



Foster Child Abuse

Where we've gone wrong

Australia has let down our vulnerable foster children. They're being abused in a time when they need care and support. We need to make a change and take a stand for those who are voiceless.

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In the wake of the Royal Commission into Institutional Responses to Child Sexual Abuse, the Australian public has never been more aware of the misgivings of some of the largest and most powerful institutions.

We believe it's time for the NSW State Government to step up and take responsibility for the abuse of foster children.

We've written this guide to educate you on the historic issues faced by children in the State-run foster care system.

Australians must be aware of the issues surrounding at risk, neglected and often unwanted children. We can't be ignorant of the problems which are known to snowball over generations.

By reading this guide, you are helping to understand the lives of people raised by abusive foster parents compared with those who had a loving and stable family home.

While many children were enjoying kisses and cuddles, others were trying to survive. They were trapped in a house of horrors, where the government had unloaded its legal responsibilities for a monthly fee.

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Foster Care Statistics

In 2015 there were 43,399 children under 18 living in various types of foster care. Just ten years earlier here were 25,454. The numbers have nearly doubled.



The NSW State Government is overwhelmed with the number of children requiring Out of Home Care (OOHC).

The latest data (from 2015) runs through the percentage of children in different types of care.

In NSW, there are currently 16 843 children in out of home care. Below is the breakdown of the living arrangements.

Foster Care	47.1%
Relatives/Kin	49.1%
Family Group Homes	0.1%
Residential Care	3.3%
Independent Living	0.4%

Private corporations are making millions of dollars from these children.

Today, NSW holds the record with the most children in State care by far, nearly half of the whole country's wards.

Up to 40% are indigenous children. (Indigenous people make up only 2% of the State's population.) Indigenous children in care are massively over-represented. That's a fact.

60% of homeless people have been in foster care at some stage.

Billions of taxpayer dollars have gone into funding programs which have seen little to no proof of success.

Nothing seems to change. The numbers keep growing.

The NSW Government created a protection reform - Keep Them Safe - as a response to the Special Commission of Inquiry into Child Protection Services in NSW.

This reform resulted in a financial commitment of \$750 million over five years, with the aim of providing our vulnerable children with an improved system to help break the cycle of living in out of home care.

This reform is significantly invested in providing more prevention and early intervention tactics. Approximately \$220 million is dedicated to out of home care.



A history of foster care in Australia

Since British colonisation, homes, orphanages and institutions in NSW were run by community organisations or religious institutions.

In the late 1870's 'boarding out' was introduced. This is the earliest term used in Australia for foster care. Boarding out was introduced as a result of the poor treatment of children in larger institutions. Since this process was introduced, 70% of children in state care were 'boarded out'.

The NSW Government ran over 100 different homes and institutions from the 1880's to the 1990's.

In 1923 the NSW government created the Child Welfare Department.

The department had the power to inspect private and faith-based institutions and manage government institutions.

The development of the Child Welfare Act 1939 expanded the powers of the Child Welfare

Department. The Child Welfare Department now had powers over children who were, "destitute, whose parents were unfit to retain the child, or who without a lawful excuse was not attending school regularly (truancy).

The definition of a ward was expanded to include children in state control, those committed to an institution, or those residing in a hostel for expectant or nursing mothers."

With these expanded powers came the development of institutions focused on juvenile delinquency. Parramatta Girls' Training School was one such institution which housed young female delinquents and runaways.

This home was rife with child sexual and physical abuse by male officers and the older teenage residents.

In the last ten years, the number of children in foster care has doubled, with the numbers continually rising.

Some say a lack of focus on providing support for vulnerable families is one of the three drivers for children entering out of home care.

More recent drivers of children going into out of home care include poor mental health, domestic violence and parental drug and alcohol abuse.

These children are coming into an overwhelmed care system, many kicked out when they turn 18. The cycle of abuse continues.



Why are so many children in foster care?

67% of programs for vulnerable children and families have not been evaluated – a total of \$302 million is spent on programs for which the effectiveness is unknown.



The latest statistics from the Australian Institute of Health and Welfare (AIHW) show:

92% of children in care are below the literacy average.

75% of children in care don't complete their education

35% of children in care enter the juvenile justice system

It is well known that the issues of children in foster care are intergenerational:

20% of females and 12% of males will have a child in out of home care at some point in the 20 years after exit, and they will be 10 times more likely to need out of home care for their child compared to the general population.

This is a cyclical issue which stems partly from ineffective support measures and adequate ongoing support for the families and children. Many generations of parents have intractable issues; they might be hostile

to government intervention, indifferent to parenting their children, overwhelmed by addictions, intellectually disabled, hampered by low intelligence, rendered dysfunctional by psychological disorders or frequently in trouble with the police.

These people are at risk of drug and alcohol abuse, they may struggle developing healthy results as a result of trauma, and there isn't enough support for young adults who are no longer protected by the system.

Living in foster care can impact children's education and ability

to learn.

The rate of children entering the justice system directly correlates to a poor education and self-esteem - two factors which are significantly impacted by being in care.

Research from AIHW indicates poor education and literacy levels are passed on to the next generation, creating a further gap between those in care. This creates disadvantaged families, further perpetuating the cycle of substance and physical abuse, and passing this onto the new generation.



Why are children in care being abused?

With a system which is overworked, underfunded and constantly overwhelmed, sometimes things slip through the cracks.

This is not good enough. It's not acceptable. Children in foster care are vulnerable. They've faced difficulties in their life.

The system is so fraught with children who need homes, and there simply aren't enough good parents willing to take them in.

A State run system which doesn't enforce the right checks and procedures on foster parents enables potential abusers to slip through the cracks.

The State doesn't have the resources or the luxury of running the correct checks to filter out all potential foster parents who are a risk to the children.

And if the State cannot afford to be as stringent as possible when allowing people to become foster parents, how can they afford to relocate children who've been abused by their current foster parents?

The system needs to be changed. This much is clear.

Youth are sexually abused in group homes by staff but mostly by other pubescent male residents; children and youth are molested by foster fathers and their older male children still living at home.

This is despite better screening practices.

Foster children have historically been regarded as unwanted, 'throw away' children.

Predators will take the opportunity to seek sexual gratification when they think they won't get caught.

Foster children aren't trusted and are seen as natural liars because of their background and challenging behaviours - all a result of the trauma which caused them to enter into the OOHC system in the first place. This presents the perfect opportunity for predators and older children seeking sexual experimentation.

Foster children who do speak out about any abuse to their social worker can face extreme difficulties to be relocated - if they're believed at all.



Stories of foster child abuse

Child abuse within the foster care system is unfortunately all too common. There are constantly stories circulating around the abuses of children in out of home care.



One of the most harrowing stories of foster care abuse is the story of Girl X.

Girl X - was only three months old when she first came to the attention of Family and Community Services in 2001.

Girl X and her brothers were allowed to return to their mother's care in July 2002. Four months later were placed in their father's care. They were later placed with carers.

In December 2005, parental responsibility orders were given to the Minister for FACS for Girl X and her brothers until they turned 18. The children were sent to live with an aunt in Queensland.

For the next five-and-a-half years they were subjected to physical abuse. Girl X purposely overdosed on bipolar disorder medication to alert the authorities about the abuse. The children were then removed.

The girl arrived in the Uniting Church Wesley run home in 2013. After being repeatedly raped by staff members, Girl X committed suicide.

This was just weeks before going to court to testify against one of the rapists. Her rapist was never sentenced, in spite of an overwhelming amount of evidence condemning him.

Emily - her foster parents appeared on paper to be the perfect parents. She'd been with them since she was a young child, and her foster father had been awarded a Medal of the Order of Australia for his work as a foster parent. He and his wife had cared for over 300 children over a 30 year period.

Emily is a person with a disability. This made her particularly vulnerable. Her foster father preyed on her vulnerabilities, sexually abusing her while no one else was home.

The abuse alone is horrific.

The fact the Department of Family and Community Services were aware of allegations of abuse and continued to allow this man to foster children is truly disgusting.

This man was investigated for sexually inappropriate behaviour years before he finally confessed. The foster children remained in the home throughout the investigation.

One of the foster children had come forward about allegations of this man's inappropriate behaviour but was explained away by the man and his wife.

The department chose to believe the husband and wife over the victim, instead relocating her to another family.

These stories are common in a system which is understaffed and buckling under the sheer numbers of children who require out of home care.



How can we improve foster care in Australia?

Improving the foster care system is a complex issue. Politicians would argue that Australian citizens need to step up and assist in some way - whether it's as a full-time carer or a respite carer.

Some Australian citizens would argue for law reform, funding reform or improved services.

Some would simply argue the issue is too complex and can't be resolved.

Independent community service organisation and charity Berry Street has proposed a new model for foster care, which is comprised of four different components:

1. Foster Parent Recruitment, Training & Assessment;
2. Placement Support;
3. Foster Parent Network Support; and
4. Financial Resources

A focus on training foster parents has been recommended by Berry Street, as a means to ensure parents can adequately care for their foster children.

The correct training can help prevent children relocation, causing more trauma.

Continued changes and developments to the child protection system would help create a more efficient system to manage the child welfare cases.

In 2012 FACS developed a model called Practice First, focused on "improving systems, practices and culture relating to assessment, decision-making and support of children reported at risk of significant harm (ROSH)".

This Practice First model saw minimal improvement to the system-level outcomes for children who were placed in OOHC.

In March 2017 Premier Gladys Berejiklian and Minister for Family and Community Services Pru Goward announced major changes to the child protection system.

The reform called *Their Futures Matter* is focusing on:

- Providing a needs-based support system for vulnerable families and children.
- Creating a connected system focusing on achieving better outcomes for children and their families



• Creating “a smart system” based on data and evidence

There are also many charities and organisations developed to help stop the cycle of children entering foster care.

Many of these are not for profit and rely on the support of generous individuals.

Bernardos Australia - This charity focuses on providing support for vulnerable children and families.

In the 2015/2016 financial year, Bernardos helped 17,039 children and young people through their programs.

Create Foundation - Create Foundation offers programs to children in care to help them transition from care to independence and gives them skills to transition into independence without disadvantage.

The Pyjama Foundation - This foundation focuses on bridging the educational gap for children in foster care. Children in foster care are often educationally disadvantaged, impacting their ability to achieve an education.

Home Stretch - This initiative seeks to change government policy to protect young adults who are forced to leave out of home care when they turn 18.

Research has proven that letting children stay in care until 21 has better results for the child and the economy.

Foster Care Angels - Foster Care Angels provide children and carers with support and resources, enabling families to care for foster children to the best of their ability.

Some of their services include providing respite care to allow foster parents to have a break, and care packages for children.

We have the power to create change - don't let your opinions go unheard when injustices occur in the foster care system.

While many may not be in a position to donate to organisations who are actively seeking to improve the lives of those in foster care, we all have the power to speak out.

You can start petitions, write to politicians, and talk to others in your community to spread awareness.

The more people aware of the system and its inefficiencies will pressure the government to make changes.

20% of females who have been in OOHC will also have a child who needs OOHC.

The people who have been in OOHC are 10 times more likely to need OOHC for their child compared to the general population.

This problem is generational and we need to fix it.

“ **We have the power to create change - don't let your opinions go unheard when injustices occur in the foster care system.** ”

About Kelso Lawyers

Kelso Lawyers are specialists in historical child abuse cases.

Founder and director, Peter Kelso was himself physically and emotionally abused as a child while a State ward.

Now a lawyer, Peter has made it his mission to provide compassionate and supportive legal representation to child abuse survivors seeking compensation.

You can hear Peter tell his own story of abuse and recovery on our website kelsolawyers.com/au/peter-kelso.

Kelso Lawyers have offices in Sydney and Newcastle, but represent abuse survivors across Australia.

Peter is supported by an expert legal team who share his passion for helping survivors to seek justice and compensation from the institutions that abused the children in their care.

While no amount of money can erase the harm caused by child abuse, a compensation payment can ease the pressure and help to make life more comfortable in the here and now...

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