionally exhausting task of making repeated applications:

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*"We're sick and tired with having to prove who we are all the time. I want to walk in and say 'I'm fed up' and not fill any more forms out"* (a care leaver in Melbourne).

Both the SCARC (2001, p.272) and the HREOC (1997, p.350) reports mentioned the need for agreement to common access guidelines that would bind signatories and facilitate consistency for care leavers.

At the policy level, the national Find and Connect Service has a role in working with all parties towards greater standardisation of the process for care leavers to apply for information from records of their childhood. Currently, while mandated requirements differ, including prescribed 'application for information' forms, essentially the information required is the same:

- the care leaver's current and past names
- verification of identity
- description of the information requested
- information which will assist with locating the information, such as time-frame and place/s when known.

The concept of a 'common access protocol' is based on minimising the number of times the care leaver might have to make separate applications for information, repeat their story, and provide copies of supporting information. This concept is already being trialled in Victoria in relation to Stolen Generations records, through the Common Access Guidelines (CAG) project:

*The new framework proposes to incorporate all government and non-government recordkeeping agencies in Victoria that hold records related to the removal of Aboriginal children from their families and cultural heritage (<http://www.prov.vic.gov.au/about/kru/cag.asp> accessed 6 July 2010).*

*At present individuals are required to fill in different forms and documentation to gain access to records at different locations. Under the CAG proposal (they) would be able to access records by completing one form that will be accepted by a number of ... agencies and organisations. This will dramatically improve access to records for those affected by removal policies ... (Victorian Koori Records Taskforce 2006).*

The common access protocol, as being trialled in Victoria, requires that a care leaver completes one core application and satisfies personal identification requirements once only, at the entry point to their searching. While a common national application, accepted by all states and territories and non-government organisations, would be desirable, the time-consuming logistics in working to achieve this would be difficult to prioritise at this time. It would however be feasible to trial common access protocols between state-based organisations with already-established working relationships involving responses to the same applicants:

*"It would help if their ID could be verified once, not for each agency they have to apply to"* (a government representative, Queensland).

Facilitation by the national Find and Connect Service proposed national standards unit and the state-based Find and Connect Service stakeholder groups would help ensure consistency with any such trials in different states or territories.

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13. It is recommended that the national Find and Connect Service, through the proposed national standards unit, explore and promote the potential for common access protocols between agencies from whom care leavers commonly seek information about themselves and about family members.

Where a common access protocol is trialled, stakeholders would maintain control over their decision making but work towards a standardised application and response process (ie forms and procedures) so that, for the care leaver:

- the process is familiar wherever they apply and discrepancies are avoided
- their identity has to be established only once
- the application can be dispersed from the one initial application if more than one agency is involved.

This requires that participating states and agencies:

- sign up to an agreed common access protocol
- have similar processes for responding to applications from care leavers for information
- have a dedicated person/unit for responding to requests
- accept the eligibility and identity verification supplied by the intaking agency.

The potential for common access protocols should be informed by the work currently occurring in Victoria around the common access framework for Aboriginal and Torres Strait Islander persons' access to records held in that state. It is noted that this project has required agreement about eligibility and how it will be assessed, agreement about prioritisation, and ultimately, a 'common list' of applications. Common access is a concept also being used elsewhere in different contexts, eg social housing through Housing NSW <http://www.housingpathways.nsw.gov.au> accessed 16 August 2010).

#### *Verifying identity*

The matter of proving one's identity, when birth records are difficult to obtain (eg due to birth overseas, or name changes and lack of knowledge of registered birth names, or no registration having been made) is very emotionally difficult for some. There is a need for births deaths and marriages (BDM) registries to respond flexibly where the existence of birth records is an issue. For care leavers, access to their own birth records should be at no cost, in Australia or overseas. This may require either protocol agreements with BDM registrars in each jurisdiction or the use of brokerage monies for this purpose when required.

#### *Costs of application for information*

There are emotional and financial costs and time associated with access procedures, particularly for people in regional or country areas and especially when trying to access personal records (SCARC 2004, p.278).

For all jurisdictions, personal information about the person themselves is available without an application fee being applied. Other access costs can apply to release of information under FOI and RTI legislation, such as photocopying costs; however these are generous in their waiving capacity when the information relates to the care leaver. For example, under the current Queensland provisions, a person may receive their information on a CD free of charge, and up to 150 pages

of information before a charge is applied; however all fees are waived for pension card holders. While some care leavers may be satisfied with emailed or CD versions of records, the consultation has emphasised how important it is for care leavers to have actual paper copies in their hands. If their files are lengthy, they should not have to pay more for one copy than those whose information is less. There should be no limit to the number of printed pages which can be supplied free of charge as part of a single copy of an historical care leaver's personal information (ie a Forgotten Australian, former child migrant or Stolen Generations member).

From the survey of the 35 respondent past provider organisations, none charged a fee for providing copies of records or (with one exception) for copying the records.

14. It is recommended that the national Find and Connect Service, through the proposed national standards unit, promotes consistency between all agencies (government and non-government) around no cost release of information to care leavers for their own personal records, including paper copies.

### **Supported release of personal information**

Procedures around the release of information to care leavers varies from fully professionally supported to simply an administrative process whereby print-outs of records are posted to the applicant. The latter is more likely to occur from non-government organisations, but also occurs from government agencies. In the survey for the scoping study, eight respondent organisations stated that their method of supplying the released information was by post, with another 19 stating that post was used if preferred by the applicant. It is known that some of these organisations take seriously their duty of care to ensure that the recipient has access to a support person when they receive the information, and at times will insist that professional support is available before releasing information assessed as likely to be distressing.

This work cannot be done administratively in the absence of good support services. The release of personal information that helps to identify family members and significant information about a person's past must be supported with:

- good practice around the awareness of the meaning of file information
- support for individuals about what the material contains.

Care leavers consulted for this study emphasised the need for support around the release of personal information, noting that it was impossible to say what piece of information would be upsetting or disturbing to a recipient. It was argued that even care leavers who felt they did not need support should be informed of how to access it. In this regard, the availability of more easily accessed counselling support through the Find and Connect Service was welcomed.

*“People need to be warned ‘You’re going into deep water and if you don’t want to drown, here is your life-raft”* (a care leaver representative).

The proposed national standards around the release of records should include standards around the essentials of supported release to avoid risk to the care leaver and fulfil the duty of care of the releaser. In addition to dealing with disturbing or upsetting material, other issues include:

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- the disappointment when no record exists or limited detail is available. Care leavers are incredulous and angry that their childhood or their parent's childhood is reduced to a few lines (SCARC 2004, p.265). Limited information also disappoints when it undermines the chances of piecing together personal and family history (SCARC 2004; Campbell 2009b, p.6)
  - to make sense of records, explanatory information may be required, for example about administrative history and approaches to record keeping over time (Campbell 2009b, p.8) or the inclusion of denigrating or distressing language (HREOC 1997; SCARC 2004).

Where a specific record does not exist, instead of being provided with nothing, care leavers should be provided with some contextual information to validate their story. This could include photos or information about the care facility and about that time and place (Goddard et al 2010, p.9).

### **Enabling access to other sources of family information**

Searching for family involves identifying and locating family members. To do this, care leavers need personal details about their parents, siblings and other family members, such as grandparents. This necessitates searching, for example, births deaths and marriages records and electoral rolls.

In terms of BDM records, each jurisdiction has their own legislative framework regulating the conditions under which the registers can be accessed, charges for searches and for certificates, length of time before the registers are unrestricted and identification requirements. These are all areas of particular relevance to care leavers and the lack of a national, consistent approach to meeting care leavers' needs again means inequities for care leavers from different jurisdictions.

Care leavers' access to BDM records variously takes account of the applicant's interest, an 'adequate reason' for wanting the information, the applicant's relationship to the person, the use to which the information will be put, age of the record, and the sensitivity of the information. As BDM legislation seeks to protect 'unjustifiable intrusion' on a third person's privacy, care leavers face obstacles created by having to have the third person's consent or the consent of that person's next of kin, and evidence of the relationship. The consultations heard many stories of care leavers trying desperately to access records about their parents or siblings. There were also stories about the inconsistent application of legislated provisions and of personal details being revealed verbally by registry staff when otherwise releasing the information would be contrary to the legislation. In some cases, government officers responsible for releasing wardship files assist with the information if they have access to the registers.

While some jurisdictions state that costs can be waived, this does not happen as a matter of course for care leavers searching for family. The cost issue is compounded when, for example, the exact year is not known and multiple searches across years are required. Another barrier arises from identification requirements. The number and nature of items varies across jurisdictions and generally includes items which many care leavers have not accumulated or retained over their life.

The approach taken to providing information to members of the Stolen Generations is generally more generous than for Forgotten Australians and former child migrants. Similarly, in at least one jurisdiction, the BDM legislation states that adoptees' right to know biological information overrides the BDM legislation.

In stark contrast to Australia, the UK General Register Office is working towards free on-line access to every birth, adoption, marriage, civil partnership and death registered in England or Wales. Until then, the records are accessible through specialist agencies, from different websites and at advertised locations ([http://www.direct.gov.uk/en/Governmentcitizensandrights/Registeringlifeevents/Familyhistoryandresearch/DG\\_175464](http://www.direct.gov.uk/en/Governmentcitizensandrights/Registeringlifeevents/Familyhistoryandresearch/DG_175464) accessed on 6 September 2010). While a registration process applies, this approach is of great assistance to former child migrants wanting to access family information.

To address inequities and barriers for care leavers trying to access equivalent Australian information, it is proposed that a protocol be developed with the registrar in each jurisdiction to enable access, especially to prioritise applications from older or infirm care leavers. The protocol should address the costs for searching and certificates, with a view to waiving charges relating to the immediate family of a person verified as a 'care leaver'. Searching for immediate family should include searching for siblings, where at least one parent is shared. In instances where charges apply, Find and Connect Service brokerage funds could be used to assist with meeting the costs of searching. Identification requirements should also be streamlined.

The scoping study also identified a number of issues associated with accessing past and current electoral rolls. These include that since the rolls are no longer available for sale, opportunities for viewing the roll are limited. Notwithstanding that the rolls are self-evidently limited to those who enrolled to vote, information held in the non-public roll would be of use to care leavers not only in trying to identify family members, but also to locate them. It is suggested that the national office of the Find and Connect Service should negotiate arrangements with agencies that have access to the non-public roll, to facilitate searching on behalf of care leavers.

Care leavers, particularly former child migrants, strongly argued for assistance to access international records and international searches for family. Numerous examples were given of the breadth of assistance required, for example, to locate fathers who were stationed in Australia during WWII, and siblings overseas.

Forgotten Australians consulted during the scoping study were angry that the Centrelink 'In Touch' service has been withdrawn, as it had been effective as a means of safely contacting family members. Moreover, they argued for such a scheme to exist through other government agencies. The Find and Connect Service will be more effective in its 'find' role if safe access through intermediaries is opened up across relevant government departments and instrumentalities such as those administering Centrelink, Medicare, the closed electoral rolls etc. This is a matter for whole-of-government consideration of the roles of all departments in 'making right' the legacy of past damaging policies.

15. It is recommended that FaHCSIA liaise with Centrelink, through COAG and in the spirit of a whole-of-government response to the needs of Forgotten Australians, to re-instate the 'In Touch' service in a way which better meets the risk management as reviewed by Centrelink. This may include the Find and Connect Service vetting any proposed connection of family members prior to identifying information being released to either party, and the scheme being limited to immediate family members. Similarly, it is recommended that a similar contact scheme be instigated through Medicare if possible.

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## PART THREE: FIND AND CONNECT SERVICE WEBSITE

Universal support was expressed during the consultations for the concept of a Find and Connect Service website to offer a single point of entry for care leavers beginning a search for personal records. To do this, the website will need to contain a range of information about finding records and searching for family, and a national database specifically about 'care records'. For the website to achieve its full potential as an integral part of the national Find and Connect Service, careful consideration of design and functionality is required.

### 3.1 FUNCTIONS AND DESIGN

The primary purpose of the website is to provide a readily accessible national database of information for care leavers about:

- the places in which children who were separated from family were accommodated during the last century
- information about where existing records are held and how they may be accessed
- some contextual historical information about time and place which may help with deciphering the past
- sources of other information to help establish identity and trace family members.

#### Existing websites and databases

While there are existing national websites which provide some of this type of information (eg the CLAN website), no comprehensive searchable national website exists.

Pathways, a part of the *Who am I?* Project in Victoria, contains historical resources about out-of-home care and related topics in Victoria. The database (<http://www.pathwaysvictoria.info/index.html> accessed 2 June 2010) can be searched by keyword or by the name of an organisation (name, suburb, date of operation), public figure, function, denomination, category etc (eg. orphanage, Catholic, Anglican, Stolen Generations). The Pathways website provides information about historical care facilities for Victorian care leavers, but does not include details about, or links to, other information sources such as BDM records. Pathways is discussed further below.

Attached to the Western Australian publication, *Signposts: a guide for children and young people in care in WA from 1920*, is an online database (<http://www.signposts.communitydevelopment.wa.gov.au/> accessed 18 July 2010) that can be searched by keyword, location or year. Over 200 out-of-home care facilities are listed. The search tool links to details about what records are held and where they are held.

Although not available publically, PHIND (<http://www.cberss.org/phind.html> accessed 3 June 2010) is an electronic index about where the records are held in Australia for approximately 1,300 child migrants brought to Australia between 1938 and 1965. The children were accommodated in Catholic homes operated by ten religious orders and agencies. For each child, PHIND notes personal and

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migration details and the location of wardship, medical, education, religious and other records.

A search for web-based searchable databases outside Australia yielded few results. One example is the British Association for Adoption and Fostering which operates Adoption Search Reunion (**Error! Hyperlink reference not valid.** accessed 2 June 2010). The website is designed to assist people who are searching for, or making contact with, family members in the United Kingdom or Ireland. The online database can be searched to ascertain if adoption records still exist and if so, where. Names of homes, organisations, local authorities, staff members or keywords can be searched.

The need for a single national website, rather than separate websites for each state and territory, is evident when one considers that:

- some care leavers were accommodated in facilities in more than one state
- some care leavers were born in one state and accommodated in another
- some information (eg how to seek access to information held by Commonwealth government departments) is applicable to care leavers in all states
- commonalities exist across state boundaries, such as churches which ran facilities in several states.

In addition to arguments against duplicating information state by state, there are strong arguments for a 'single entry' point for care leavers which describes how to commence their search and where to look for records. Care leavers, or their agents, currently may access several different websites to ensure they have checked all available sources of information. A 'single entry' point also enables appropriate warnings about the limitations of records, and their emotional impact, to be highlighted for all searchers.

### **Design imperatives**

It is important to ensure that the website design is based on sound principles which will stand the test of time and cater to the complexity of the content and search functions. The design needs to cater for:

- the capacity for numerous internal cross-references between and within entries
- a very easy and intuitive user-interface for searching and navigating the site, despite the complexity of the underlying informational relationships. This includes clear navigational aides or pathways for moving around the site
- the capacity to readily add or change information in a way which automatically flows to all related references to the updated material
- consistent structure for entries of the same type so that details about, for example, accommodation facilities, are always in the same format and new items can be electronically added with a minimum of labour.

The designers of the Pathways site (*Who Am I?* Project, 2010) describe the core principles underpinning that site's design and planning as:

- standards based (ie uses international standards for recordkeeping and archival description)
- evidential (ie seeks to be an authoritative and reliable source of information)
- persistence and meaning of the content through time
- resilient content management (ie the authority database is separated from what appears on the website)

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- multiple access and reference points (ie there is a unique web page for each primary object)
  - human to human knowledge sharing (ie information is presented in human readable forms)
  - computer to computer data sharing so that data can be shared with other public knowledge spaces
  - public knowledge focus (ie information meets community needs and helps communities function effectively)
  - network science foundations (ie complex information is presented in clear and meaningful ways)
  - coherent interface design that is meaningful to the target group.

16. Given the functions and deliverables expected from the national database, it is recommended that FaHCSIA considers the Pathways website ([www.pathwaysvictoria.info](http://www.pathwaysvictoria.info)), developed by the eScholarship Research Centre at the University of Melbourne, as a prototype for the development of the Find and Connect Service website, and consults with the website owners about the copyright and licensing requirements to be met in utilising this design.

Implementation of recommendation 16 may include negotiation around the potential to contract with the University of Melbourne to administer the Find and Connect Service website as an extension or devolution of the Pathways site. To replicate the work already undertaken to achieve the specialised features and integrity of the Pathways design would be an unnecessary duplication of cost and effort, and unlikely to achieve the same standard of result. No other example of a specialised website designed to cater for care leavers, with the search functionality and archival integrity of Pathways, was identified in Australia or overseas during the scoping study.

If a new web design is commissioned for the Find and Connect Service (ie the Pathways prototype is not used), a set of core principles such as those developed by the *Who Am I?* Project to underpin Pathways, should underpin its development.

### **Other potential functions**

The consultations also yielded a range of ideas about other potential functions of the website. These include discussion forums, a noticeboard for advertising reunion events for former residents and their families, and capacity to register interest in trying to contact other care leavers, for example placed at the same facility, or to search for family members. Some care leavers expressed concerns about malicious or abusive use of such a site. Any additional website functions however have implications for administration (eg moderating contributions) and system maintenance, and therefore cost.

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### **3.2 WEBSITE IMPLEMENTATION**

#### **Duty of care**

While the website will prominently display the 1800 number as a source of personalised help to use the site, it is anticipated that many care leavers will use the site directly or through an agency or family member.

It is an imperative that each page of the website, and in particular the home page, includes a prominent “*What you need to know*” section about preparing for searching, what records may or may not contain, “*What to expect*” etc. The consultations for this scoping study made clear the vulnerability of care leavers upon receipt of personal information about their childhood, including the impact when virtually no information exists. While the website will not give direct access to any personal information, its purpose is to facilitate such access and as such it needs to promote emotionally safe ways of doing so.

Similarly, to prepare care leavers for finding records and assist them to make sense of released records, the website should contain explanatory, historical and other information, for example, about:

- record keeping over time, for example, about the use of derogatory and distressing language in care records, paucity of records kept, social reasons why parents voluntarily placed their children in accommodation facilities
- name changes and acronyms for welfare departments in each jurisdiction
- changes in child welfare legislative and policy frameworks over time in each jurisdiction
- what you need to know to start a search
- preparing for family reunion and developing ongoing relationships.

#### **Searchable content and linkages**

Input from care leavers and others during this scoping study suggests that the website should also include broad-based information to assist care leavers to search for personal records and locate family members. The website also needs to contain linkages to a range of national and international sources of relevant information, along with explanatory information. These include, for example:

- Australian sources of other related ‘child welfare’ records (eg adoption, family support, child endowment, infant life protection)
- Australian sources of personal history information for care leavers (eg how to seek educational, medical, court records, BDM, disability facilities)
- specific information for former child migrants (eg shipping records, international links, UK births deaths and marriages etc)
- specific information for members of the Stolen Generations (eg Protectors’ records, mission records)
- key Australian sources of information to assist with tracing family members (eg electoral rolls, BDM registries, military records, prison records, cemetery records, National Archives of Australia, Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS)’s Family History Unit etc).

The website should also contain searchable information, locality and contact details for tracing, support and counselling services, including those that are part of the Find and Connect Service, aftercare services, Link-Up services, Child Migrants Trust etc, with linkages to these services. Links to other care leaver organisations providing mutual support, information and advocacy, such as

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CLAN, AFA, HAN, Parra Girls, Now Remembered Australians and others, should also be included subject to the organisation's agreement.

The website should not duplicate existing sites that provide these types of information. It should however contain explanatory information about their possible use in various circumstances, and provide linkages to the separate sites.

### **Relationship with existing directories**

The existing directories of historical care facilities are listed in section 2.1 of this report. Most are formatted as PDF documents with on-line versions having simple Adobe search capabilities by word or phrase. Other directories (eg to Lutheran and Anglican Church records) are only available in hard copy.

Each directory contains similar information about care facilities, which in general is compatible with the type of information the Find and Connect Service website must contain to build the national database. If the information contained in these directories is, with permission, used to populate the Find and Connect Service database, it is likely that the Find and Connect Service database will become the most current and accessible source of this information.

It is strongly suggested that any organisational websites – government and non-government – which currently list the type of information that is core to the Find and Connect Service website (ie about care facilities and searching for care records) replace those pages with information about, and a direct link to, the national website. This will ensure that care leavers will not be confused by similar information (which may not be as current) appearing on other, and sometimes multiple, websites. Transition to a single national database would entail, for example, government web pages which currently direct searchers to the state-based directory (eg the NSW page for former wards that contains a link to *Connecting Kin*) instead providing a link to the Find and Connect Service website. Similarly, organisations such as CLAN, rather than list historical care facilities on their website, would instead direct persons seeking that information to the Find and Connect Service website.

This recommendation relies on broad acceptance of a single national site that offers the most up-to-date information about record holdings and details for requesting access. It is not meant in any way to de-value or undermine the actions taken by the government and church bodies which responded to the recommendations of the *Bringing Them Home* inquiry by developing a records directory. It acknowledges the relevance and usefulness of those directories to all care leavers, Indigenous and non-Indigenous. It is also a means by which the information in those directories can be readily kept up-to-date. It would remain a role and responsibility of the states, territories, and churches to help verify and maintain the accuracy of information from their jurisdiction.

The criticality of current, comprehensive and consistent information was broadly recognised during the consultations by all stakeholder groups. There was also broad support for not duplicating existing efforts, and for utilising what currently exists.

Pending the Find and Connect Service database being fully developed, it is suggested that the website can be operationalised on an interim basis, by accessing the existing PDF documents directly from the Find and Connect Service website. It would be preferable however, if sufficient data-entry resources are

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available, for information which has been verified to be entered into the database without delay.

17. It is recommended that the core content of Find and Connect Service database is initially compiled from existing information sources about historical care facilities, developed by state governments and others, as discussed in recommendation 1.
18. In preparation for the launch of Find and Connect Service website, negotiation should occur, as relevant, with state and territory governments, past providers, churches and other organisations such as CLAN, about replacing website content that lists care facilities and sources of care records, with information about, and a direct link to, the Find and Connect Service website and 1800 number.

## Administration

The website will be an integral part of the Find and Connect Service with strong linkages to the 1800 number, the support services and the proposed records management unit (discussed in Part 6 of this report). The maintenance of the website will be active and ongoing, requiring different types of expertise, as noted in relation to the Pathways website:

*The success of Pathways comes from the collaboration between social workers, archivists and historians, with each group bringing specific expertise and relevant knowledge to the project. The action research approach of the Who Am I? project has been very significant also; it engages multiple stakeholder perspectives within the well defined project management structure comprising a Governance group, an Advisory group and the Research Team. This model has worked well. (Rachel Tropea, Who Am I? Project, email communication 25/8/10).*

19. It is recommended that the Find and Connect Service website is administered by the Find and Connect Service national office, in close liaison with all key stakeholders.

In particular, it would be the role of the proposed records management unit of the Find and Connect Service to:

- ensure the archival integrity of the database
- maintain and add content, as new information becomes available, and
- liaise with the state, territory and church bodies who will have responsibilities for the veracity of data relating to their jurisdiction.

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## PART FOUR: THE 1800 NUMBER

The primary function of the 1800 telephone number is to provide frontline support to care leavers or their representatives to point care leavers in the right direction for finding their care and personal records and/or searching for family. The secondary function is to link care leavers with support and counselling within the Find and Connect Service network, or with other agencies.

### 4.1 FUNCTIONAL ISSUES

#### Frontline support to care leavers

*“The first call to the 1800 number has to work, people are deciding to ‘come out’, it’s a very difficult decision” (care leaver in South Australia).*

*“Former residents only want a relationship with one consistent person with whom they can build up trust, which impacts on how the 1800 number will work” (past provider, Brisbane).*

Across all stakeholder groups in the consultations, it is widely anticipated that demand on the 1800 number will be high. It was suggested that care leavers will contact the number about a range of issues, some of which will be unrelated to the core functions of the Find and Connect Service. Reasons for the demand include that care leavers are hopeful that new or more records or new entitlements will be available because there is a new service, or even that the 1800 number will have each care leaver's records on hand.

Of particular note is the fact that contacting the 1800 number will be the start of what could be a long journey to find care records and search for family. Anecdotal and other evidence (eg Murray et al 2008) indicates that care leavers need support with finding records, with the release of records, and before, during and after connecting with family. As a key frontline Find and Connect Service unit, the 1800 number workgroup therefore has a critical role to play.

It is proposed that, as frontline support workers, the trained staff will:

- receive contact primarily through the 1800 number, but also by email, fax or SMS
- listen to care leavers' stories
- assist care leavers, their representatives and others to understand the purpose and scope of the Find and Connect Service, and in particular, the website
- respond to care leavers' specific queries about finding their own records or searching for family.
- talk with care leavers about 'first' or 'next' steps in finding records and searching for family
- provide information over the phone about using the Find and Connect Service website, for example, if the care leaver needs help to navigate the site or understand information contained on the site
- search the Find and Connect Service website, particularly the database, if the care leaver does not have access to a computer, is not computer literate or prefers someone else to search on their behalf

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- at the care leaver's request, provide (ie post or email) downloaded information from the website to the care leaver or their representative. This could, for example, be a factsheet about what is needed to start a search or historic information about the home in which the care leaver was accommodated
  - with the care leaver's consent, streamline contact with records holders and direct service delivery agencies, particularly those that are part of the national Find and Connect Service network.

An aspect of frontline contact will be to undertake a basic initial screening process to determine eligibility to access Find and Connect Services. That is, staff will need to be confident that the caller is a Forgotten Australian, former child migrant, member of the Stolen Generations or other care leaver, or is acting on behalf of and with the consent of, a care leaver. This recognises the initial focus on assisting care leavers, rather than diverting scarce resources to care leavers' relatives or to genealogists. As a telephone-based service, it is not practicable for the 1800 number workgroup to properly assess the (varied) identification or eligibility requirements of associated agencies. An initial screening process will however serve as a gateway to records holders and support services.

Information gathered through the initial screening will facilitate matching a care leaver's needs and preferences with possible service responses. Relevant information includes:

- whether the care leaver is already awaiting the outcome of access request/s
- previous attempts to find care records
- previous attempts to search for family
- the care leaver's understanding of their 'care status' (ie whether they were a state ward or placed informally by their parents)
- whether the care leaver's age or ill-health impacts on the urgency with which an application for records should be processed
- preferences about referrals within the network of service providers, for example, referring care leavers to specialist services such as the Child Migrants Trust or the Link-Up network, where eligible.

The accessibility and responsiveness of the 1800 number respects that it takes time for care leavers to develop trusting relationships (eg Harrison 2008), that they prefer consistency in support workers, that they should not have to tell their story over and over, and that the journey around finding and connecting can be long and moves best at the care leaver's pace (eg Murray et al 2008).

There may be a significant time gap or number of contacts between an initial call and a care leaver deciding to access their records. One way of promoting consistency is for staff to keep brief case notes, with the care leaver's consent and knowledge. The case notes could also include details about referrals made through the 1800 number and, depending on arrangements with records holders, could be updated about progress with access requests. For example, as described during the consultations, the Link-Up network uses a purpose-designed database, *Foxtrot*, for client file management.

Related issues for consideration are the co-creation of case notes by 1800 number staff and the care leaver, providing electronic or hard copies of 'new' case notes to the care leaver, and the value of the case note system being accessible to and/or used by other Find and Connect Services, records holders etc. If these

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other issues are to be incorporated into the information management system for the service, there needs to be system capacity for this.

### **Streamlining care leavers' access to finding records**

A key function of the 1800 number is streamlining care leavers' access to government and/or non-government agencies expected to hold care records relevant to that care leaver. This includes providing guidance and moderating expectations about finding care records and searching for family, linking care leavers with likely records holders, and linking them with local Find and Connect Services. To be clear, the role of frontline staff is to assist care leavers to identify agencies likely to hold records about them by streamlining the front-end steps. The role does not include accessing those records on behalf of the care leaver or searching, for example, BDM records that are not part of the Find and Connect Service database.

Linking care leavers with records holders could happen by:

- providing the caller with up-to-date contact details for each record holder over the phone or in writing (ie post, fax or email)
- with the care leaver's consent, providing their contact details to each of the record holder/s for them to contact the care leaver
- with the care leaver's consent, transferring the call to the record holder, or
- with the care leaver's consent, initiating a 'warm' referral involving a three-way conference call with staff, the care leaver and a representative of (each) record holder.

Staff would also provide assistance to care leavers to identify where their personal records (eg BDM, health, education, medical, court, shipping etc records), or details about family members, could be held. Again, staff would talk with care leavers about 'first' or 'next' steps, talk through seeming dead-ends in searching to date etc. Linking care leavers with the agencies holding personal records could occur in the same way as for care records.

### **Referrals to support services**

The second related function of the 1800 number is to refer care leavers, as appropriate, to local supports that are part of the national network of Find and Connect Services. This may include support, tracing and counselling services funded through the Find and Connect Service, and other related services such as state-based aftercare services. The role of the 1800 number workgroup does include providing an individualised telephone counselling function, although it is acknowledged that some care leavers may call the number on many occasions.

The specialised tracing, support and counselling services that are the localised face of the Find and Connect Service are discussed more fully in Part 5 of this report. Referrals by the 1800 workgroup to these services and other related services would be based on the initial screening of callers, and would take account of care leavers' preferences and current engagement with associated services, the eligibility requirements of specific organisations, and local availability. From an up-to-date list of Find and Connect Services, care leavers' identified needs would be matched as well as possible with local service providers.

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As care leavers are impacted by health, housing, homelessness, welfare and other issues, it is highly likely that calls to the 1800 number will mirror these concerns.

*“Many things and or anything could mean a care leaver rings the 1800 number”* (care leaver in Brisbane).

*“People will contact Find and Connect in crisis or emergency”* (care leavers in Brisbane and Fremantle).

Staff will need to have access to a comprehensive and current directory of mainstream and targeted services across Australia that respond to issues not strictly focused on finding records, searching for family and connecting with family. In some instances, callers will need to be immediately linked with urgent help.

Where high volumes of referrals are likely, the Find and Connect Service may need to enter into protocol agreements around agreed processes.

## **4.2 OPERATIONAL ISSUES**

### **Hours of operation for the 1800 number**

The hours of operation are proposed as 9am to 7pm, Monday to Friday. The actual hours over which staff are rostered will depend on the geographic location of the workgroup and need to take account of time zones and daylight saving across Australia.

Although concerns were expressed during the consultations that care leavers might call in crisis, the purpose of the 1800 number and the availability of purpose-designed crisis helplines were acknowledged. The proposed extended hours will allow care leavers to call outside of standard business hours and similarly for calls to be returned to care leavers after hours. The proposed hours allow some overlap with overseas agencies' operating hours, which complements other means of communicating across time zones.

Over time, the operating hours should be reviewed to assess patterns of usage across days and times, and operating costs. Feedback about the service not being available on weekends, for example, should be monitored and flexibility may be required with rostering at times such as Mother's or Father's Day, Christmas Day etc.

Outside of the standard operating hours, a recorded message would advise callers to make contact during operating hours. Care leavers during consultations stated that recorded messages should be clear, simple and not necessitate the caller having to write things down. The recorded message could include a capacity for callers to leave a message, which would have to be returned promptly.

Existing aftercare and similar services use recorded messages to alert callers to operating hours. For example, the Queensland Aftercare Resource Centre 1800 number operates from 9am to 5pm, Monday to Friday. Outside of these hours, a recorded message advises callers to ring between 9am and 5pm, Monday to

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Friday. The Post Care Services (South Australia) 1800 number operates from 8.45am to 5pm, Monday to Friday with an answering machine outside of these hours. Similarly, CBERS' 1800 number is answered during office hours, and outside of these times, messages can be left on an answering machine.

### **The 1800 number workgroup**

*"They will need to know how to relate to people, understand loss, understand what it means to have grown up in a home"* (past provider, Queensland).

Without question, the following was consistently expressed throughout the scoping study: working with care leavers is a specialist and complex area of work, it is a relatively new area of work, and tracing and searching requires high level skill, tenacity and enthusiasm. It is therefore proposed that the 1800 number workgroup operate as a single workgroup based in Australia and preferably attached to the national office of the Find and Connect Service for a range of efficiency, knowledge development and professional support reasons. For reasons of professional supervision and, if required, immediate de-briefing, each shift should comprise a team leader and support workers.

A thorough recruitment and selection process will be needed to attract frontline staff who have a good knowledge of the impacts of out-of-home care in Australia, and skills in working with care leavers and providing empathic and helpful telephone-based support. Frontline 1800 staff will need behavioural sciences qualifications in order to responsively deal with the expected range and nature of calls. This includes calls from distressed and angry people, those making disclosures about abusive and neglectful care in their childhoods and those beginning the journey about finding their records. A range of emotions (eg. distress, confusion, sadness, anger) will be expressed and some callers will be in crisis.

Induction should cover the long term impacts of loss and abandonment in childhood, working effectively with care leavers, and crisis counselling. To assist care leavers to find their care and personal records, each frontline worker will need to be adept in searching the website and database and build up knowledge about the historical policies and approaches to out-of-home care in each state and territory.

At this stage, without information about the pattern of calls or overall demand on the service, it is suggested that a minimum of two staff would need to be rostered per shift, with at least three available to take calls on commencement of the service.

### **Telephony, information and communication technology**

Contemporary telephony and communication technology mean that it should be easy for care leavers to contact the frontline Find and Connect Service. The challenges are to ensure that the number is accessible in relation to the operating hours, promotion, and cost to callers. Many care leavers use mobile phones. Not enabling access to the 1800 number for care leavers with mobile phones would be a barrier, as would care leavers incurring the usually higher charges for making calls from mobile phones.

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Information from the National Communications and Media Authority (2010) states that the cost of calls to a 1800 number are wholly met by the ‘business owner’ of the number. Calls from a standard telephone are free, however calls from a mobile are charged at a timed rate. Ensuring telephone-based services are accessible to marginalised or vulnerable callers, particularly those with access only to a mobile phone, raises a number of issues. Firstly, many organisations with 1800 numbers also have an advertised landline number through which the same services can be accessed. Examples include the Queensland Aftercare Resource Centre, Open Place, CBERS, South Australia’s Post Care Services and CREATE Foundation.

Secondly, an organisation can make arrangements with their 1800 number provider about the conditions under which calls from mobiles are accepted. Callers can be alerted about mobile call costs in advertising, recorded messages etc. Kids Helpline for example (<http://www.kidshelp.com.au/teens/get-help/more-info/mobile-phones.php> accessed on 30 July 2010), gives general advice about the cost of calls through different networks, indicating those with which they have specific arrangements. The CBERS’ 1800 number does not accept calls from mobiles. Callers to the CLAN 1800 number are alerted to mobile phone charges, encouraged to find a landline from which to call or to contact a CLAN landline number. For the Find and Connect Service 1800 number, arrangements should be made by the 1800 number ‘business owner’ to enable free calls from specific mobile networks, if not all mobiles. If, for example, FaHCSIA is the ‘business owner’, arrangements could leverage off the existing Telstra account.

The Kids Helpline site also raises the issue of whether the 1800 number will be listed on a phone bill. For care leavers who have not told family or others about their childhood experiences and may not want the 1800 number appearing on a phone bill, similar information should feature in information about the Find and Connect Service 1800 number.

Contacting the 1800 number workgroup should include email, fax and SMS. To meet the needs of care leavers with hearing disabilities, the 1800 number must also be contactable through Telephone Typewriter Services (TTY) and National Relay Service (NRS). Utilising Skype and other video-conferencing means was also often mentioned in the consultations.

Other telephony functionality required to operate the 1800 number includes the capacity to include multiple parties in a single conference call, for example, with record holders or Find and Connect Service support services.

The operation of the 1800 number must be supported by an extensive data collection capacity to meet accountability requirements, direct resources and inform rostering, workforce management, promotion etc. There will need to be real time and historical monitoring of calls to investigate call flow statistics and any patterns in peak or fluctuation times, for example, across time of day, day of the week and geographic areas. Data will also be needed about the number of calls waiting, time on hold, abandoned calls, length of call, number of warm referrals, unrelated calls etc.

Other functionality available to the ‘business owner’ of a 1800 number includes the capacity to distinguish calls based on the origin of the call or the time or day the call is made. This could be utilised to route calls originating in a particular state to, for example, a rostered jurisdictional-specialist.

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The capacity to divert overflow calls (ie those that cannot be answered by the rostered workers) to alternate answering points can also be part of the functionality of a 1800 number. If calls were to be diverted to, say, the key state-based services, those workers would also need '1800 number' training, and read and update access to the case note database.

To ensure the 1800 number is operational 100% of the time will necessitate access to an IT help or service desk across operating hours.

### **Promoting the 1800 number**

*"Will there be demand for the 1800 number? Will there ever!"* (Leonie Sheedy, 12 August 2010)

The 1800 number needs to be clearly visible and widely promoted, particularly on the Find and Connect Service website. The number and nature of calls at start-up and over time will not be known until the service is up and running. The consultations across all stakeholder groups, however, suggested that demand would be high. Care leavers' stories and the very specific questions raised during the scoping study by care leavers in focus groups, telephone calls and emails indicate there are many unanswered questions about the records care leavers have already accessed and that much support is needed with searching for family members, particularly where family is overseas. The anticipated demand for the 1800 number impacts significantly on how the service is promoted and on managing expectations about the Find and Connect Service.

Accurate promotion of the target group – Forgotten Australians, former child migrants, Stolen Generations and other care leavers – coupled with clear information about the role and function of the 1800 number will be critical to care leavers getting the information and assistance they need to find records, search for family and connect with family where possible. Directing emergency or crisis calls to appropriate services should also feature in promotional materials.

The consultations yielded a range of means by which the 1800 number and Find and Connect Service generally should be advertised. Suggestions included advertising through Centrelink, Medicare, homelessness services, correctional facilities, postcare services, hospitals, seniors' magazines, doctor's surgeries etc. That is, utilise the avenues with which care leavers are already in contact. Other ideas were late night television, community radio and television programs covering these issues (eg *Find my family*).

20. It is recommended that:

- both a 1800 number and a landline number be widely promoted, with an email address and fax number also available as access points to the 1800 number workgroup. There should be capacity to accept calls through TTY and NRS
- the 1800 service is available from 9am to 7pm, Monday to Friday, to ensure care leavers have access after hours, as strongly recommended by care leavers during the consultation
- arrangements are made to try to ensure that charges to callers from mobile phones are not a barrier to accessing the service. Arrangements should be explored with mobile phone network providers and the operator's service provider to address this issue.
- to assist with managing expectations about the 1800 number, promotional material should specify the target group, and the role and functions of the 1800 number.

21. It is recommended that the 1800 number staff are co-located as a single workgroup in order to pool expertise, promote learning and development, and provide ongoing support and supervision, with the workgroup managed through the Find and Connect Service national office.

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## PART FIVE: FIND AND CONNECT SUPPORT SERVICES

*“The service has to be the same across Australia. It was a national apology”*  
(care leaver in Brisbane).

### 5.1 OVERVIEW

The Find and Connect Service encompasses a national network of specialised services to assist care leavers find records, search for family and reconnect with family where possible. Together, the 1800 number workgroup and the network of support services, along with state-funded services such as the Aftercare Resource Centres, will help deliver the support care leavers require during efforts to search for information about themselves and family, and to reconnect with family. The service delivery network will also have the capacity to refer care leavers to mainstream and specialist services for assistance with matters unrelated to the core functions of the Find and Connect Service.

To these ends, the three inter-related functions for the Find and Connect support services involve providing practical assistance and emotional support to care leavers to:

- request records about themselves from various sources
- search for records that identify, or contain information about, family members
- re-connect safely with family members, where desired and possible.

The Find and Connect support services will help deliver tracing, support and counselling services across the nation, promote equitable access regardless of location or circumstances, and help match need with resources.

The literature about care leavers accessing their care and personal records coupled with information gained through the consultations indicates:

- the value of information and personalised support to care leavers when they are considering seeking their records (Murray et al 2008)
- that searching for records is complex, skilled and specialised work – assistance is needed to search for family (Campbell 2009b, p.8)
- the advantages of ‘supported release’ for care leavers receiving, reading and trying to understand their care records (eg Goddard et al 2008; HREOC 1997; SCARC 2004)
- the reality that finding, searching and connecting can take a long time and best moves at the care leaver’s pace (Murray et al 2008).

Research about similar services overseas and in Australia yielded few overseas examples. The Barnardo’s Origins Service in Ireland ([http://www.barnardos.ie/what\\_we\\_do/central\\_services/origins.html](http://www.barnardos.ie/what_we_do/central_services/origins.html)) accessed on 18 July 2010) assists former residents of Barnardo’s industrial schools to trace their family of origin (parents, siblings and other relatives). Counsellors offer advice, support and mediation. Support and counselling is targeted to distressing search outcomes, for example, deceased relative or relative not interested in contact. Practical and emotional support is available to facilitate family reunions.

Australian services are discussed below. These can be viewed as being part of the wider Find and Connect Service network.

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## Existing targeted support services

The national Find and Connect support services should build on, not duplicate or replace, existing support and counselling services targeted to meeting care leavers' needs. These include statewide aftercare resource centres (ARCs) in three jurisdictions – Queensland, New South Wales and Victoria. Care leavers in those three states have access to a drop-in centre, peer support, information and referral, counselling, and assistance with accessing records. Open Place in Victoria has recently been established and the NSW Relationships Australia ARC has recently received a significant funding boost for additional specialist services for Forgotten Australians. Funded by their respective state governments, eligibility is restricted to care leavers from that jurisdiction regardless of where they now live in Australia. Through agreement with Open Place, VANISH, a specialist adoption tracing service, assists Victorian care leavers to trace family members (<http://www.vanish.org.au/?q=node/5> accessed on 15 July 2010). The Queensland ARC is co-located with Micah Projects' Forgotten Australians Support Service and Historical Abuse Network at Lotus Place.

While there is certainly an overlap with the focus of the Find and Connect support services, the statewide ARCs have a much broader agenda addressing the enduring legacy of having been in care in the 20<sup>th</sup> century. To this end, most provide brokerage for a range of practical, medical, dental and other purposes.

Postcare services are also offered to South Australian care leavers through the Department for Families and Communities.

The Child Migrants Trust targets former child migrants, assisting with finding records and searching for family, counselling and advocacy. Research is conducted worldwide, with specific supports including assistance with accessing full birth certificates, citizenship applications and redress schemes. There is no cost to access services. Given the extensive work already done in identifying the location of care records of former child migrants, the Trust's focus has shifted to searching for family, facilitating family reunions and connecting former child migrants with family members overseas.

The Trust receives limited state and commonwealth government funding to undertake these functions. The British government (<http://ukinaustralia.fco.gov.uk/en/news/?view=PressR&id=22597968> accessed 20 August 2010) recently announced that the Child Migrants Trust in Australia will administer the Family Restoration Fund in respect of former child migrants in Australia seeking to reunite with their families. The fund will cover the practical costs of travel, and in the first year is expected to focus on first time reunions and end-of-life situations.

Across Australia, the Commonwealth government funds a network of Link-Up agencies to provide family tracing, research, reunion and counselling support to assist Aboriginal and Torres Strait Islander people forcibly separated from their families as a result of government policies and practices (<http://www.aiatsis.gov.au/fhu/linkup.html> accessed on 23 July 2010). Services include finding family and personal records, locating family members, assistance and support at family reunions, and support and counselling before, during and after family reunion. There is no cost to access services.

The Link-Up services are very experienced in finding records and searching for family. During the consultations, workers mentioned the importance of protocols

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and partnership agreements with government agencies and other non-government organisations to, for example, guarantee response times and facilitate access to personal and family information.

The Care Leavers Network of Australia (CLAN) website includes information about finding records and members are encouraged to access their care records. Some practical support and counselling is offered to help care leavers access records and search for family, but CLAN receives limited and non-recurrent funding for its operations.

Some past providers also offer specific post-care and other services to former residents of their care facilities. These include, but are not limited to, CBERS in Fremantle, Barnardos Australia, United Protestants Association (UPA) and Wesley Mission in New South Wales, former residents of Mercy Family Services in Brisbane, and MacKillop Family Services Heritage and Information Service in Victoria.

With custodial responsibility for the care records of seven agencies auspiced by the Christian Brothers, Sisters of Mercy and Sisters of St Joseph, MacKillop Family Services assists former residents and clients of the founding agencies to access personal information held by the service or other agencies, for example, ward files, birth certificates or adoption information (<http://www.mackillop.org.au> accessed 23 July 2010). Assistance is also provided with searching for relatives and reunions. There is no cost to access services.

The Salvation Army operates a Special Search Service for adults separated from their child or family by the New South Wales government, with funding through the Community Services Agency in the NSW Department of Human Services (<http://salvos.org.au/familytracing/about-us/post-adoption-and-former-wards/> accessed on 23 July 2010). The service provides information and support, short term counselling, assistance in making contact, search and mediation, and referral to other services. There is no set cost for the service though donations are welcome.

The above are examples and do not represent an exhaustive list of such services. There was widespread support through the consultations for enhancing the capacity of existing services – government and non-government. Existing services were generally perceived as working well. Contradictory views were however heard, within the same stakeholder groups, about the ethics and value of particular organisations providing services to care leavers (discussed below).

## 5.2 SCOPING THE SERVICES

To achieve a national spread with equitable access, additional capacity in existing services as well as new programs and services are needed. To meet needs in regional, rural and remote locations, a mix of employed workers and brokerage funds is proposed.

22. It is recommended that Find and Connect support services be provided through:
- enhancing the capacity of existing aftercare services
  - providing new aftercare services (stand-alone or attached to existing relevant agencies) especially in the states and territories where no or limited integrated aftercare service currently exists (ie South Australia, Western Australia, Tasmania and the NT)
  - providing for individual Find and Connect Service positions attached to appropriate generalist services in regional and rural areas, supported through the Find and Connect Service national office.

### **Location of support services**

Support workers engaged in assisting care leavers to find care records will potentially be liaising with government departments and past providers located anywhere in the state, interstate or overseas. Similarly, searches and tracing activities related to trying to find information about or to locate family members can lead to enquires in many places. Nevertheless an optimal location for undertaking search and tracing functions is capital cities, as this is where state, territory and Commonwealth government central offices and public facilities, such as state libraries and archives, BDM registries etc are located.

Find and Connect support services must be located with a view to:

- accessibility to care leavers for face-to-face support while search and tracing work is occurring
- access to the range of resources as noted above
- adding capacity or filling gaps in service provision.

This suggests prioritising new services in South Australia, Western Australia, Tasmania and the Northern Territory, and capacity-building where necessary in other states. In large regional centres, the capacity to locate Find and Connect support service workers within relevant community-based organisations can be explored. These workers can provide face-to-face support for care leavers, along with searching for care records, while liaising with capital-city Find and Connect support services to undertake any physical searches which may be required, eg to check archives.

It is envisaged that the Find and Connect Service network across Australia, incorporating both Find and Connect support services as well as state-funded ARCs and other similar services, can provide a powerful cooperative network, providing mutual assistance when necessary in different geographic areas. This is a field where the sharing of knowledge and expertise, and cooperation, is important to successful outcomes for clients.

Find and Connect support workers who may be based as one or two workers in regional areas will need to be linked with other more centrally located parts of the service for support. The Find and Connect Service national office has a role in ensuring the support and professional development of all 'isolated' Find and Connect support workers.

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## **Location of counselling services**

Find and Connect Service counselling services may be part of a team which includes support service workers, and located within the same office. However, in ensuring equitable access to counselling across Australia, and to ensure suitable persons are available for supported release of information wherever a care leaver lives, it will be necessary to have professional counsellors available across many locations. In consultations, the preference expressed by care leavers was that support and counselling be available face-to-face, rather than over the telephone, although Skype and similar mechanisms were suggested.

It is envisaged that counsellors will be both employees of Find and Connect Services where the demand warrants, and also engaged through the use of brokerage funds on a sessional basis, if options such as payment for social work and psychologist counselling through Medicare are not available. It is considered that the special needs of care leavers, and the likelihood of counsellors in regional and rural areas working without direct supervision, warrants the quality control of stipulating these types of qualifications. Recruitment of a pool of counsellors will necessitate working with professional associations, such as the Australian Association of Social Workers and the Australian Psychological Society.

It is anticipated that, while approved through a Find and Connect Service, the brokerage would be available to other similar services, including past providers referring a care leaver for counselling in the context of releasing information from their records.

23. It is recommended that the specialist counselling component of the Find and Connect Service be available both through positions attached to services funded through the Find and Connect Service and also through the use of brokerage monies for the purchase of counselling when not available through Medicare.

It is recommended that immediate work occurs to:

- recruit and train a range of social workers and psychologists across the country, willing to be part of a pool for brokerage
- develop a set of guidelines for the administration of brokerage for counselling.

24. It is recommended that guidelines be drawn up to assist support workers in Find and Connect Services to administer brokerage funds appropriately within the ambit of the monies available to support find and connect processes. It is recommended that some of these funds be made available to assist care leavers with family reunions.

## **Ensuring a national presence**

Each service delivery point funded to provide Find and Connect Services should be badged with the name and an accompanying clear explanation of purpose and functions. The website should include a directory of network members, their location, specialty and contact details, similar to the national Link-Up, Family Relationship Services Australia, and Headspace (National Youth Mental Health

Foundation) sites. Badging with supporting information will provide clarity for care leavers and service providers about eligibility and functions.

To internally promote a cohesive network, rather than disparate organisations across Australia, each service delivery point should be guided by national policies and procedural guidelines. The *Counsellors Program Manual for Bringing Them Home and Link Up Services* is an example. Goddard et al (2010, p.10) specifically mention the need for written guidance about supported release of records, searching for family members and supporting family reunions to deliver good practice and consistency across Australia for care leavers.

25. It is recommended that the Find and Connect Service national office develops common policies, procedures and practice guidelines around the work of all Find and Connect Services, to support good practice and consistency for care leavers across Australia, in the supported release of records, searching for family members and supporting family reunions (consistent with the proposed national standards around release of information; see recommendation 8).

### **5.3 SPECIALIST SUPPORT AND COUNSELLING**

The Find and Connect Service proposes two types of professional workers – support workers and counsellors. There was considerable discussion during the consultation about the differences in these roles. While a range of views was expressed about whether tracing work and counselling could or should be offered by the same worker, the overall consensus was that these are different but complementary roles.

A very clear theme was that work around searching for records and tracing family information and whereabouts is highly skilled work which requires a particular skill-set. The messages from the Link-Ups, Salvation Army Tracing Service, Child Migrants Trust, CLAN and Open Place, for example, were clear about the need for attention to detail, tenaciousness, a good memory, patience and persistence, and ‘passion’. It requires the worker to quickly build a large knowledge-base about sources of information, ‘think outside the square’, and follow-up on leads. At the same time, this worker must be sensitive to the feelings and needs of the care leaver client, and able to explain difficult issues in a way which assists the client to understand and process them. This worker is not a counsellor, but is likely to build a close relationship with the client and may be best placed to support them during many of the issues and outcomes of the search process. Referral for counselling can occur when more than support is required.

Link-Up services, for example, clearly differentiate between caseworkers (with family tracing and reunion functions) and counsellors (with counselling and support roles). Both types of workers confer about each case and both must be familiar with a client’s records in order for counselling to properly support tracing and reunion efforts.

Counsellors are more likely to be involved with clients on a needs basis or at key points in the find and connect journey, assisting with deep feelings of loss, grief,

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despair, rejection etc. The support worker and the counsellor, along with the client, may form a team of sorts. However the roles of the support worker and counsellor are different. The talented search and tracing expert is unlikely to also be a skilled counsellor, and vice versa.

Not every client seeking information requires counselling. Care leavers resoundingly stated that support and counselling should be offered on a case-by-case basis. That is, counselling, while valued, should not be mandatory. Care leavers who participated in the consultations were also adamant that, if necessary (eg if Medicare funding has been exhausted), brokerage should be available for care leavers to engage the counsellor they are familiar with. It was also strongly argued that counselling should not be time-limited to a set number of sessions, but should instead recognise the need for longer term support in many cases.

*"Counselling needs to be free, a person of our choice, and available for as long as needed"* (consensus of Sydney focus group of care leavers).

### **The need for support – care leavers**

*"There's an extreme isolation when exploring one's history and support is needed"* (care leaver in Brisbane).

*"The records definitely need explaining as there could be further damage if the person just receives them cold."* (past provider in Brisbane).

There was widespread agreement by all stakeholders about care leavers' need for support – whether 'normal' support or more in-depth counselling – at all stages of their find and connect experience. These themes were recurrent:

- managing expectations about available information, and addressing the emotional impact of information received, for example from distressing content or 'new' information not already known to the care leaver (Goddard et al 2008, p.65)
- the need for help in understanding recorded information, contextual information and deletions
- support when expectations were dashed by little information being available.

There was overwhelming agreement about the need for practical support and counselling in preparing for, during and after family reunion. Where care leavers had identified family members and met them, they referred to extreme emotions and variable outcomes. Post-reunion support is needed to make sense of both good and bad experiences. Most care leavers and their advocates stressed that reunion should not be seen as a one-off event that happens quickly or smoothly. For some care leavers it is another experience of rejection and discomfort.

*"Many people seem to believe that once a former Child Migrant has been reunited with their mother, father, or family member, that everything is 'hunky dory' and everyone lives happily ever after. They seem unable to comprehend that this first visit is the start of the reuniting process, that it is the first chapter in a very long and often painful story. .... Thirty, forty, fifty or sixty years of loss, pain, grief, anger and sadness cannot be resolved in one short visit and Australia will always remain 12,000 miles away"* (IAFCM&F 2001, p.40).

Where commitment as well as resources allow, some past providers who hold records offer emotional support while applications are processed and provide

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'supported release'. In the survey of past providers for this study, of 25 respondents to a question about speaking to the care leaver before making records available, only 13 past providers noted it as a requirement of their agency. Past providers who hold more detailed file information are likely to recognise their duty of care around releasing information with support to the care leaver – but not always. Anecdotal information was given during this consultation of care leavers receiving very distressing information in the mail, without any arrangements for a support person to be available.

*Receiving the records is not just a case of getting pieces of information* (Murray et al 2008, p.247).

*The impact of receiving information can have a profound emotional effect and practitioners need to be in a position where they can offer time and the support to help people through this* (Kirton et al 2001, p.48).

### **The need for support for workers**

A related issue to the above, and one which should not of course detract from the focus on care leavers, is the emotional impact on workers, for example, archivists and those persons processing requests for access (Kirton et al 2001, p.48). Etherton (2006, p.233) notes that archivists working with adoptees and others separated from family must understand the importance of the need to know and the unresolved trauma and loss endured by those people. Being able to handle this well requires training (Etherton 2006, p.236).

*The very nature of this work is not for the faint hearted or the inexperienced. In my experience the work requires great skill, sensitivity and an appreciation and understanding of past practices in child welfare and an ability to put past practices in a social context* (Glare 1999, p.9).

There are clearly training and workforce development issues associated with finding and searching services. A UK study (Goddard et al 2008, p. 54) identified that training is needed about the law, and care leavers' rights in respect to identity, family relationships and their time in care.

There is also a need for support for counsellors who may be working in isolation from other professionals, for example, in rural areas. As noted above, the Find and Connect Service national office has a role in monitoring and providing support.

## **5.4 ROLES**

### **Roles for care leavers in the Find and Connect Service**

*Involving Forgotten Australians and their families in the design of programs aimed at assisting them will show respect, reassure and not re-victimise them* (Harrison 2008, p.13).

Given the specialist nature of the services to be provided, a range of induction, learning and development issues need to be considered in relation to staff. A careful recruitment and selection process will be needed to attract staff who have the capacity and skills to do this work. Staff in frontline positions will require behavioural sciences qualifications to respond to the complex needs of care

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leavers, and, at the same time, all support workers will need to have the capacity to build search and tracing skills and quickly acquire knowledge about the historical policies and approaches to out-of-home care in Australia. Induction should include the long term impacts of loss and abandonment in childhood, working effectively with care leavers, and crisis counselling.

Some care leavers spoke passionately of the need for their presence to be part of an effective Find and Connect Service. Some suggested that care leavers, based on having shared experiences, could offer frontline services on the 1800 number, or by providing support or counselling. However, it was also repeatedly argued throughout the scoping study that this is a complex, new and specialised area of work. While there is scope for peer support and numerous avenues for harnessing the unique contributions of care leavers, effective service provision to vulnerable and marginalised people can not be put at risk or substituted with support from peers. The general consensus was that the professional standard of the service was important and that a support worker or counsellor did not have to be a Forgotten Australian themselves to provide an empathic service.

In developing and implementing this national service, there is tremendous scope to involve care leavers at a whole-of-program level and at a service delivery level. At the organisational level, the stakeholder group (discussed in Part 6) must include care leaver advocacy organisations if it is to have legitimacy. The group could consider the specifications within tender documents, program design and development, evaluation planning, etc.

Care leavers associated with specific Find and Connect support services may be involved through, for example:

- helping to provide peer support / drop-in centre services / social contact with for care leavers
- being part of staff recruitment, induction and ongoing learning and development
- for some, who have become expert at searching, utilising their expertise through the website or as resource workers.

The possibility of remuneration to care leavers for contributing their expertise was raised.

It is important that the operation of the Find and Connect Service is open to the scrutiny of care leavers at all levels. Transparency and accountability were repeatedly mentioned as being of critical importance to care leavers, given the secrecy and deceit they experienced in childhood and which many feel has continued to this day in regard to accessing care records and information about family.

26. It is recommended that care leaver representatives are routinely involved in all aspects of the development of direct service provision to care leavers, including staff selection, induction, ongoing professional development and program design and evaluation.

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### The current role of agencies responsible for poor past practices

The trustworthiness and credibility of agencies believed complicit in poor past practices in out-of-home care were questioned in various submissions to the national inquiries (SCARC 2004, p.280; IAFCM&F 2001, p.35). Contrasting views are held about the place of those organisations in contemporary services to care leavers.

*How can these agencies work honestly with us when they defend their part in our childhood abuse? (IAFCM&F 2001, p.37)...The deporting agencies' records should be moved from their agencies to one central point. These records are often used as a means of control (IAFCM&F 2001, p.45).*

Although returning to the institution may evoke mixed feelings or feelings of significant distress for some, for others it is a reminder of their personal history and a place to remember their childhood (Murray et al 2008, p.251), or, in some cases, to take the opportunity to resolve issues. During the consultation, care leavers expressed both views: that many do not want to have to deal at all with past providers to obtain records and others do want to return to the place in which they lived as a child, and even to take their family. The important issue is to respect that both views exist, and that an individual's experience will inform their own choice.

In general, strong views were expressed about particular agencies in respect to the disbursement of the funds. The following views were spontaneously expressed by a range of individuals across the stakeholder groups about the organisations they believed 'should' be funded to provide a Find and Connect Service:

- Child Migrants Trust - "I believe that they are singularly best suited to provide the services required for this purpose."
- Relationships Australia
- CBERS
- Post Care Services, South Australia, as "they already have the connections"
- 'government' agencies as they adhere to privacy requirements and "private organisations have too much personal information"
- a single non-government organisation, perhaps on behalf of a consortium, that would operate Find and Connect Services across Australia.

Similarly a range of views, again unsolicited, were expressed across the stakeholder groups about organisations that 'should not' be funded for this purpose. There were three main reasons for these views:

- the memories of care leavers about damaging past care practices, along with the view that particular past providers responsible for these practices have not made reparation, meant that those organisations were considered highly unsuitable to be offering services to care leavers
- similarly, the view that organisations who have 'done the wrong thing' and not provided redress should not be eligible for public funding
- third, in relation to monies to manage records, the view that past providers should assume responsibility to undertake this work (as many have) and not receive funds for functions they should already be providing.

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While specific organisations were named, in general the past providers mentioned as not suitable or deserving of any public funding in relation to services for care leavers were ones in these categories:

- those organisations well-known as responsible for widespread abuse of children in their care in the 20<sup>th</sup> century
- any past providers that have not made an apology to Forgotten Australians
- state and territory governments – “that’s why care leavers are in the situation they are in”
- any past providers that are not helpful in making records available or “claim they have no records”.

Concerns were also expressed by some stakeholders during the consultations about Commonwealth funds being made available to establish aftercare services in the states and territories that had neglected to do, despite the need for such services being asserted through a specific recommendation in the *Forgotten Australians* inquiry (recommendation 21).

Stakeholders argued that in any tendering processes to disburse the funds, potential service providers should declare if they have any affiliations with past providers of care and, if a past provider of care, should state how they offer redress for their past provision of care to Forgotten Australians, former child migrants, the Stolen Generations and other care leavers, as relevant.

27. It is recommended that any tendering process includes as a selection criterion whether the tenderer has had a role as a past provider, or affiliation with such a body, and if so:
- what redress has occurred for any past damages in the provision of care
  - what current credentials exist around responses to care leavers.

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## PART SIX: PROPOSED FIND AND CONNECT MODEL

The proposed model for the Find and Connect Service integrates:

- a national website providing comprehensive search resources, with continued development of its content
- a 1800 help number to assist with ‘first steps’ and referral
- a network of Commonwealth-funded support services which integrate with state-funded services
- the provision of specialist counselling
- a developmental role in promoting the cross-sector adoption of national standards around release of information
- a developmental role in supporting work around records management including archiving to facilitate access
- a national framework of consistent policy and procedures.

This requires active implementation at each of the levels of policy, program development, and practice. A detailed implementation plan incorporating targets over the first years of roll-out will be required, as will ongoing quality control, a framework for continuous improvement, and evaluation.

### 6.1 KEY FEATURES

The model needs to include:

- strong strategic leadership, given the ongoing developmental requirements and differing levels of current development across the jurisdictions and across the sector
- quality assurance and monitoring, given the duty of care owed to care leavers
- delivery that is not restricted by jurisdiction boundaries, ie open access to all care leavers irrespective of their past or current state of residence
- integrated service delivery, that adds capacity to the existing state-based system, without duplicating
- being accessible to care leavers in rural and remote regions
- high levels of transparency with strong two-way communication with care leaver representatives.

28. It is recommended that the model adopted for the Find and Connect Service includes:

- National strategic leadership through an administration body contracted by FaHCSIA to provide a national service which:
  - administers the website
  - administers the 1800 number
  - includes two liaison and development units – a “records management” unit and a “national standards” unit
  - provides coordination and a developmental role for the localised Find and Connect support services
  - facilitates partnership between key stakeholders (as noted below)
- State-based localised service delivery, through Find and Connect support services funded through FaHCSIA. These should be part of an integrated network of services which includes the existing state-funded services and are tailored to local needs across the country. Under funding agreements with FaHCSIA, these services may provide a combination of:
  - capacity-adding to existing after care support services
  - new services, appropriately auspiced, in localities with unmet need
  - individual positions attached to existing generalist services, with appropriate network supports.
- Localised specialist counselling positions, attached to Find and Connect support services where demand warrants, and also available through the use of brokerage funds administered through Find and Connect support services (including available to clients who are not using the support service)
- Partnership with the State and territory departments and instrumentalities responsible for the historical and personal records of care leavers. Through the CDSMAC, and in line with the commitment by states and territories to implement recommendations of the inquiries, relevant state and territory departments are an integral part of the overall Find and Connect Service framework
- Partnership with past providers, through CAFWAA and the associated state and territory peak bodies and national church bodies. It would be anticipated that state and territory departments would play key roles in liaising with past providers within their state. As well as active roles in providing information from records, some past providers provide support services
- Partnership with care leaver representative groups as user representatives in an advisory role.

These features are represented in Figure 1 on page 61.

## 6.2 NATIONAL ADMINISTRATION AND DEVELOPMENT

The option of the Find and Connect program being administered separately through each state and territory, with funding administration and program oversight through FaHCSIA, is not recommended. Reasons include the need for significant national coordination of key aspects of the service, including the

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website and 1800 number and the developmental work required to address gaps and barriers and build partnerships and protocols.

The national implementation of the Find and Connect Service could be contracted to a suitable entity with the knowledge and expertise to manage its differing facets, with:

- accountability reporting to FaHCSIA
- a charter to develop the Find and Connect Service partnerships
- an advisory body which includes key stakeholders
- coordination of cross-jurisdiction program initiatives through CDSMAC, ie sign-off on program implementation agreements, protocols, national standards etc.

The Find and Connect Service national administrator, in conjunction with FaHCSIA, will work with the states and territories to:

- facilitate their involvement in the partnership, including the states' and territories' roles in providing strategic leadership at the state level in implementing the Find and Connect Service program
- ensure ongoing integration (protocols about standards and streamlined practices)
- work towards nationally-agreed standards and related procedures
- consider the means to streamline application processes (eligibility criteria, feasibility of 'common access' protocols, etc).

The Find and Connect Service national administration will continue to liaise with past providers around:

- their entry on the website and participation as part of the Find and Connect Service network
- their experience and knowledge in the supported release of information
- their records management, where access issues exist (ie towards auditing, cataloguing and full indexing)
- their involvement in providing records in a way that meets good standards.

The role of the proposed records management unit of the Find and Connect Service national administration will be to:

- manage the continued development of the historical records database of the website
- provide or coordinate an advisory service around historical records management including in particular good archiving practice for retrieval of personal information
- liaise with, broadly support and receive feedback from, archivists and historians engaged by past providers
- in consultation with key stakeholders including care leaver representatives, establish guidelines for good practice in the management of historical records
- liaise with the states and territories and past providers about frameworks and action plans for the cataloguing and indexing of care leaver records not currently accessible
- encourage eligible past providers to seek seeding grants through FaHCSIA to commence or continue archiving of care leaver records
- encourage the consolidation of small record holdings wherever feasible, to increase efficiency and capacity.

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The role of the proposed national standards unit of the Find and Connect Service national administration will be to:

- in consultation with the states and territories and all key stakeholders, work towards the adoption of national standards for the administrative and legislative release of personal information to past care leavers (*Forgotten Australians*, former child migrants and members of the Stolen Generations)
- liaise with past providers providing release and support services to care leavers, to promote and support adherence to the national standards (if adopted) and receive feedback
- liaise with representatives of care leavers around their experience of implementation of the national standards (if adopted)
- liaise with states and territories and all key stakeholders, including existing aftercare resource services, to promote good practice in the support of care leavers including around the release or non-availability of records and the processes around searching for family members.

### **6.3 NATIONAL COORDINATION**

The concept of a national Find and Connect Service network envisages a collaboration of the states and territories and non-government sector past providers, as well as care leaver bodies, that extends beyond the services directly funded through FaHCSIA as part of the Find and Connect Service. It assumes that jurisdictions and organisations with a commitment to implementing the relevant recommendations of the *Forgotten Australians* (SCARC 2004) and *Lost Innocents* (SCARC 2001) reports share a community of interest around responding to the ‘find and connect’ needs of care leavers. The work already being done by states and territories, by some past providers, and by existing tracing and support services, is the foundation work for the Find and Connect Service. It needs to be integrated, hence the concept of a network.

29. It is recommended that a Find and Connect Service stakeholder group be established in each state and territory, to help coordinate, and provide advice about, implementation of the service at state level.

Working parties similar to the proposed stakeholder groups already exist in some states, such as the NSW *Forgotten Australians* working party under the auspices of ACWA (the Association of Childrens Welfare Agencies) and the Community Reference Group for the South Australian Postcare Services. While it is not intended that a Find and Connect Service stakeholder group would duplicate such groups, which have a wider agenda, some efficiencies may flow. In most of the states and territories, no such stakeholder group currently exists. It would be useful for these groups to be seen as having an active role in assisting with implementing the Find and Connect Service network, rather than simply an advisory role. At this level, both care leaver representatives and past provider representatives would be involved.

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## **6.4 IMPLEMENTATION ISSUES**

As noted above (section 5.3) there are some strong views among care leavers, and among some past providers, about perceived inequities which could arise in relation to funding under the Find and Connect Service program. Caution is required to ensure that any organisation funded to provide a Find and Connect Service has impeccable credentials in current times around its response to care leavers and has made appropriate amends for any past damages.

### **Demand for service**

As care leavers repeatedly pointed out during the consultation, no-one truly knows how many Forgotten Australians there are, how many may respond to publicity about a Find and Connect Service, and how many of those will want to try to locate family members. Anecdotally, the demand for access to care records across Australia fluctuates with inquiry activity, public apologies, opportunities for redress or compensation, and media attention to related issues.

The NSW Relationships Australia ARC, with a part-time coordinator and two part-time counsellors, currently sees about 90 to 100 clients a year and had a backlog of 30 when interviewed in July 2010. The enhanced funding for the service announced in June 2010 will provide for up to 250 clients a year. Premises for the new service are currently being located. Open Place in Victoria, with about seven staff, may see about 750 clients a year and had no waiting list when interviewed. Some of the past providers who responded to the survey for this study reported fairly high numbers of requests. The Salvation Army (Australian Eastern) reports providing information in response to over 200 requests per year; MacKillop Family Services received 347 requests in the year to 30 June 2010.

The Child Migrants Trust has stated that they have largely completed the ‘finding the records’ stage for interested members and are now mainly responding to requests to help locate family (spurred on recently by the British Government’s announcement of a family reunion travel fund). By contrast, other aftercare services have noted a low rate so far of requests for assistance with locating family members. The Queensland ARC estimates that only about 15% of its workload relates to assisting family reunions; both Open House and the NSW ARC report very low numbers of requests around tracing families for reunion purposes.

A recent UK study of care leavers aged 17 to 78 years (Duncalf 2010) included a question about accessing records. Just over half of the 249 respondents had accessed their records. An Australian study (Murray et al 2009 cited in Goddard et al 2010, p.7) found that over half of 40 older care leavers had accessed their records.

The 2010 CLAN members survey (communication with Leonie Sheedy, 12 August 2010) found that of the 546 survey respondents, 307 reported having accessed their care records and a total of 190 had not accessed the record. Of these:

- 44 stated the file had been destroyed
- 39 were awaiting a response
- 23 did not want to access their records
- 19 did not know how to access the records.

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The implication for the Find and Connect Service is that there are care leavers who, with the knowledge that records exist, may be prompted to access them. As the service is keenly anticipated, interest will be generated immediately the service is launched, with demand likely to fluctuate over time. It was widely predicted during the consultation that the Find and Connect Service will be inundated with requests by persons who may have their records but have not been able to locate relatives.

*“There’s not currently lots of services for finding family. It’s not just the ‘find’, but help with the connecting – we don’t know how”* (a care leaver representative, Sydney).

*“A lot of people have already got their records – what they’re looking for now is help to find their family”* (past provider Brisbane).

While this anticipated large volume seems in contrast to the experiences to date of the existing aftercare services, their focus is not primarily on connecting with family. They provide much support and counselling around practical and health matters as well as their search function. It can be noted that the 17 individual submissions from care leavers to this scoping study (by email and letter) were almost all about trying to locate family information and/or reunite with family.

In order to access records, care leavers need to know that records are available and that they have a right to access them, and the information and support to do so (HREOC 1997, p.340). This knowledge does not necessarily exist currently, particularly it seems for older care leavers, and has implications for the means by which the service is promoted. With widespread promotion, the issue will also be one of managing expectations about records availability.

Throughout the consultations, agencies that hold care records raised the issue of their capacity to respond to requests made directly or through the Find and Connect Service, particularly if demand increases.

### **Monitoring and evaluation**

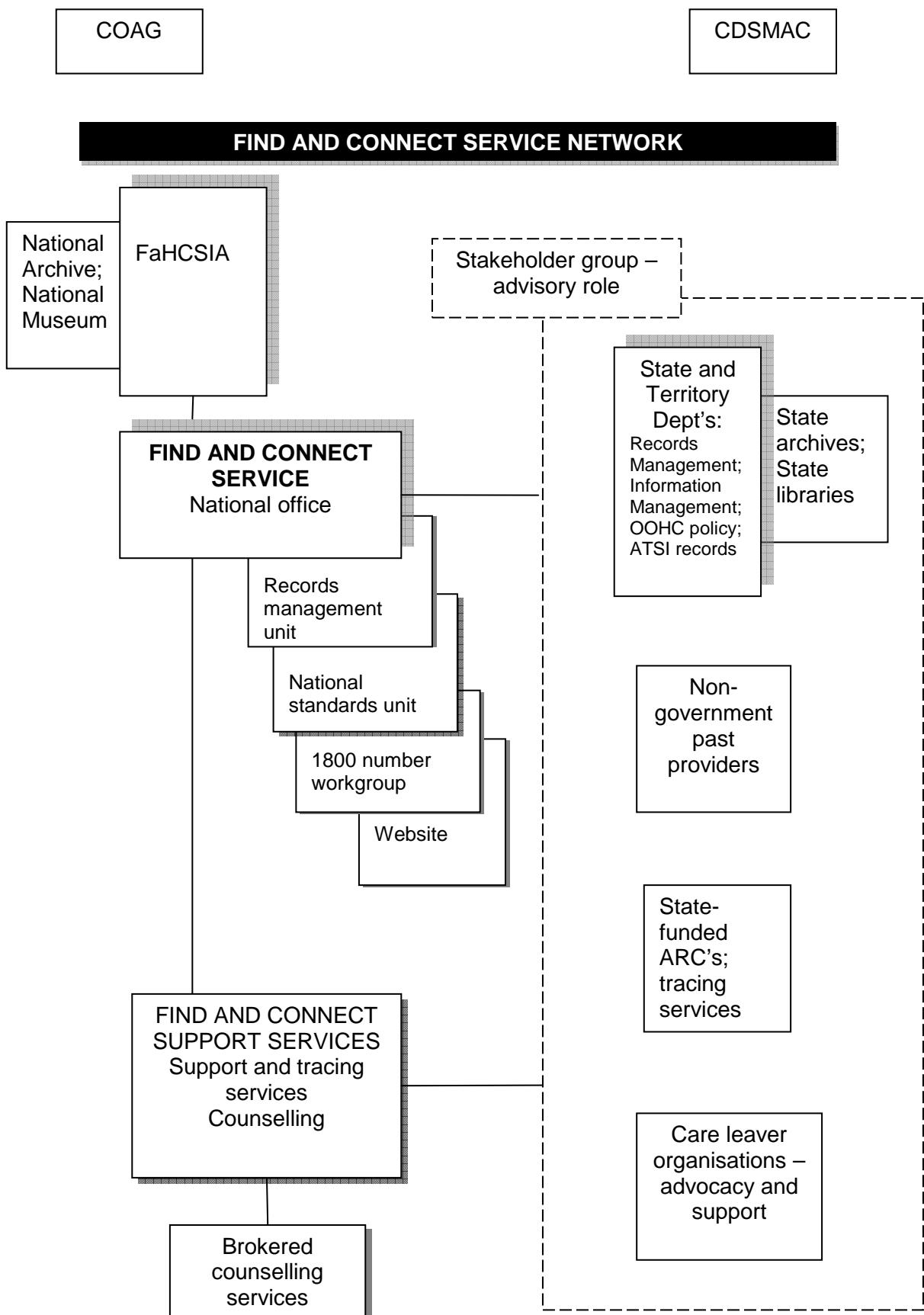
The need for a user-friendly and well advertised complaints and grievance resolution procedure is clear, given the emphasis on transparency and open communication as essential to working with care leavers.

There also need to be clear processes to efficiently pass on grievances received through a Find and Connect Service which are against another entity, eg a state department or past provider.

### *Evaluation and ongoing learning*

This field of practice is still new. An evaluation framework is required as part of implementation planning, so that performance measures and avenues for feedback are considered from the outset, with capacity for data collection and monitoring being built into the system as each component is developed.

Figure 1.



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## RECOMMENDATIONS

1. It is recommended that, as part of establishing a Find and Connect Service database, FaHCSIA:
  - requests the permission of owners/copyright holders of each of the existing relevant directories (including the Pathways (Vic) electronic database and the church-based directories) to use the content to develop a Find and Connect Service database
  - liaises with the NSW, Queensland, South Australian and Western Australian state departments to provide an updated electronic version of existing directories for those states, and to fill gaps in their directories including facilities for which no records are known to exist and covering the facilities in which formal and informal care was provided
  - liaises with the Tasmanian, ACT and Northern Territory state and territory departments to request the consolidation, from existing sources and new research if necessary, of a comprehensive directory for those states and territories.
2. It is recommended that the Find and Connect Service database:
  - includes prominent information about the reality that many records do not exist, with explanation of the historical context
  - includes accommodation facilities for which it is reported that no records are held, including information about why this is so
  - where relevant and available, includes evidence (eg historical photos or newspaper reports) supporting claims about the destruction of records by natural disasters.
3. It is recommended that the Find and Connect Service, as a single national entry point for care leaver searches, includes comprehensive information about the many potential sources of care leavers' personal and family history, with information about how to request access, and linkages.
4. In relation to any other agency to which a link is provided from the Find and Connect Service website, liaison should occur (at the appropriate level of government) to ensure that the agency is attuned to and able to respond appropriately to, requests for information from care leavers.
5. It is recommended that the states and territories be requested to report, through CDSMAC, on progress with indexing of records pertaining to the care of Forgotten Australians and other care leavers held by state and territory departments and instrumentalities (in particular state and territory archives and libraries), in line with the intent of the 2004 Senate Report recommendations.
6. As part of the implementation of the Find and Connect Service, a national strategy is required to address the issue of records held by past provider organisations which are not yet accessible. This would focus on facilitating the linking of these past providers into the Find and Connect Service network. It is recommended that the strategy include:
  - agreement by FaHCSIA, the states and territories, and peak non-government organisations about an historical care leaver records project (facilitated by the proposed records management unit of the national Find and Connect Service)
  - developing (or sourcing existing) national guidelines about good retrieval and archiving practice specific to the management of historical care leaver records
  - working actively with past provider organisations with records not yet being managed in an accessible way, to facilitate their involvement
  - linking their progress to the quality assurance and risk management requirements of commonwealth and/or state licensing and standards regimes wherever feasible.

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7. As part of the proposed national strategy to promote access to historical care leaver records, it is recommended that FaHCSIA and the Find and Connect Service:
    - make self-auditing tools available, to help organisations identify and prioritise tasks in the management of their historical records
    - identify the types of records to be prioritised for cataloguing and indexing by participating organisations
    - provide seeding grants to assist organisations towards the cataloguing and archiving work involved, on the condition that this work is to be completed in accordance with the proposed archiving guidelines
    - provide active advice and guidance about applying the proposed guidelines for records management
    - encourage the consolidation of small records holdings into larger holdings, or their release to appropriate archiving facilities (eg state libraries).
  8. It is recommended that liaison occurs with the states and territories through FaHCSIA and the Find and Connect Service national office, to:
    - through CDSMAC, SCAG and the Information Commissions as relevant, adopt an in-principle joint statement of commitment to an enabling approach to release by government departments of the personal information of historical care leavers, consistent with the intent of the 2004 Senate Report recommendations
    - in line with the above, develop and promote national standards around the administrative release of records to past care leavers and release under existing state and territory FOI/RTI and privacy information laws. Promote a pro-release bias with release being the default position and restriction requiring clear justification on an individual-case basis
    - promote a national network of state and territory information managers incorporating persons administering the release of information from state care leaver records, Aboriginal and Torres Strait Islander family and community historical records, adoption records, etc. The objective is to support consistency and learning in applying the national standards, towards a culture of pro-release.
  9. It is recommended that national standards for the administrative release of historical care leaver records be developed in consultation with representatives of non-government past provider organisations, and with representatives of care leavers.
  10. It is recommended that proposed stakeholder groups for each state and territory for the implementation of the Find and Connect Service (see recommendation 29) should include as part of their ongoing agenda the need to promote national standards around release, in line with the proposed standards (see recommendations 8 and 9).
  11. It is recommended that FaHCSIA, through CDSMAC if necessary, explore the potential for standards around the release of information by non-government organisations to care leavers being linked to quality assurance requirements of commonwealth and/or state licensing and standards regimes wherever feasible.
  12. It is recommended that, in the context of commitment to implementing the outcomes of the 2004 Senate Report (SCARC 2004), and through CDSMAC, all jurisdictions be encouraged to dedicate sufficient staffing capacity to:
    - meet current demand for release of information from care leavers within reasonable time-frames
    - respond to a probable increase in demand following the launch of the Find and Connect Service
    - provide pro-active responses around enabling release (eg actively seeking permission from third parties where required)
    - provide professional support around release of sensitive information.
  13. It is recommended that the national Find and Connect Service, through the proposed national standards unit, explore and promote the potential for common access

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- protocols between agencies from whom care leavers commonly seek information about themselves and about family members.
14. It is recommended that the national Find and Connect Service, through the proposed national standards unit, promotes consistency between all agencies (government and non-government) around no cost release of information to care leavers for their own personal records, including paper copies.
  15. It is recommended that FaHCSIA liaise with Centrelink, through COAG and in the spirit of a whole-of-government response to the needs of Forgotten Australians, to re-instate the 'In Touch' service in a way which better meets the risk management as reviewed by Centrelink. This may include the Find and Connect Service vetting any proposed connection of family members prior to identifying information being released to either party, and the scheme being limited to immediate family members. Similarly, it is recommended that a similar contact scheme be instigated through Medicare if possible.
  16. Given the functions and deliverables expected from the national database, it is recommended that FaHCSIA considers the Pathways website ([www.pathwaysvictoria.info](http://www.pathwaysvictoria.info)), developed by the eScholarship Research Centre at the University of Melbourne, as a prototype for the development of the Find and Connect Service website, and consults with the website owners about the copyright and licensing requirements to be met in utilising this design.
  17. It is recommended that the core content of the Find and Connect Service database is initially compiled from existing information sources about historical care facilities, developed by state governments and others, as discussed in recommendation 1.
  18. In preparation for the launch of the interim solution for the Find and Connect Service website, negotiation should occur, as relevant, with state and territory governments, past providers, churches and other organisations such as CLAN, about replacing website content that lists care facilities and sources of care records, with information about, and a direct link to, the Find and Connect Service website and 1800 number.
  19. It is recommended that the Find and Connect Service website is administered by the Find and Connect Service national office, in close liaison with all key stakeholders. In particular, it would be the role of the proposed "records management" unit of the Find and Connect Service to:
    - ensure the archival integrity of the database
    - maintain and add content, as new information becomes available
    - liaise with the state, territory and church bodies who will have responsibilities for the veracity of data relating to their jurisdiction.
  20. It is recommended that:
    - both a 1800 number and a landline number be widely promoted, with an email address and fax number also available as access points to the 1800 number workgroup. There should be capacity to accept calls through TTY and NRS
    - the 1800 service is available from 9am to 7pm, Monday to Friday, to ensure care leavers have access after hours, as strongly recommended by care leavers during the consultation
    - arrangements are made to try to ensure that charges to callers from mobile phones are not a barrier to accessing the service. Arrangements should be explored with mobile phone network providers and the operator's service provider to address this issue
    - to assist with managing expectations about the 1800 number, promotional material should specify the target group, and the role and functions of the 1800 number.
  21. It is recommended that the 1800 number staff are co-located as a single workgroup in order to pool expertise, promote learning and development, and provide ongoing

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support and supervision, with the workgroup managed through the Find and Connect Service national office.

22. It is recommended that Find and Connect support services be provided through:
  - enhancing the capacity of existing aftercare services
  - providing new aftercare services (stand-alone or attached to existing relevant agencies) especially in the states and territories where no or limited integrated aftercare service currently exists (ie South Australia, Western Australia, Tasmania, ACT and the NT)
  - providing for individual Find and Connect Service positions attached to appropriate generalist services in regional and rural areas, supported through the Find and Connect Service national office.
23. It is recommended that the specialist counselling component of the Find and Connect Service be available both through positions attached to services funded through the Find and Connect Service and also through the use of brokerage monies for the purchase of counselling when not available through Medicare.

It is recommended that immediate work occurs to:

  - recruit and train a range of social workers and psychologists across the country, willing to be part of a pool for brokerage
  - develop a set of guidelines for the administration of brokerage for counselling.
24. It is recommended that guidelines be drawn up to assist support workers in Find and Connect Services to administer brokerage funds appropriately within the ambit of the monies available to support find and connect processes. It is recommended that some of these funds be made available to assist care leavers with family reunions.
25. It is recommended that the Find and Connect Service national office develops common policies, procedures and practice guidelines around the work of all Find and Connect services, to support good practice and consistency for care leavers across Australia, in the supported release of records, searching for family members and supporting family reunions (consistent with the proposed national standards around release of information; see recommendations 8 and 9).
26. It is recommended that care leaver representatives are routinely involved in all aspects of the development of direct service provision to care leavers, including staff selection, induction, ongoing professional development and program design and evaluation.
27. It is recommended that any tendering process includes as a selection criterion whether the tenderer has had a role as a past provider, or affiliation with such a body, and if so:
  - what redress has occurred for any past damages in the provision of care
  - what current credentials exist around responses to care leavers.
28. It is recommended that the model adopted for the Find and Connect Service includes:
  - National strategic leadership through an administration body contracted by FaHCSIA to provide a national service which:
    - administers the website
    - administers the 1800 number
    - includes two liaison and development units – a “records management” unit and a “national standards” unit
    - provides coordination and a developmental role for the localised Find and Connect support services
    - facilitates partnership between key stakeholders (as noted below)

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- State-based localised service delivery, through Find and Connect support services funded through FaHCSIA. These should be part of an integrated network of services which includes the existing state-funded services and are tailored to local needs across the country. Under funding agreements with FaHCSIA, these services may provide a combination of:
    - capacity-adding to existing after care support services
    - new services, appropriately auspiced, in localities with unmet need
    - individual positions attached to existing generalist services, with appropriate network supports.
  - Localised specialist counselling positions, attached to Find and Connect support services where demand warrants, and also available through the use of brokerage funds administered through Find and Connect support services (including available to clients who are not using the support service)
  - Partnership with the state and territory departments and instrumentalities responsible for the historical and personal records of care leavers. Through CDSMAC, and in line with the commitment by states and territories to implement recommendations of the inquiries, relevant state and territory departments are an integral part of the overall Find and Connect framework
  - Partnership with past providers, through CAFWAA and the associated state and territory peak bodies and national church bodies. It would be anticipated that state and territory departments would play key roles in liaising with past providers within their state. As well as having active roles in providing information from records, some past providers provide support services
  - Partnership with care leaver representative groups as user representatives in an advisory role.

These features are represented in Figure 1 on page 61.

29. It is recommended that a Find and Connect Service stakeholder group be established in each state and territory, to help coordinate, and provide advice about, implementation of the service at state level.

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## APPENDIX A

### LIST OF STATE AND TERRITORY OFFICIALS CONSULTED

#### QUEENSLAND

Robyn Eltherington	Forde/Redress Policy, Strategic and Policy Branch, Department of Communities
Margaret Reid Jenny McVeigh	Community and Personal Histories Unit, ATSIS Right to Information/Information Privacy Branch, Department of Communities
Anita Thomas Leanne Richardson Kusum Kumar	Adoption Services Queensland Adoption Services Queensland Document Management and Recordkeeping Branch, Department of Communities
Allan Moffatt	Document Management and Recordkeeping Branch, Department of Communities
Kathie Scott	Quality Care, Child Protection Programs Development, Department of Communities
Elizabeth Hawkins Colin Wood	Queensland State Archives A/Deputy Registrar-General, Births Deaths and Marriages

#### NEW SOUTH WALES

Juliet Munro	Director, Records Access, NSW Community Services
Danielle Woolley	Director, Out Of Home Care Policy, NSW Community Services
Miriam Moloney	Out of Home Care Policy Branch, NSW Community Services

#### AUSTRALIAN CAPITAL TERRITORY

Ann Ponsonby	Adoptions, Permanent Care and Therapeutic Services, Disability, Housing and Community Services
Peter O'Brien	Organisational Governance, Disability, Housing and Community Services
Ingrid Cevallos	Strategic Partnerships, Disability, Housing and Community Services

#### VICTORIA

Toula Varvarigos	Manager, Archival Systems and Consultancy Services, Public Record Office Victoria
Tsari Anderson	Public Record Office Victoria
Brendan Carroll	Adoption and Family Records, Department of Human Services
Judith Rose	Children, Youth and Families, Department of Human Services
Sandra Papashalis	Manager, Information and Records Services, Department of Human Services
Brendan Nathan	FOI, Department of Human Services
Bill Frost	Children, Youth and Families, Department of Human Services
Geoff Jende	Children, Youth and Families, Department of Human Services

#### TASMANIA

Jane Monaghan	Adoption Information Coordinator, Adoption and Permanency Services, Department of Health and Human Services
Arthur Jones Julian Crombie	Manager, Information Systems, Office of the Secretary Admin Support, Abuse in Care, Department of Health and Human Services
David Benjamin	A/Manager, Government Recordkeeping (Tasmanian Archive and Heritage Record Office)
Rosie Crumpton-Crook	Principal Practice Consultant, Disability, Child, Youth and Family Services, Department of Health and Human Services
Carol Barker (phone)	Senior Records Management Officer, Child Protection Services – South West, Department of Health and Human Services

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### **SOUTH AUSTRALIA**

Tanya Walsh	Records, Department for Families and Communities
John Fitzpatrick	Records, Department for Families and Communities
Cynthia Beare	Adoption, Family Records and Post Care, Department for Families and Communities
Eveline Linker	Post Care Services, Department for Families and Communities
Samantha Cross	Team Leader, Families Records team, Adoption, Family Records and Post Care, Department for Families and Communities
Janet Newman	State Records, Department of Premier and Cabinet
Melanie Bradley	Post Care Services, Department for Families and Communities
Jeanie Lucas	Senior Project Officer, Adoption, Family Records and Post Care, Department for Families and Communities

### **NORTHERN TERRITORY**

Leonie Warburton	A/Director, Alternative Care, Families and Children, Department of Health and Families
Carol Beagley	Alternative Care Services – Adoption, Department of Health and Families
Jenene Mendes	Alternative Care Services – Adoption, Department of Health and Families
Donna Pearce	Alternative Care services – Home based Services, Department of Health and Families
Margaret Quan	Corporate Information Services, Department of Health and Families
Linda Zagorskis	Corporate Information Services, Department of Health and Families
Janice Nixon	Corporate Information Services, Department of Health and Families
Linda Bell	Northern Territory Archives Service
Katherine Hamilton	Northern Territory Archives Service

### **WESTERN AUSTRALIA**

Adam Margetts	Department of Indigenous Affairs
Cesar Rodriguez	Department of Indigenous Affairs
Andrea Nixon	Director, Family Information and Adoption Service (FIAS)
Sharon Renouf	Coordinator, Family Information and Records and Family Information and Adoption Service (FIAS)
Joanne Clarkson	Family Information Officer, Family Information and Records Bureau (FIRB) , Department for Child Protection
Kathy Pulford	Team Leader, Past Adoptions, Family Information and Adoption Service (FIAS), Department for Child Protection
Sharon McCauliffe	Family Information and Adoption Service (FIAS)
Wendy Ashwin	Redress WA, Department of Communities
Sally Kirk	Redress WA, Department of Communities
Marie Waldeck (phone)	Manager, Information Services, Department for Child Protection

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## APPENDIX B

### FOCUS GROUPS WITH CARE LEAVERS

	Number of participants	Venue	Date
Melbourne	13	Open Place	2 July 2010
	29	Ross House	6 August 2010
	18	Open Place	12 August 2010
Sydney	14	Parramatta	5 August 2010
Adelaide	5	Post Care Services	6 July 2010
Fremantle	6	Edmund Rice House	19 July 2010
Brisbane	20	Lotus Place	3 August 2010

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## APPENDIX C

### AGENCIES / REPRESENTATIVES SPECIFIC TO FORGOTTEN AUSTRALIANS, FORMER CHILD MIGRANTS, STOLEN GENERATIONS AND OTHER CARE LEAVERS CONSULTED

#### QUEENSLAND

Melissa Feeney	Chief Executive Officer, Link-Up (Qld) Aboriginal Corporation
Brian Marshall	Link-Up(Qld) Aboriginal Corporation
Kym Kilroy	Board Member, Link-Up (Qld) Aboriginal Corporation
Mat Gardiner	Relationships Australia
Rebecca Kettom	Manager, Aftercare Resource Centre
Miranda Clarke	Aftercare Resource Centre
Vicki Olman	Aftercare Resource Centre
Mavis Brown	Aftercare Resource Centre
John Lucas	Forgotten Australians Support Service

#### NEW SOUTH WALES

Ann Neilsen	Relationships Australia Aftercare Resource Centre
Barbara Lane (phone)	Now Remembered Australians
Leonie Sheedy	CLAN
Pamella Vernon	NSW Representative, AFA
Bonney Djuric (phone)	Parra Girls

#### VICTORIA

Angela Swindle	Link-Up Victoria (VACCA)
Margaret Humphreys	Director, Child Migrants Trust
Ian Thwaites	Social Worker, Child Migrants Trust
Caroline Carroll	AFA
Joanna Bock	Manager, Open Place

#### SOUTH AUSTRALIA

Lorelle Hunter	Senior Caseworker, Link-Up, Nunkuwarrin Yunti of SA Inc
Kay Goodman-Dodd	Manager, Link-Up, Nunkuwarrin Yunti of SA Inc
Nicola Brewer	State Director, Family Tracing Service, Southern Division, Salvation Army

#### NORTHERN TERRITORY

Rosie Baird	NT Stolen Generations Aboriginal Corporation
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#### WESTERN AUSTRALIA

Phillipa White	Coordinator, CBERS Consultancy
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#### OTHERS

Peta McCorry	Policy and Advocacy Officer, National Office, CREATE Foundation
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## APPENDIX D

### PAST PROVIDER REPRESENTATIVES CONSULTED

#### QUEENSLAND

Colleen Manning	Social Worker, Former Residents Program, Mercy Family Services
Dianna Dawson	State Manager, Queensland, Save the Children Australia
Anne Czekanski (phone)	Diocesan Catholic Education Office, Rockhampton

#### NEW SOUTH WALES

Jackie Palmer and	Out of Home Care Services, Anglicare Sydney
Stephanie Miller	
Graham Hercus (email and phone)	After Care Support, UPA of NSW Limited
Alison Quinn (email)	Professional Standards Unit, Anglican Diocese of Sydney
Chris Cole (phone)	Salvation Army Sydney
Bill Hoyes (phone)	Barnardos Aftercare Services

Meeting on 8/7/10 with members of the ACWA Forgotten Australians Working Group including:

April Edler	Wesley Dalmar
Pam Zemanek	Catholic Care Sydney
Jenelle Tinham	Anglicare Canberra and Goulburn
Maryanne Jacob	UnitingCare Burnside

#### AUSTRALIAN CAPITAL TERRITORY

Shelley Atkins	Marymead
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#### VICTORIA

Jenny Glare	Heritage and Information Service, MacKillop Family Services
Katrina Milne	Heritage and Information Service, MacKillop Family Services
Grant Thomas	Director, Community Relations, MacKillop Family Services

Inter-sectorial meeting on 1/7/10 including:

Di O'Neill	St Luke's
Bernie O'Regan	Orana Family Services
Gaye Mitchell	Wesley Mission Victoria
Nick Collins (email)	Manager, Geelong Family Relationships Centre, Centacare Melbourne

#### TASMANIA

Barry Titmus	Manager, Kennerley Children's Home
Annemarie Hosang	Centacare (Mt St Canice and St Joseph's)
Debra Harris	Wise Lord and Ferguson for Clarendon Children's Home

#### SOUTH AUSTRALIA

Sue Cain	Director, Professional Standards Office, Archdiocese of Adelaide
Mary Schwerdt	Project Officer, Professional Standards Office, Archdiocese of Adelaide
Roslyn Francis	Senior Manager, Baptist Care
Desiree Maingot	Coordinator, Accommodation Services, Baptist Care
Robyn Sutherland	UnitingCare Wesley Adelaide

#### NORTHERN TERRITORY

Julie Rothall	Anglicare NT
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#### **WESTERN AUSTRALIA**

Peter Hocking	Archives, Benedictine Community New Norcia
Annie Medley	Archives, Sisters of Mercy
Jeannine Heinrichs	Archives, Mercy Care Wembley
Ian Ludlow	Swanleigh - Anglican Church
Karen Vann	Archives, Christian Brothers
Sr Frances Stibi (phone)	Archives, Archdiocese of Perth

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## APPENDIX E

### OTHER NON-GOVERNMENT AGENCIES AND INDIVIDUALS CONSULTED

The following is a list of individuals and agency representatives, consulted as part of a focus group or meeting, who have not been listed elsewhere.

#### Inter-sectorial meeting Victoria 1/7/10

Frank Golding	CLAN
Mary Rawson	VANISH
John Dommett	Connecting Home
Andreas Kakogiannis	Ryan Carlisle Thomas, solicitors
Karen Scobell	Centre for Excellence in Child and Family Welfare

#### *Who Am I?* Project / Pathways consultation, Victoria 1/7/10

Prof. Cathy Humphreys	University of Melbourne
Gavan McCarthy	eScholarship Research Centre, University of Melbourne
Shurlee Swain	Australian Catholic University
Rachel Tropea	eScholarship Research Centre, University of Melbourne
Cate Elkner	University of Melbourne
Nell Musgrove	Australian Catholic University
Margaret Kertesz	University of Melbourne

#### CREATE Foundation members

Kylie Gibbs	CREATE Foundation, Tasmania
Cathy Carnovale	CREATE Foundation, Victoria
Karen Prenzer	CREATE Foundation, Northern Territory

#### Inter-sectorial meeting Western Australia 20/7/10

Isabel Andrews	Coordinator, Adoption Jigsaw WA
Anne Allpike	Adoption Jigsaw WA
Jennifer Newbold	Manager, Adoption Research and Counselling (ARC) Services
Guy Rees	Crossroads West, Transitional Support Services, Salvation Army

#### ACWA Forgotten Australians Working Group, Sydney, 8/7/10

Andrew McCallum	Executive Director, ACWA
Sylvia Ghaly	ACWA

#### OTHERS

Mimi Morizzi	Information Management Consultant, PRISM
Kylie Lonegan	Ex-DHS aftercare worker, Victoria

## SURVEY OF PAST PROVIDERS – LIST OF RESPONDENTS

1. Anglicare Canberra & Goulburn, ACT
2. Anglican Church Diocese of Sydney, NSW
3. Anglicare NT
4. Anglican Diocese of Brisbane, QLD
5. Anglican Diocese of Newcastle, NSW
6. Anglicare Sydney, Telopea, NSW
7. Wesley Mission Victoria and Anglicare VIC
8. St Luke's Anglicare, Bendigo, VIC
9. Wesley Mission Victoria, VIC
10. Mercy Family Services, Brisbane, QLD
11. MercyCare Wembley WA
12. Sisters of Mercy, Northbridge, WA
13. Rockhampton Sisters of Mercy, QLD
14. MacKillop Family Services, VIC
15. CatholicCare, Bankstown, NSW
16. Archives of the Roman Catholic Archdiocese of Perth, WA
17. Christian Brothers Oceania Support Centre, WA
18. Pallottine Fathers & Brothers, Australian Region, WA
19. Sisters of Nazareth, Camberwell, VIC
20. UnitingCare Orana Family Services, VIC
21. UnitingCare Burnside, NSW
22. United Protestant Association of NSW Ltd., NSW
23. Wesley Dalmar, NSW
24. The Perth Diocesan Trustees, WA
25. Lutheran Archives, SA
26. South Australian Professional Standards Office, SA
27. Benedictine Community of New Norcia, WA
28. The Salvation Army (Australia Eastern), NSW
29. Save the Children, Brisbane, QLD
30. Heritage Centre, Child and Family Services, Ballarat, VIC
31. Berry Street, VIC
32. Kennerley Children's Homes Inc, TAS
33. Peirson Memorial Trust, QLD
34. Barnardos Australia, NSW and ACT
35. Marymead, ACT

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## APPENDIX G

### SENATE INQUIRY RECOMMENDATIONS ABOUT RECORDS

#### *Lost innocents: Righting the record. Report on child migration (2001)*

*Loss of identity, a sense of belonging and the loneliness of being far from home affected all child migrants. Thus, even though the report contains recommendations directed to the support of the most damaged former child migrants, there are many other recommendations such as those dealing with identity through access to records, family tracing, travel and reunion that will assist all former child migrants, their families and descendants who wish to access such information and services (2001, pp.7-8)*

Recommendation 5: That the Commonwealth Government continue to provide funding for at least three years directly to the Child Migrants Trust to ensure that the specialised services of tracing and counselling are provided or accessible to former child migrants living throughout Australia.

Recommendation 6: That the Commonwealth Government urge the British Government to continue financial resources for the National Council of Voluntary Child Care Organisations (NCVCCO) for the retention and expansion of the Child Migrant Central Information Index.

Recommendation 7: That the Commonwealth Government urge all State Governments to establish a comprehensive signposting index similar to that established by the Western Australian Government.

Recommendation 8: That the Commonwealth Government urge all State Governments to co-operate to establish a national index of child migrants.

Recommendation 9: That the Commonwealth Government urge State and Territory Governments to publish directories of information to assist all former residents of children's institutions to access records similar to the directories published by the New South Wales and Queensland Governments.

Recommendation 10: The Committee recommends that a national group of all receiving agencies, other relevant bodies and Commonwealth and State Governments be established to develop uniform protocols for accessing records and sharing information relevant to former child migrants, their families and descendants and to coordinate services for former child migrants.

Recommendation 12: That the National Archives of Australia liaise with the Genealogy and Personnel Records Section of the National Archives of Canada in relation to the technology, protocols, processes and procedures the Canadians have implemented to facilitate access to their records for former child migrants and their descendants.

Recommendation 13: That the Commonwealth Government provide at least three year funding to those agencies engaged in dedicated tracing in the United Kingdom to assist former child migrants to locate their families, based on applications by agencies undertaking that work.

Recommendation 14: That all organisations holding records pertaining to former child migrants make these records available to former child migrants or their authorised representative immediately and unconditionally.

Recommendation 15: That where any organisation holds primary documents, including birth certificates, relating to any living former child migrant without their express permission, former child migrants be entitled to recover that document from the holding organisation.

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Recommendation 16: That all sending and receiving agencies be required to extend access to their records to descendants of former child migrants.

***Forgotten Australians: A report on Australians who experienced institutional or out-of-home care as children (2004)***

*Questions of identity both for themselves and of other family members through locating and accessing records has become very important for many care leavers. A range of issues are discussed including locating and accessing records (overcoming FOI hurdles and barriers), the lack of or destruction of personal files, the quality of record keeping at the time and the nature of information and personal comments contained in records, and the need for support when care leavers are viewing their records.*

*The provision of services to address the needs of care leavers is seriously lacking at many levels. The Committee discusses many issues surrounding what services need to be provided or improved, and how and by whom should they be provided. In particular, support and advocacy services, counselling and the need for specialised counselling services, and programs to tackle health and ageing, housing and homelessness, and adult literacy and numeracy and other education services are addressed (2004, p.xvii)*

#### Chapter 9: Location, preservation, recording and access to records

##### Recommendation 12

9.113 That government and non-government agencies holding records relating to care leavers, implement and fund, as a matter of priority, programs to find, identify and preserve records including photographs and other memorabilia.

##### Recommendation 13

9.114 That all government and non-government agencies immediately cease the practice of destroying records relating to those who have been in care.

##### Recommendation 14

9.115 That all State Governments and non-government agencies, which have not already done so

- provide dedicated services and officers to assist care leavers in locating and accessing records, both government and non-government; and
- compile directories to assist in the locating and accessing of records relating to care leavers and the institutions into which they had been placed.

##### Recommendation 15

9.116 That a dedicated information and search service be established in each State and Territory to:

- develop a complete register of all records held by government and nongovernment agencies;
- provide assistance to care leavers to locate and access records;
- provide advocacy and mediation services to care leavers accessing records; and
- ensure that all agencies holding records identify, preserve and make available all surviving records relating to care leavers and the institutions that housed them.

##### Recommendation 16

9.117 That all government and non-government agencies agree on access guidelines for the records of all care leavers and that the guidelines incorporate the following:

- the right of every care leaver, upon proof of identity only, to view all information relating to himself or herself and to receive a full copy of the same;
- the right of every care leaver to undertake records searches, to be provided with records and the copying of records free of charge;

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- the commitment to a maximum time period, agreed by the agencies, for the processing of applications for viewing records; and
  - the commitment to the flexible and compassionate interpretation of privacy legislation to allow a care leaver to identify their family and background.

#### Recommendation 17

9.118 That all agencies, both government and non-government, which provide access to records for care leavers, ensure adequate support and counselling services are provided at the time of viewing records, and if required, subsequent to the viewing of records; and that funding for independent counselling services be provided for those care leavers who do not wish to access services provided by a former care agency.

#### Recommendation 18

9.119 That the Commonwealth request the Council of Australian Governments to review all Federal and State and Territory Freedom of Information regimes to ensure that they do not hinder access by care leavers to information about their childhoods and families.

#### ***Lost innocents and Forgotten Australians revisited (2009)***

The following refers to progress as identified in 2009 by the Senate.

##### Identification and access to records

6.70 ...access to records is invariably governed by FoI and privacy regimes, although in some cases administrative arrangements are in place which, while still subject to FoI and privacy principles, can improve access for care leavers. While fees for FoI applications involving personal information are routinely waived, the Committee notes a continuing concern with the complexity and timeframes involved (p.221).

6.71 An issue of particular concern in relation to records was the effect of privacy restrictions on access to information concerning third parties. This restriction impacts harshly on care leavers, who are continuing to receive records with information relating to third parties blacked out. In many cases, this information concerns family members—a cruel outcome for people who are often seeking to establish the family relationships or sense of self and personal identity that was denied by the circumstances of their upbringing. The Committee supports calls for the Commonwealth and States to seek to reform FoI and privacy regimes to ensure better provision for care leavers to access information on their relatives and family, for example, through a discretion to allow third-party access in FoI legislation in legitimate cases. The Committee urges the Commonwealth to pursue this issue through the Council of Australian Governments (COAG) as per the original recommendation of the *Forgotten Australians* report. The Committee also calls for current reviews of the Commonwealth and Queensland FoI regimes to explicitly address this issue (p.221).

6.72 The Committee recommends that the Commonwealth government pursue the reform of national freedom of information (FoI) and privacy legislation to ensure that care leavers are not hindered in their access to information about their childhoods and families; and that current and future reviews of Commonwealth and State FoI regimes explicitly address this issue (p.221).