

Listen to the children: review of claims of abuse from adults in state care as children, Ombudsman Tasmania

2003 – 2006

Details

Listen to the children: review of claims of abuse from adults in state care as children was an Ombudsman inquiry. It was established in July 2003 by the Tasmanian government. The inquiry made an initial report in 2004, followed by another in 2006.

On 11 July 2003, the ABC Television current affairs program, Stateline, featured an interview with a former ward of state who alleged that he was sexually abused by a foster parent who, at the time, had already been convicted of paedophilia. The *Listen to the Children* inquiry was announced by David Llewellyn, the Minister for Health and Human Services on the same program. On 14 July, the Ombudsman's office set up a hotline for claimants over the age of 18. It took calls until 31 March 2004. The Ombudsman, Jan O'Grady, led the inquiry.

The Secretary of the Department of Health and Human Services and the Ombudsman drew up a Protocol of Agreement which set out the scope of the inquiry and the tasks that each organisation would undertake. The Ombudsman established a Child Abuse Review Team to receive and assess the claims. The Department provided the Ombudsman's office with additional resources and established its own team to research claims and assist claimants.

The Ombudsman also had a protocol with Tasmania Police for referring allegations of criminal behaviour. There were 33 cases. She referred allegations of misconduct that were not criminal to the Department of Health and Human Services or other relevant authorities, such as churches.

The inquiry was supposed to be a healing process which gave adults who had been abused while wards of state an opportunity to tell their story and be believed. Claimants received counselling if they wanted it. Many of the adults who spoke to the inquiry had never told anyone their story before. Others had told someone in authority and not been believed.

Six weeks after the inquiry began, the Premier announced that *ex gratia* payments of up to \$60,000 would be made. Peter Cranswick QC was appointed as the Independent Assessor of the claims.

A total of 364 adults contacted the Ombudsman Review Team, most of them wishing to register a claim. Of those, 247 met the Review criteria and had their claims assessed.

The Ombudsman reported in November 2004. The following is a quote:

... it cannot be denied that every victim of child abuse represents an individual human tragedy. Inevitably it must be concluded that for at least half a century, child protection systems in Tasmania, as elsewhere, have not adequately protected all of the children entrusted to the care of the State. Further, it must be concluded that many of the former institutions and Approved Children's Homes named in the Review failed in their own duty of care to children.

Her recommendations included:

- That the government continue to accept claims for ex gratia payments.
- That the government establish an independent unit to receive claims.
- That the Department of Health and Human Services establish a unit to provide claimants with guided access to their records as well as to refer them to relevant services and the Independent Assessor for ex gratia payments.
- That the government allocate funds to a private trust fund to enable victims of abuse as children to improve their qualifications.
- That the government liaise with church authorities to persuade them to contribute to the private trust fund.
- That the government ask church authorities to apologise to those claimants from approved children's homes who had asked for an apology.
- That the Commissioner for Children investigate 12 claims of recent abuse from former wards of state.
- That the Commissioner for Children be asked to investigate some aspects of the current child protection system.
- That therapeutic and counselling services be established by the government for adults who had experienced recent or past sexual abuse.

Richard Bingham, the Acting Ombudsman, conducted the second phase of the inquiry. It was much the same as the first with some important differences. Claimants now had to sign a statutory declaration that their story was true, give permission for a police check of previous convictions, and consent to the sealing in their presence of an audiotape made during the interview. The interviewer also asked claimants why they had not come forward during the first phase of the inquiry.

Phase 2 received 514 claims and accepted 423. In total both phases received 878 claims and accepted 670.

Since 2006, there have been two other rounds of ex gratia payments. The last one closed in February 2013. A total of 1600 people have received payments totalling \$52 million.

More info

Related Entries

Related Events

- [Apology to Former Wards of State Abused in Care, State Government of Tasmania \(2005\)](#)
The apology came out of the *Listen to the children* review.

Related Organisations

- [Kennerley Boys' Home \(1869 - 1969\)](#)
- [St Joseph's Orphanage \(1879 - 1970\)](#)
The Listen to the Children inquiry received 17 claims of physical, sexual and emotional abuse against St Joseph's Orphanage.
- [Magdalen Home \(1893 - 1974\)](#)
- [Omaru Receiving Home \(1910? - 1968\)](#)
A claimant named Omaru Receiving Home in the *Listen to the children* report.
- [Launceston Girls' Home \(1921 - 1989\)](#)

- [Clarendon Children's Home \(1922 - 2004\)](#)
- [Ashley Home for Boys \(1926 - 1999\)](#)
- [Lachlan Park Hospital \(1937 - 1968\)](#)
- [Maylands Salvation Army Home for Girls \(1945 - 1981\)](#)
- [Boys' Town \(1945 - 1956\)](#)
- [Barrington Boys' Home \(1946 - 1981\)](#)

There are allegations of sexual, physical, and emotional abuse against Barrington Boys' Home in the *Listen to the children* report.

- [Bethany Boys' Home \(1947 - 1978\)](#)
- [Rochebank Hostel \(c. 1950 - c. 1980\)](#)

Claimants cited Rochebank Hostel in the 'Listen to the children' report.

- [Roland Boys' Home \(1951 - c. 1993\)](#)
- [Sunshine Home \(1951 - 1980\)](#)
- [Wybra Hall \(1956 - 1988\)](#)
- [Tresca \(c. 1958 - 1976\)](#)
- [Kangra Receiving Home \(1958 - 1975\)](#)
- [Weeroona Girls' Training Centre \(1959 - 1979\)](#)

Weeroona Girls' Training Centre is mentioned in the *Listen to the Children* report.

- [Gilburn Receiving Home \(1959 - c. 1980\)](#)

A claimant named Gilburn Receiving Home in the *Listen to the children* report.

- [Malmesbury Receiving Home \(c. 1962 - c. 1980\)](#)
- [Abermere Hostel \(1965 - 1975\)](#)
- [West Winds Boys' Home \(1967 - 1983\)](#)
- [Casablanca Receiving Home \(c. 1968 - c. 1980\)](#)
- [Mardon Receiving Home \(1969? - c. 1980\)](#)
- [Miroma Receiving Home \(1969? - 1979\)](#)
- [Glendel Children's Home \(1970? - c. 1992\)](#)

A claimant named Glendel Children's Home in the *Listen to the children* report.

- [Binnowie Receiving Home \(1973 - c. 1980\)](#)
- [Lismore Receiving Home \(1973 - 1979\)](#)
- [Mosley Receiving Home \(1974 - 1980\)](#)
- [Abermere Receiving Home \(1975 - 1980\)](#)
- [Casablanca Family Group Home \(c. 1981 - c. 2011\)](#)
- [Malmesbury Family Group Home \(c. 1981 - 2009\)](#)
- [Binnowie Family Group Home \(c. 1981 - c. 2001\)](#)
- [Mardon Family Group Home \(c. 1981 - 2000?\)](#)
- [Cornwall Family Group Home \(c. 1981 - 2005?\)](#)
- [Eastville Family Group Home \(1981 - c. 1987\)](#)
- [Monomeeth Family Group Home \(c. 1981 - c. 2011\)](#)
- [Rochebank Family Group Home \(c. 1981 - 2009\)](#)
- [Abermere Family Group Home \(c. 1981 - c. 2000\)](#)
- [Laroona Family Group Home \(1983 - c. 2009\)](#)

A claimant named Laroona Family Group Home in the *Listen to the children* report.

- [Glynhyfyd Family Group Home \(1984 - 2005?\)](#)
- [Summerhill Family Group Home \(c. 1985 - c. 1990\)](#)
- [Kiah Family Group Home \(1985 - c. 2000\)](#)
- [Department of Health and Human Services, State of Tasmania \(1998 - current\)](#)

The Department of Health and Human Services assisted with the *Listen to the Children* inquiry.

- [Tasmania Police, State of Tasmania \(2004 - current\)](#)

Tasmania Police dealt with allegations of criminal behaviour emerging from the *Listen to the Children* inquiry.

Resources

- Swain, Shurlee, [History of Australian inquiries reviewing institutions providing care for children](#), October 2014
- Ombudsman Tasmania, [Listen to the children: Review of claims of abuse from adults in state care as children](#), November 2004
- Paine, Michelle, *Child abuse fighter dies*, The Mercury, 4 November 2009
- [More calls for abused ward compensation clemency](#), ABC news, 11 December 2007

- Ombudsman Tasmania, [*Review of claims of abuse from adults in State care as children. Phase 2, Final report*](#), June 2006
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