

**Monday, 12 November 2018**

## **MOTIONS**

### **National Apology to Victims and Survivors of Institutional Child Sexual Abuse**

**Senator CORMANN** (Western Australia—Minister for Finance and the Public Service, Vice-President of the Executive Council and Leader of the Government in the Senate) (12:20): I move: That the Senate apologise to the victims and survivors of institutional child sexual abuse.

In doing so, I echo the words spoken by the Prime Minister in the House of Representatives on 22 October 2018 and in his national apology to the victims and survivors of institutional child sexual abuse. I also acknowledge the moving remarks made by the Leader of the Opposition in the other place.

There is no more significant duty or weightier moral obligation for a decent nation than the protection of its children. They are so much more than just our future. In their innocence, their unconditional trust and their hopefulness they are the best of us. That that innocence was so often shattered, their trust so often betrayed and those hopes so cruelly quashed will forever remain a stain on our national consciousness. That crimes so horrific were allowed to take place for so long, in so many places, with such impunity, defies comprehension. That so many of those who suffered are not with us today, having sometimes taken their lives or languished in poverty, prison or despair, worsens the blow.

These horrific crimes of sexual abuse occurred in places where children should have felt safe—places where parents trusted that those involved would have the care of their children uppermost in their minds. Predators targeted places like schools and churches, sporting clubs and scout groups, orphanages and foster homes. In many cases the organisations that ran these facilities and services turned a blind eye to the abuses and pretended they didn't happen. These were crimes of unknowable scale. The royal commission estimates that tens of thousands of children were sexually abused in some of Australia's most trusted institutions. Tragically, we will never know the true number. That fact alone will surely haunt our society for a long time.

The commission's report tells a harrowing story of almost complete failure: the failure to protect the innocent; the failure to believe the victims; the failure to challenge the perpetrators; a collective, systemic national failure. No words will ever be able to wind back the clock, heal the scars or erase the evils of the past. No speech will ever truly satisfy those countless thousands who asked for help but were denied. Why were those vile crimes committed against them allowed to occur? Why were the victims not believed? Why was justice and safety so unreachable?

I extend the Senate's heartfelt sympathy to every victim and survivor, to acknowledge and honour them and to commit resolutely to responding fully to the recommendations produced by the royal commission. Ultimately, all of us in this place have a duty to do all that we can as best we can to right past wrongs and prevent future evils. I also convey, on behalf of the government, our deep gratitude to all those who contributed to the royal commission's work: to the commissioners and their staff for their tireless efforts; to Prime Minister Morrison and his predecessors, prime ministers

Gillard, Rudd, Abbott and Turnbull, for their leadership in steering this important process to this point.

I especially pay tribute to the thousands of Australians who relived the worst chapters of their lives in making submissions and attending private sessions. Their strength and courage have inspired a nation. Without it, the commission's work, which has exposed the darkest of crimes in the brightest of lights, would not have been possible. The commission's work, which included the handling of over 42,000 calls, the receipt of nearly 26,000 letters and emails and the holding of over 8,000 private sessions, provides a path forward that is comprehensive, considered and essential on the long road to national healing. We must honour the courage and endurance of those who suffered. We must honour them by faithful implementation of the commission's findings. As we implement 104 of the commission's remaining 122 recommendations directed to the Commonwealth, with the remaining 18 being carefully examined, I'm confident that we will develop a timely and comprehensive bipartisan response.

As the Prime Minister stated, the Commonwealth government must lead the way. With the commencement of the national redress scheme, with the support of the states and territories, and the establishment of the National Office for Child Safety, which will now report directly to the Prime Minister, federal, state and territory governments across the country are working to establish a national database on working with children which can be shared nationally. We are also removing the ability of child sex offenders to travel overseas without permission. The task before us is a daunting one but, by harnessing the remarkable courage and conviction of the many victims and survivors, it will be achieved.

This is an episode in our nation's history of unfathomable horror, of innocence lost, of trust denied, of hopes and expectations dashed and of the triumph of evil. But thousands of courageous Australians would not be silenced; they would not let evil prevail. They raised their voices. To our collective shame, it took us too long to heed their calls. But they persisted. Despite the pain and the loss, they would not be denied. They roused the nation's dormant conscience into action. On this day and into the future, let us be worthy of them. To the children who suffered so much for so long and in such silence: we are sorry. To the parents, spouses, partners, husbands, wives and children who have struggled with the cruel after-effects of that suffering: we are sorry. To the generations of today and those that came before: we are sorry.

**Senator WONG** (South Australia—Leader of the Opposition in the Senate) (12:28): The opposition joins with the government and, indeed, all senators in expressing our most profound sorrow for the suffering and trauma experienced by all victims and survivors of institutional child sexual abuse. To all of those who experienced abuse at the hands of those whose duty it was to care for you, to nurture you and to look after you: I say sorry. To the parents and family members who suffered the distress and trauma of learning that their precious children had been abused by those they trusted to take care of them: I say sorry. I say sorry for your pain. I say sorry for your suffering. I say sorry for the innocence that was stolen. I say sorry for your loss of dignity, a loss for which we, not you, bear shame. I say sorry for your loss of self-esteem and self-worth—a loss, again, for which we, not you, bear the blame. I say sorry for the burden of grief you have carried for so many years—indeed, for so many decades.

I say sorry to those among you who were forcibly removed from country, from your spiritual home, and then subjected to physical and psychological violence. I say sorry to those who joined youth groups, who joined the cadet corps and military apprenticeship schools and suffered abuse at the hands of those who should have been your carers and mentors. I say sorry to those of you who, fleeing the privations of postwar Europe, were transported to secular and religious institutions where criminal predators exploited your separation and vulnerability. I say sorry to those who were ignored, disbelieved or abandoned when they sought help. I say sorry for the lives irretrievably damaged, for those lives spent in misery or in jail, and for the so many lives which have ended in tragedy. And I say sorry that even though institutions knew about crimes committed against you they did nothing to care for you and that those same institutions and their leaders did nothing to bring perpetrators to justice but instead turned a blind eye or covered up their crimes; I say sorry.

The crimes that were committed against children in institutions, in schools, in churches, in recreational facilities and in community centres are an indelible stain on the reputation of those institutions and on the character of their leaders. But more than that, the crimes committed against children and their families are an indelible stain on our society as a whole—on all of us. If the measure of a society is its caring treatment of those most vulnerable, then we as a society failed you, and in doing so we failed ourselves. By failing to act when facts were known to institutional leaders, to people in authority, to senior members of church hierarchies and to our law enforcement agencies, we as a society condoned the evil of those who committed crimes against children, and we are profoundly sorry for our collective sins of commission and omission.

We should recognise the perseverance and endurance of those very brave Australians—victims and survivors, family members, journalists and police officers—who set in train the royal commission that has brought us to this point. Without them we would not have found ourselves in a position, even at this late stage, to apologise for the pain and suffering that was inflicted, to apologise for the crimes committed and to apologise for the callousness of so many institutional and religious leaders who were complicit in these crimes by looking the other way or by covering them up. But, most of all, the many survivors who came forward and told the truth to royal commissioners about what happened to them showed tremendous courage and selflessness. Their suffering is inevitably relived, pain rekindled and vulnerability experienced once again. Our admiration for their bravery and generosity mirrors the depth of our sorrow that these things happened in the first place. If you had not spoken, the apology and the actions that will follow would never have happened.

The perseverance of the families and relatives of victims and survivors has also been remarkable, and our Prime Minister Julia Gillard displayed her characteristic compassion and courage by establishing the royal commission. This commission, through its persistent determination to give voice to survivors, its findings and its recommendations, has performed a critically important service to the Australian community. It has exposed the appalling suffering of children and young people. It has chronicled the truth. It has identified the criminals who abused them. It has revealed the cover-ups, the complicity and the extent to which religious institutions exploited the law and legal processes to avoid legal accountability. The royal commission has shown us how power and money, entitlement and privilege, corrupt those who preach compassion but deny it to the victims and survivors of their acts. It has made clear for all to see how too many institutional and religious leaders abandoned their duty to protect the most vulnerable. So many placed a wrong construction of the interests of their religious and civil institution ahead of the interests of those who suffered.

This was a callous act. This was an abuse of power, and it harmed many. Justices McClellan and Coate, along with Commissioners Atkinson, Fitzgerald, Milroy and Murray, deserve our heartfelt thanks. There was perhaps no better tribute to the quality of the royal commissioners' work than the comment of one of the witnesses, who wrote, 'You cannot know what it meant to be listened to with such respect and made to feel that what happened to me really mattered.'

The royal commission's findings are horrific and the scale of abuse is overwhelming. Of those survivors who spoke to the commission, 10½ per cent alleged abuse at the hands non-government, non-religious institutions; 32½ per cent at the hands of government-run institutions; 22.4 per cent at the hands of other Protestant denominations; and 35.7 per cent at the hands of the Catholic Church. The commission's report found that, of the 1,880 perpetrators from within the Catholic Church, 572 were priests. Anglican clergy and lay youth leaders were also engaged in the sexual abuse of children, as were officers of the Salvation Army. It appears that each of these denominations harboured sexual predators and, worse, in many cases knew about it, but, instead of acting to protect children in their care, they acted to protect perpetrators and the reputations of their institutions with well-established procedures to cover up crimes, by moving criminals onto other parishes and other institutions where they could continue to prey on children, the vulnerable, the disabled and the powerless. This collusion was an abuse of power. This collusion compounded harm, and we condemn it. Those who we should most admire are the survivors who came forward to tell the truth, to share their hurt, their pain and their violation. So, to the members of the national apology to victims and survivors of institutional child sexual abuse reference group, which has guided and informed this parliament's apology, thank you.

Of course, sorrow for wrongs committed is worthless without genuine restitution. Simply saying sorry is meaningless unless there is repentance and a resolution to prevent the commission of further evils to make things right. Here we must ask ourselves and, more importantly, ask the institutions whether the royal commission's discovery of all these crimes against children has had the requisite impact on leaders, whether there is any repentance for crimes committed. Religious bodies must never again be able to use the separation of church and state as an excuse to cover up and perpetuate criminal behaviour, while simultaneously employing legal tactics to minimise financial responsibility. Hiding behind artificial legal structures and trusts that deny them legal personality is not the behaviour of those showing contrition. Rather, it looks like intention to continue to deny survivors redress and recompense, to compound injury with insult. The extent of the crimes against children at the hands of both secular and religious institutions was the result of failure that was both systemic and systematic. If we are to ensure that such exploitation is never to be repeated, those failures must be addressed as a matter of urgency.

Beyond contrition and repentance is of course atonement. What are these many institutions intending to do to atone for these failures? Atonement demands deep introspection, a thorough reappraisal of how power is acquired, used and protected. It requires significant structural reform on the part of all institutions, and that is the real challenge that faces institutional leaders: how are they going to reform their structures and systems so as to prevent the recurrence of such widespread criminality? Atonement also demands reconciliation, and this is by far the greatest challenge for all of us. To restore trust after betrayal is perhaps the most difficult thing for a person to do. How much more difficult is it for an entire cohort of survivors? Many of the survivors of child sexual abuse and their families retain deep anger towards those who committed crimes and the institutions that

harboured them, and they cannot be expected to extend reconciliation and restore trust to those who continue to deny them rights. Reconciliation also demands action on the part of those who offended, and guilt is not expunged by words. All of us who share that guilt, whether through ignorance, inadvertence or indifference, must back up expressions of sorrow and apology with actions that repair damage where we can and restore trust where we might.

The opposition, like the government, supports all the recommendations of the royal commission and we also will work to ensure they are implemented in full. The National Redress Scheme supported by Commonwealth, state and territory governments is key to the journey to reconciliation. The scheme is far from perfect. It is too slow. Some survivors have been unfairly excluded, and some institutions are yet to sign up. It is imperative that institutions sign up and offer their unstinting support. Nothing less is acceptable. Survivors have been waiting decades for redress and, sadly, in many cases, they are running out of time. It is imperative that we in the parliament be guided by the original recommendations of the royal commission and that we listen to survivors throughout this process.

The National Office for Child Safety is another vital element in ensuring children are cared for, nurtured and protected. The safety of all our children is paramount, and it is critical that children are themselves empowered to act in their own interests. They must be taught to recognise danger and to tell their parents and those caring for them when they see or experience something that they think is wrong, and they must be believed. The opposition also supports the establishment of a national centre of excellence. This will help survivors of institutional child sexual abuse to address the issues of stigma, to ensure that support services represent best practice to keep the memory of these injustices alive and to promote awareness of impacts of child sexual abuse and the avenues for its prevention. I encourage the states and territories to support this initiative.

The royal commission has held up a mirror to the nation, and we have been shocked by what we have seen. The nation is ashamed and sorry. But we know that we are better than this and we can do better than this. All of you to whom we say sorry today can expect no less. So, as we beg the forgiveness of those who have suffered such unspeakable pain, we also know we must restore justice and rebuild trust. We must resolve as a nation that we will do everything in our power to prevent this abuse, betrayal and harm from ever happening again.

**Senator SIEWERT** (Western Australia—Australian Greens Whip) (12:40): I rise to support the apology, to support the government's statement and the opposition's statement and to add some words on behalf of the Australian Greens. We too apologise for the years of abuse, suffering, trauma, the ongoing trauma, the nightmares and the intergenerational trauma that survivors endured, not just in the past but recent survivors as well. As part of the references committee we heard from survivors who suffered recent abuse through institutions. We need to remember that this is ongoing. We apologise for the fact that survivors were subjected to institutional abuse by people that abused the power that they had over innocent young people; institutions that these children thought they should be able to put their respect in and that they could trust. That trust was abused.

Just last week I was in Newcastle. We heard from survivors. We were talking about redress, which I will come back to. People spoke of the fear of answering the door, of the nightmares that they suffered and of the lifelong sentence that people were given through this abuse. We heard of the powerful disincentives to disclose. So we are sorry and we apologise. We also apologise to the

prisoners that are currently in our justice system as a result of the abuse that they endured as children in institutions. We apologise to those who were originally going to be excluded from the redress system because of the failure to understand the impact of abuse and its close association with addiction, which leads to interactions with the justice system.

Not only was young children's trust abused, but the abuse occurred again when they were not believed. When they sought to tell people in authority, whether it was the people in authority in the institutions, sometimes it was their parents who actually believed the abusers rather than their own children. We apologise to those children as well.

I know there are lots of quotes that have been used while we have been discussing the apology. When I was in Newcastle just last week, I was given a book by a survivor. It's called *Our Little Secret*, by Lorraine Hall. I thought that I would quote from her experiences in her book. She said: 'The title of *Our Little Secret* relates to the shame I felt holding the secret of my abuse. The secrets we hold cause a double bind, meaning the perpetrator will often show attention and love to the victim and then harm the victim. We, as victims, deny a certain aspect of the reality of the abuse and are often confused about love and our attachment to the perpetrator. Survivors take it to be their fault, their shame. Perpetrators hold authoritarian power over us as children and often into our adulthood, rendering their victims powerless. Feelings such as being worthless and not good enough are always present, either in our behaviours or our beliefs about ourselves. Perpetrators either say or imply keeping a secret of the abuse. Secrets are like a curse in as much as the guilt and shame we hold in our self-beliefs. We cannot see shame, but it perpetrates into our mental, spiritual and emotional beliefs about ourselves, right down to our cellular memory. We also hold it in our bodies. What survivor doesn't have feelings or thoughts of being powerless, worthless, not good enough and all alone? Shame and the double bind has been a huge part of my journey, to realise none of it was mine. I needed to take responsibility for myself and let go of these negative beliefs and patterns that I took on. It was not and never was ours or my secret or my fault.'

That is what we also acknowledge and want to say to survivors: it was not your fault. It was not your fault that the abuse occurred. It was not your fault that you were not believed. But you are believed now. We, as a nation, believe you. We, as a nation, are apologising for the abuse. We also need to make sure that we do everything that we can to make sure that child abuse is stamped out in this country—that we have the processes in place to ensure that this is a thing of the past, that we protect and support our children.

One of the key issues that has not been picked up, although apologies have been given—I've heard them—regards those who were not covered by the royal commission; those who suffered physical abuse in institutions that is not classed as sexual abuse. Many, many children were abused in institutions, although it is not classed as sexual abuse. That has also led to years of trauma, and we apologise to you for the abuse that you suffered at the hands of those powerful people in institutions. There was a quote I heard just recently—in fact, in Newcastle—'Trauma sticks, shifts and changes,' which is why we need to acknowledge that the abuse that children suffered has lifelong impacts and the trauma suffered sticks, but it also can change, depending on the circumstances that people confront, and it can shift.

I want to talk about the things that perhaps haven't been talked about. We have spoken about the need for redress and to make sure this doesn't happen again, but there are some issues that are still

yet to be resolved that survivors are asking us to address. First, I want to address the issues around redress. We need to make sure that the actions we take as a nation to offer redress, in terms of addressing and offering support to people, are not retraumatising people. For example, people have spoken about the retraumatising aspect of needing to fill in a form to apply for redress. The Prime Minister has acknowledged that part 3 of the form has caused some trauma, but the amendments that are being made, according to survivors, do not go far enough. A very simple point has been made: that there should be a note on the form saying, 'Do not fill this in alone,' because it is very likely that filling it in will have very significant impacts. Things like going to a session or a counselling session with someone to help you fill in the form—being much more flexible about the way we address the form and gathering the information that is required for redress.

The issue around counselling is one that many people want us to address. I've spoken about the trauma that shifts, that sticks, that changes; the intergenerational trauma; the life-long trauma; and the impacts of PTSD. We need to make sure that we have counselling support for survivors for as long as they live. That means not putting a money limit on the amount of counselling that is received. That means making sure that we offer top-quality trauma-informed counselling. These are the issues that survivors have asked us to raise, and we, as a nation, need to continue that conversation to ensure that we're offering those supports.

As has been touched on in other contributions here today and a fortnight ago, the fact that some institutions have for years and years essentially operated as protection rackets needs to be recognised and acknowledged. We need to make sure that institutions are opting in to the Redress Scheme, are acknowledging their role and are no longer continuing to protect people in high places.

We need to go to those hard places that are, in fact, the recommendations that the government is still continuing. These issues are hard—I'm not denying it—but we, as a nation, have to go there. We also need to address issues like the confessional. As a nation, we need to recognise that we need to put children's safety first. Another issue that has been raised with me by survivors is that it still causes deep pain and trauma to see the names of their abusers who have been given honours, and our failure to deal with that. I acknowledge that we need to address that issue, and the Greens commit to making sure that we are addressing that issue.

We, as a nation, are sorry. We are sorry for what happened. We are sorry for not believing. We are sorry for the ongoing trauma and the intergenerational trauma. We also know that this abuse has had not only lifelong impacts but impacts on families. It has torn families apart. It has impacted on children. It has impacted on grandchildren.

We need to follow through on the commitments that we have made to ensure that we get redress right, to ensure that we hold institutions and the people in those institutions to account, to ensure that this does not happen again and to ensure that we help people on their healing journey and acknowledge that they will need to continue to be supported and that there will be ongoing issues in their lives. For example, many people have articulated their deep fear of institutions. What impact will that have on their life in the future? For example, many survivors are ageing. How do we support people in the future as they age? These are all issues that as part of our apology we acknowledge we need to take on and address.

Let me finish with the deep sense of sorrow and grief that we as a nation have felt. We as a nation articulate our support for survivors and our deep apology for the years of abuse, suffering and trauma that they have endured.

**Senator KENEALLY** (New South Wales) (12:57): Ten years ago young Catholic people from all parts of the globe descended on Sydney for World Youth Day. Held every two years, World Youth Day is the Catholic Church's global festival of faith, prayer and liturgy and a celebration of youth and young adults. In 2008 it was the largest single event on the planet after the Beijing Olympics. Pope Benedict came to Sydney for World Youth Day and Cardinal George Pell basked in the glow of the event. The city itself seemed to be filled with joy and peace. At the time, I was a minister in the New South Wales government and the government spokesperson for World Youth Day. In 2008 the Royal Commission into Institutional Responses to Child Sexual Abuse had not yet taken place, the Irish government had not yet published the Ryan report into sexual abuse in the Catholic Church in that country, the movie *Spotlight* had not yet been made, and most people assumed that the isolated reports of clerical sexual abuse of children were just that—isolated.

I recall a meeting with Cardinal George Pell in the weeks leading up to World Youth Day. My job as a government minister was to oversee the logistics supporting the event—the transport, the health services and the public safety—and to provide media interviews and briefings and public information about the impact of the event on residents and businesses in Sydney. I recall suggesting to the cardinal that we consider that someone may come forward during the event to raise a historic or current complaint of sexual abuse at the hands of Catholic clergy and it would be prudent to plan for a response. I will never forget the cardinal's answer. He gave me a hard look and said, 'No-one would dare disrupt such a joyous occasion with such an allegation.' Then he would have no further discussion with us on the matter. I've often reflected on that conversation. I tell that story today in the context of the national apology delivered by the Prime Minister and the Leader of the Opposition in the other house and here today by Senator Cormann, supported by Senator Wong.

The Royal Commission into Institutional Responses to Child Sexual Abuse was ordered by the former Prime Minister Julia Gillard in 2012. I pay tribute to Prime Minister Gillard for her determination and courage to help our nation face this dark truth of our story. Ms Gillard attended the apology in the parliament, and sitting next to her, at times holding her hand, was Christine Foster. Chrissie and her husband, Anthony Foster, are the parents of Emma and Katie Foster. Both girls were raped and abused by Father Kevin O'Donnell in Victoria. Father O'Donnell had been raping children for decades.

During World Youth Day, Anthony Foster spoke up, and he spoke out. Anthony and Chrissie had been advocating within the church for a decade, trying to get justice for their daughters and for others who had been victims of sexual abuse at the hands of Catholic clergy. They had been met with silence, with gross inadequacy, and with an unwillingness to acknowledge or appropriately respond to the horror their daughters and other children had experienced at the hands of Catholic clergy. The response of the Catholic leadership in Australia to Anthony Foster's public comments during World Youth Day was dismal. Archbishop Anthony Fisher said that the community should 'stop dwelling crankily on old wounds'. Cardinal Pell said that the church had paid for counselling for the Foster girls and that he really had nothing much to do with the Foster case.

There are many people who bravely fought and advocated for a royal commission into institutional responses to child sexual abuse, but chief among these were Anthony and Chrissie Foster. Their advocacy led to the promise of a commission of inquiry in Victoria in 2012 and then the announcement of a national royal commission later that year by Prime Minister Gillard. The Fosters demonstrate bravery, unflinching determination, ongoing love for their children and all other victims, and an unwavering insistence on justice. Their daughter Emma took her own life in 2008 at age 26 after a traumatic life which included self-harming and drug addiction. Anthony died in 2017, and it was a loss to our nation. It was most fitting that Chrissie, with her daughter Katie, attended the national apology.

I applaud the Fosters' decision to use World Youth Day in 2008 as an opportunity to speak up. The world's media and the nation's attention was on young people and the Catholic Church, and the Fosters knew that there would likely never be a better time in Australia to bring to the fore the dark and diabolical truth the Catholic Church was trying to keep hidden. I can't imagine the pain that World Youth Day in 2008 must have caused the thousands of Australians who suffered horrific abuse at the hands of Catholic clergy. As a former state legislator and a minister responsible for the event, I am sorry.

For the past decade, as a legislator and as a Catholic, I have wrestled with the grotesque juxtaposition that the Catholic Church poses. At its best, the Catholic Church fires up its young believers by preaching the gospel messages and inspiring social action on poverty, inequality, injustice, homelessness, the environment and welcoming refugees. Sydney witnessed this firsthand when World Youth Day came to an often cynical town in 2008. From the moment the first pilgrims landed at Sydney (Kingsford Smith) Airport, they charmed the city with their faith, their generosity and their joy. At its worst, though, the Catholic Church has been diabolical to young people. Across the world, the church has presided over the grotesque phenomenon of clerical sexual abuse of children and compounded these sins with weak, pathetic decisions by priests and bishops to hide these crimes.

Through the work of the royal commission, Australia has witnessed the horror perpetrated by the Catholic Church. Five thousand submissions relating to the Catholic Church were made to the commission. The victims' stories are harrowing, and their testimony is raw. In New South Wales, allegations of the systematic cover-up of sexual abuse of children by Catholic clergy in the Maitland-Newcastle diocese came to light in 2012 as a result of public comments by detective Peter Fox. The royal commission specifically examined Catholic Church authorities in the Maitland-Newcastle region in relation to allegations of child sexual abuse by clergy and religious. At this stage, the report into the Maitland-Newcastle diocese has not been made public, as the inquiry's terms of reference require that its work does not prejudice current or future criminal or civil proceedings.

I stand here today, joining the Leader of the Government in the Senate, Senator Cormann, and the Leader of the Opposition in the Senate, Senator Wong, endorsing the words of the national apology to victims and survivors of institutional sexual abuse. I do so not just as a senator for New South Wales but also as Premier of New South Wales from December 2009 to March 2011. I acknowledge that on 22 October this year the New South Wales Premier, Gladys Berejiklian, delivered an apology to survivors of institutional sexual abuse on behalf of the New South Wales government. In doing so, she said:

On behalf of the Government and people of NSW, to every survivor, I apologise deeply and unreservedly—for the pain they have suffered, and for the failure of governments and institutions to protect them when they needed it most.

I join with Premier Berejiklian in expressing that apology.

The stark reality the royal commission lays bare is that our nation failed thousands of young people entrusted to institutions that were supposed to care for them but, instead, abused them. Residential institutions, out-of-home placements, schools, churches, sporting groups, cultural and other community organisations, and youth detention centres perpetrated violence and sexual abuse on those in their care. These organisations failed to acknowledge, punish or protect future victims. They failed to care for the survivor.

This failure is doubly compounded by state and national public authorities, for they both failed in their duty to protect children and young people directly in their care and, in some instances, in their responsibilities to properly investigate and prosecute. For too long, victims and survivors of institutional sexual abuse have suffered in silence. They have now broken that silence with courage and with honesty and by speaking out through the royal commission. The commissioners listened. They understood. They helped us all understand. The commission has made serious and extensive recommendations, and these are being accepted by the government with the support of the opposition. It is incumbent upon all of us, legislators and the wider community, to ensure we act now and in the future to implement these recommendations.

The silence of conspiracy and cover-up, of inaction and denial on the part of institutions, is now broken. Australia cannot be silent anymore. We will not deny the suffering of survivors and we cannot say we did not know how to keep children safe in institutional settings, in the future. Anthony and Chrissie Foster broke the silence, during World Youth Day, in 2008. They brought before us their daughters' truth. Now the parliament has spoken and expressed its sorrow for Emma, for Katie and for all the thousands of children our nation's institutions have failed. I also acknowledge that the Catholic Archbishop of Sydney, Anthony Fisher, apologised. On 4 October this year, in the presence of Pope Francis, at the Synod for Bishops in the Vatican, Fisher apologised:

For the shameful deeds of some priests, religious and lay people, perpetrated upon you or other young people just like you, and the terrible damage that has done; for the failure of too many bishops and others to respond appropriately when abuse was identified, and to do all in their power to keep you safe; and for the damage thus done to the Church's credibility and to your trust ...

I welcome these words. However, the reality is that the leadership of the Catholic Church in Australia and in the Vatican have yet to take sufficient steps to address the culture of clericalism and the flawed ecclesiology that encouraged the extensive and systematic abuse of children in the church's care.

The words we say today in the Australian Senate cannot repair this damage or compensate for this failing of our nation's public and private institutions. But they can begin our determination to do what we as a nation can to give comfort, support, assistance and, importantly, justice to survivors. These words must compel us to act. We must ensure that children and young people in institutions, or anywhere else in our care, are safe from violence and abuse now and in the future.

**Senator McALLISTER** (New South Wales—Deputy Opposition Whip in the Senate) (13:10): After decades of enforced silence, business in our parliament was suspended last month to publicly acknowledge and apologise for the pain that was caused by institutional child sexual abuse. I cannot imagine how that must have felt for those who have spent years striving to be heard and striving to be believed. I can only add my voice to what has already been said. I, like the rest of the nation, am truly sorry. I am sorry for what was done to you, and I am sorry for what was not done for you. It is truly unforgivable.

It was impossible not to be moved by the stories of deeply personal grief and betrayal that were revealed at the royal commission. All of Australia has heard witness after witness speaking with the perfect eloquence of truth. It shouldn't have taken a royal commission for these voices to be heard and to be believed, yet for many it was the first time that they were. Every Australian now knows how children suffered in places that they should have felt safe—in their schools, in their scout halls, in their churches and in their beds. This is uncomfortable knowledge. But that discomfort is not something that we should shy away from; it is something that should motivate us.

We do a great disservice to victims and survivors if we pass off what happened as the work of some other. The perpetrators held positions of authority and respect in our communities. It is wrong to say that evil happened; evil was done. Years ago, in a very different context, thinkers grappled with the concept of the banality of evil—and their conclusions hold some truth for us today. These abuses happened among us. These horrible acts were done by people who led otherwise respectful lives; they were ignored by others who found it easier to stay silent in institutions that were happy for children to pay the price for maintaining their public reputations. We cannot begin our reckoning with that past until we recognise our culpability as a community for what occurred, and we cannot complete that reckoning until we make sure that the past cannot be repeated.

I know that the act of appearing before the royal commission and reliving what happened took a toll on many people. So too did the years of advocacy and the battle for justice that came before it. Victims and survivors did this not just for themselves but to make sure that no other child would have to live through what they did. The royal commission has generated a comprehensive list of reforms, and there is no excuse or reason for resiling from them. As the opposition leader, Bill Shorten, said in the other place, Labor will, wherever we sit in this parliament in coming years, unequivocally support the implementation of the royal commission, with no discounting or delay. This is something we owe to the children whose suffering brought about the royal commission. It is also something we owe to those yet to come. The apology has been described as a once-in-a-generation event. It must not become a 'once-a-generation event'. This must never happen again.

**Senator GRIFF** (South Australia) (13:13): On behalf of Centre Alliance—including my Senate colleague Rex Patrick and the member for Mayo, Rebekha Sharkie—I rise to speak on the national apology to Australian survivors and victims of child sexual abuse. In doing so, I endorse the sentiments expressed last month in support of this motion by the Prime Minister and the Leader of the Opposition in the House of Representatives. I commend them and the contributions made today in this place, because the apology acknowledged the failure of Australian governments since Federation to afford children the protection they surely deserve.

Australia is on a mercy mission to ask childhood victims of institutional abuse to forgive us, to find it in their hearts to accept our collective, heartfelt apology for the heinous crimes they endured and

that shame us as a nation. We're ashamed of the sexual abuse committed against terrified children in orphanages, churches, children's homes, recreational groups and foster care by those who were mistakenly trusted to care for them. In many cases, powerful people in taxpayer funded state-care positions abused the public faith put in them by turning a blind eye to what was happening. Others were more sinister in their offending, as one case in my home state illustrated.

In 2015, Families SA child protection carer Shannon McCoolle was sentenced to 35 years in jail with a nonparole period of 28 years for sexually abusing babies and young children in state care. McCoolle was also the head administrator of a highly sophisticated dark web child pornography site. He was arrested only after Danish police identified one of his photos and informed local authorities. McCoolle's crimes prompted SA's own child-protection system royal commission. That inquiry heard that a colleague had reported McCoolle for the suspected rape of a six-year-old girl a year before his arrest. But because McCoolle had gained the trust of his managers, they dismissed the complaint without even reporting it to authorities. I'm still shocked that he could offend for so long under the nose of a government department and that reports of his evil could be ignored by that same department. All the while, his offending continued, and each time another little life was forever damaged by his putrid actions.

The National Redress Scheme, the National Office for Child Safety and the implementation of the royal commission's recommendations will indeed go a long way towards fixing the problems within institutions. But, sadly, the motion before us cannot be taken to mean that child sexual abuse is a thing of the past. The only way to tackle it is to be ruthless in identifying and reporting offenders and to do our utmost to ensure that children are not put in harm's way. First and foremost, that means listening and acting when suspicions are raised rather than ignoring, dismissing or minimising them. Like domestic violence and elder abuse, child sexual abuse, especially in the form of incest, has long been and in many cases still is taboo.

Despite the pain involved, Australia is becoming a more mature nation. We are confronting our past, acknowledging our failures and making more amends and efforts to eliminate multiple cycles of violence. Unfortunately, that can't be said for millions of other children throughout the world. In this respect, Australia is leading by example. However, in this global online age we must be ever alert to how the problem of child exploitation is continually changing. As the McCoolle case proves, the internet looms large in those changes. With public institutions now becoming more tightly controlled, it's fair to say that predators are turning to the internet to create their own private groups. The eradication of child abuse in any form is and will always be a work in progress, and it is one that this and future parliaments must continue to be engaged with for the good of our nation.

This motion goes some way towards expressing the sorrow and guilt we all feel as a nation for the loss of innocence experienced by victims and survivors. It acknowledges this parliament's responsibility towards participating in their healing. It is undeniably our responsibility to say to the victims who prevailed over their torment—and, sadly, to those who didn't—that we are deeply sorry that they were treated like easy targets and not precious children, abused rather than nurtured, starved of love rather than nourished and encouraged, and left out in the cold when they should have been brought into the warm. We can't say 'sorry' enough for the cries for help that were ignored or never heard, the stories of extreme cruelty that were never believed, and the tales of physical, emotional and sexual torture that were pushed aside.

But, most of all, we are so sorry that it has taken this long for Australia to properly take notice and finally take action against a despicable wrong. The royal commission's final report reveals insights gleaned from over 8,000 private sessions with survivors, along with institutional responses to child sexual abuse. The gut-wrenching facts are that the average age of victims when first abused was 10 years old, over 58 per cent of survivors confirm the abuse took place in an institution managed by a religious organisation—primarily Catholic—32.5 per cent were in a government-run institution; and 10.5 per cent were in a non-government, non-religious institution. Alarming, of the survivors who provided information about the frequency of their abuse, most said that they had experienced multiple episodes and many by multiple people. And this is just skimming the surface of the sickening prevalence of such crimes over many decades.

I thank the royal commission for acknowledging that people have been dying to change things and get the justice they deserve. We will all be doing everything in our power to deliver on its recommendations. We will use our power and authority to take action without compromise. But, above all, to those victims who stepped forward to bravely share their experiences, we owe a profound thanks. Without this, we would not be where we are today. So thank you, on behalf of generations to come. And, finally, I would like to add my voice to say, however belatedly, we believe you, we respect you, we applaud you, and we owe you an everlasting debt of gratitude.

**Senator POLLEY** (Tasmania) (13:21): I rise to contribute some remarks to the debate on the motion of Senator Cormann. I'd also like to acknowledge those of my colleagues who have spoken before me. Our children are our greatest gifts. Their innocence should always be protected. The crimes against these children who were robbed of their innocence have stained our nation. The cover-ups of these crimes have stained our nation. The fact that these children were not heard or believed has stained our nation. The stain on the nation has touched all of us. It's heartbreaking. I want to pay tribute to the so many who have helped us to get to this point. Whether they be survivors, advocates, in the legal profession or policymakers, I thank you. To those who made the painful and brave decision to come forward to the royal commission, thank you. You've made a difference and you are part of the reason why atrocities like these will hopefully never happen again.

I'd like to acknowledge the former Prime Minister, Julia Gillard, for setting up the Royal Commission into Institutional Responses to Child Sexual Abuse in 2012. I thank the former Prime Minister for her courage and for ensuring that the royal commission got to the bottom of all these harrowing stories, because her acknowledgement and her belief that the children should be heard have done more to protect the children of the future than anyone else has done. The applause she received and the way the room erupted when she was in Canberra last month for the national apology is a testament to the profound impact she had on the lives of so many. Today, we honour every survivor in this country. We hear you, we believe in you and we are so sorry. We also honour and remember those who are no longer with us. The words spoken in this place today are for you. Our words are also for your families. As many have said in the other place, as a nation, we failed you, and this will always be our shame. The perpetrating institutions of this abuse, who covered it up and refused to be held accountable, failed dismally. They failed these children and they failed all of us. As former Prime Minister Julia Gillard said back in 2012, 'These are insidious, evil acts to which no child should be subject.' I'm sorry for this pain that can never be undone.

I don't think there is any state or church in Australia that wasn't touched by this evil. As a woman of faith, I'm deeply appalled at the institutions and the churches that failed so abysmally to stand for the values they were supposed to represent. I'm profoundly sorry for the experiences that people have had at the hands of people who should have known better, at the hands of those who breached their trust—trust given by our society, trust that was so disgracefully destroyed. Nothing can take away the deep, harrowing sadness, pain, emptiness, helplessness and betrayal that you have all lived with for too long. Nothing can take away the tears and the emotional exhaustion that still fatigues you to this day. You carry the pain with you every day, and I am so sorry for the things you have missed out on, the things you've been unable to enjoy, the things you've been held back from and the lives you will never get back. There are survivors who have spoken about not wanting to go on anymore. They feel crushed under the astonishing weight of the pain they carry with them every single day. Thank you for showing up, for fighting and for being part of the process. Thank you for being brave and giving strength to others who are yet to, or may never, share what happened to them.

I know a lot of words are used in this place, and I know that actions speak louder than words. There has been great momentum from the royal commission, but we need to keep moving forward. As the Leader of the Opposition, Bill Shorten, rightly put last month, it is now up to those in power, no longer just the survivors and the victims and their advocates. Sadly, even though I wish we could, we can't promise a country where abuse no longer exists. But we can promise a country where we commit to hearing and believing our children. We can commit to ensuring that we, as a government and a community, do our very best to ensure such abuse never happens again. We can ensure that we continue to do what the royal commission did so well, and that was to listen to the people whose lives have been damaged by treatment that they did not deserve and that they did not ask for. In acknowledging how real this pain is, we can commit to an effective redress system.

I won't for a second pretend that the National Redress Scheme can make up for the pain, the suffering and the trauma experienced by survivors, but redress is a vital step along the path to healing for survivors of child sexual abuse and is a vital step for all of us as a nation and a community. It's incumbent on all of us as parliamentarians to work together to get the rollout of the National Redress Scheme right. This is imperative. Survivors have been through so much and have waited so long. It is absolutely imperative that we get this right. I think it's so important that we continue to work together to right the wrongs of years gone by and to ensure that those events can never be repeated so that the institutions and the sporting groups and the Scouts and the churches that are entrusted with the care of children actually deliver that care. The stain left on our nation is something we will have to live with. These churches and institutions must work to restore the faith and trust of the community that they serve. There's been so much damage and hurt, and trust has been broken. It's time for healing; it's time for our nation to say sorry.

I will close by simply saying that we are sorry. I am so sorry. We believe you. I believe you.

**Senator DI NATALE** (Victoria—Leader of the Australian Greens) (13:29): I rise to add my voice to those who have already honoured the bravery of the survivors of sexual abuse and the profound impact their stories have had on our national history and shared future. In particular, I'd like to acknowledge my colleague Senator Siewert for being a powerful voice, through the royal

commission, in listening and understanding and working with a journey of healing with the survivors of sexual abuse.

The royal commission took over four years and more than 2½ thousand referrals to reach its conclusion. The stories exposed the shocking, systematic abuse of children at the hands of powerful institutions, institutions like the church, schools, foster homes and orphanages, sporting clubs and many others. They are institutions that committed acts of unspeakable cruelty, where perpetrators were given safe harbour for the rape of young children and were allowed to continue this shocking behaviour with impunity.

I say to the survivors: I can't imagine your pain; the hurt; the tears of shame; or the kids alone at night, crying themselves to sleep, not believed, wondering what they did wrong to bring this on themselves. I say to you, the survivors: thank you for your bravery, for sharing your stories, because now many of these powerful institutions have had their day of reckoning. They were exposed throughout the royal commission of caring more about their own reputations and protecting their own colleagues than they cared for the children who were under their protection, with the resistance, the lack of remorse and the lack of empathy eventually giving way to a national call for action to stop this from ever happening again. They were only held to account because of your bravery, your courage—the courage of survivors—and your determination to see justice being done.

On behalf of the Greens, on behalf of all of my colleagues, I want to thank those of you who have reached into your traumatic pasts to share your stories. You have contributed to some of the changes already made, and you will be instrumental in ensuring reforms that are yet to come. I cannot imagine your pain or the courage needed to share your stories, but, please, take pride in the fact that you have truly helped to shape the course of history in this country. You've created this moment, a moment of national determination that nothing like what you have endured at the hands of the powerful will ever happen again to future generations. We salute your bravery. I'm certain that many survivors have still kept that trauma to themselves, to be shared only with closest loved ones, some taking this secret to the grave. For many of you, putting down your past on paper, speaking your lives into the commission's transcripts of evidence, would have been too much to bear. You must carry that pain around with you every day.

I had the great privilege of being in the Great Hall only a few weeks ago, and it was clear that that pain was still palpable. It was raw. It was on the surface. Many of you are being asked to trust another institution to deliver justice when you've been let down so badly, for so many years, by other powerful organisations. On behalf of my colleagues, I pledge to do everything we can in this chamber to stop this from ever happening again. There is no more solemn duty than to ensure that children can thrive in a caring, loving and supportive environment, free from even the slightest sign of physical and mental trauma. All children should be safe. We owe them nothing less.

This royal commission was also due to the bravery of others—people who were prepared to speak truth to power, who were prepared to sacrifice their own advancement to speak on behalf of the voiceless. Detective Chief Inspector Peter Fox, who was the whistleblower who saw it as his responsibility not to stay quiet and not to let this suffering continue, should be honoured. He chose to publicly expose the church's covering up of evidence about paedophile priests and how police investigations were methodically silenced. We thank him. It was Prime Minister Julia Gillard who responded to Mr Fox's evidence, using the powers that only executive governments have to launch a

royal commission. It was a call that the Greens had made on a number of occasions, and we wholeheartedly endorsed this move by the former Prime Minister. We saw only a few weeks ago how grateful the many survivors were for Ms Gillard to be there in the room and to have allowed the course of history to change forever.

That is our duty: to care for people; to ensure that justice is done; to make right the wrongs of the past; to acknowledge that we can never undo the suffering, the pain, the trauma or the hurt but we can change the future that young children are born into. That is the test of whether this apology will have force, whether this apology is one that moves beyond an acknowledgement of the past and, indeed, allows us to change our future. Our solemn pledge is to do everything that we can do to make sure that these sins are never repeated.

**Senator LINES** (Western Australia—Deputy President and Chair of Committees) (13:37): I too rise today to offer my most sincere apology to the victims and survivors of institutional child sexual abuse. I thank former Prime Minister Julia Gillard for having the courage to set up the royal commission and I thank Senator Cormann and Senator Wong for leading the apology to victims and survivors in this place today. I want to start quickly with my own story. My father was sent out here as a child migrant from England and he grew up at Fairbridge in Western Australia. Thankfully, my father was not a victim of child sexual abuse, but others at Fairbridge were: children that he knew and children that he loved. His brother was also sent out, and what they did suffer was hardship and abuse, but it was not sexual, and I think that's one of the great areas that we have to pursue into the future: that children in institutions were treated appallingly. They were beaten. They were put to work. They were just not treated as human beings, and my father was in that category.

I know firsthand what it feels like to have your family ripped apart. I've just recently met my cousin in the UK. I look like my grandmother. I didn't know that before. Of course, I never knew my paternal grandmother. I look like my cousins. I share the same name as them. All of this my father lost, and it was lost to me and my children. That is one of the legacies of children in institutions.

Of course, to then abuse children in the way that happened in our country is unbelievable. To have people in positions of trust that sexually abuse those children, that thought that those children were there for them to abuse and to sexually abuse—and we know that it ruined lives. We know it tore families apart, and what has happened in our institutions, in our schools and in our churches is absolutely unforgiveable. The best that I can do today is to stand here as one of the many senators and offer my apologies.

But I want to focus particularly on First Nations Australians, because it should not have taken that royal commission. In my own state of Western Australia, there's no doubt that First Nations people have been treated harshly and cruelly in the land that is their own. In Western Australia, the first royal commission was held in 1905. We knew then that children in institutions were being raped—we knew that. That inquiry was not about the sexual abuse of children; it was about the harsh treatment of natives, as they were called in those days. But, nevertheless, the abuse of children, the rape of children, the harsh treatment of children became a feature of that royal commission. Nothing changed. In fact, after 1905 we saw a harsher regime. AO Neville eventually became the protector of Aboriginal people in Australia, and we saw a regime that became much more harsh.

Another royal commission, the Moseley commission, in 1935, looked again at what was happening to First Nations people. Again, one of the consequences was that that royal commission heard about the sexual exploitation, the sexual abuse of Aboriginal children in care. We know, as the colonisers of this country, that we have had a history of murder, of taking children away—and it goes on. There were more reports. In 1997, we had the *Bringing them home* report. There are horrific stories in there.

Of course, there were many people, Aboriginal and non-Aboriginal, who were not able to tell their stories to the royal commission. I stand here today and apologise to those people, to those victims and to their families, to the many thousands who were not able to tell those stories.

There are many stories in the *Bringing them home* report. One of the institutions particularly close to me is Sister Kate's, which was an institution set up in the 1930s by a nun who took light-skinned children to, allegedly, give them a better life. I know that because my mother taught the children from Sister Kate's at Queens Park Primary School. Some of those children were sexually abused at Sister Kate's. This is unbelievable, but anyone could come and knock on the door and offer to take those children home for the weekend and home for the holidays, and many of those children were sexually abused. Sadly, I'm not sure if any of that got before the royal commission, but it is in the *Bringing them home* report. So it should not have taken a royal commission to get to where we are today.

I applaud the men who, in that tearful way, told their stories on television and who, over and over again, were just not believed. I would hope that, if we've learnt nothing else, we have learnt that when children tell us an injustice has been done to them that the first thing we should do is believe them, because the damage that has been done is there, and it will continue into the next generation and the generation after that.

From Western Australia's perspective, from 1905, when those first official reports were made, to where we stand today, we knew what was happening, at least to First Nations children. In the 1930s, we should have known what was happening in institutions. It took until Prime Minister Gillard had the courage to set up the royal commission for those people's stories to be told once again and for us to now stand in this place and say that we believe them.

I would hope, as we've heard other senators in this place say today, that this would never happen again. But it's on all of us to make sure that children who are in institutions—and Western Australia, sadly, is leading the way. We have many, many children in out-of-home care. Most of them are First Nations children. In fact, the Healing Foundation said just recently that, of the children whose stories were told at the royal commission, 14 per cent were First Nations children. This is unforgivable. We have to do better. If that takes laws and it takes dollars, if that takes investing in early childhood and investing in communities, then that is what has to happen—because we can never allow what the royal commission has uncovered to happen again. My apologies are on the Senate record.

**Senator PRATT** (Western Australia) (13:45): Today I will add a few words to this heartfelt apology being made by the Senate and by this parliament to victims of institutional child sex abuse in Australia. The sad truth is that people I care about deeply are among the victims of such heinous acts, acts that have life-long consequences. I want to acknowledge all of those who fought so bravely for the acknowledgement and recognition of this issue—for redress, for apology, for justice and,

most importantly, to recognise that we need to listen to children and that we must have robust institutions and a society that never allows this to happen again.

The evidence before the royal commission exposed heinous crimes perpetuated against vulnerable children. And the evidence largely shows that it should have been seen for what it was at the time—that there were enough people who should have known at the time that something needed to be done. Many children did try and speak up about their abuse but were ignored. The reputations of adults and institutions were privileged over the vulnerable victims of crime. I've spent some time reading the narrative stories in the royal commission's report—and there are thousands of them. In many of those cases someone knew, or should have known, about the abuse that was happening. In other cases children had been intimidated and frightened into remaining quiet. That powerful people in institutions should privilege themselves over the charges in their care is in and of itself also a heinous crime. A failure to provide a protective environment, a failure to believe children, and a culture that diminished their rights and voices of children—environments like that must never be allowed to fester in our nation again.

There are very deeply shocking accounts for which our nation must hold itself properly accountable. The case studies and private sessions left absolutely no doubt that a great many people, thousands and thousands of Australians, were injured by being subjected to sexual and other forms of abuse while in institutions or in connection with institutions with responsibility. I read stories of child protection systems returning children to abusive families where convicted paedophiles resided. We heard stories of institutions where systemic abuse occurred. The pages of the royal commission's report and, most importantly, the narratives and personal stories reveal the history of people who had their childhoods utterly shattered. Their childhoods were taken from them and their trust in people was broken and damaged. I really encourage people to look at the private sessions that have been written up so that you can listen not to this parliament but to the voices of those who have been missing in this debate for too long. From the evidence presented to the royal commission, their injuries, both physical and psychological, have been severe and lifelong and play out in a great many ways in terms of people's personal relationships, their employment, their children and their involvement in the criminal justice system. The impact of these crimes is lifelong.

It was also clear, as I said before, that in a great many cases the abuse was known about and not stopped or prevented and perpetrators were not held to account. I'm going to share one of those stories with the chamber today. Kaden was made a ward of the state when he was three. He spent time in a number of children's homes and juvenile justice centres in New South Wales in the 1980s. He was physically and sexually abused in at least three of those institutions. They were, according to Kaden, 'a cesspit for paedophiles—one big paedophile ring'. As well as the abuse he experienced at the hands of at least 15 to 20 workers at the institutions, Kaden told the commissioner that the boys were beaten and restrained excessively. He said:

I've seen kids get their arms broken and their shoulders popped out ... it was horrible.

To escape the abuse at one such institution, Kaden began running away to Kings Cross. He said:

I've been a heroin addict since I was 10, and started shooting up at the age of 10 and you know, suppressed the things that happened to me. I never wanted to talk about it. When I was stoned, I could deal with it. When I weren't stoned, it was just, yeah, it played on my mind.

This young man grew up to become very violent. He said:

I had a lot of anger in me ... I was very violent drunk, so I stopped drinking ... I believe if things like that never happened to me, I ... probably wouldn't be in jail. Most of my crime is violent assault ... It stuffed me up, me childhood, basically. I've been in and out of institutions all me life. I'm starting to break the cycle now.

He's currently on methadone, and he said:

I want to try to get off that as well and live a normal life ... but one step at a time.

One reason Kaden chose to start speaking up about his abuse a couple of years ago was that, as he said:

I don't cry ... My people, my family, they think I'm heartless, and they don't understand, like the effects that it had on me as a child, because I don't speak about what happened to me, and they've only known me to be violent and they don't know why.

As well as his issues with anger, Kaden finds his relationships with other men difficult. He said:

I can't be comfortable with men ... My uncles and my real father, they can't show no affection towards me. Like if they go to touch me, I pull away from them ... I told [my father] things had happened to me as a child and he tried to comfort me and I pushed him ... 'You can't touch me, Dad.'

Kaden received copies of his records with the help of the Legal Aid service. He said:

There was a lot of stuff in there that just blew me away. There were things in there that I didn't even know ... that helped me, with a bit of closure and that. But there was a lot of stuff that was upsetting ... I was placed in a paedophile ring and they knew about it, but there was nothing done.

Kaden told the commissioner that there are reports in his file about him being sexually assaulted at two of the institutions. He said:

It's written. It's actually written there in my documents—

but nothing was done about it. He said:

I come out with it, I said. 'He's touching kids,' you know, and I was all hushed up ... and sent to another joint ... They made out I was being violent towards the other kids and got me sent to [another institution]. A lot of shit got covered up.

When a female worker at one of the institutions tried to help, 'she got bullied and sacked from there because she wanted to know what was going on and she tried to come out with it'.

Kaden chose to come forward to the royal commission. He said:

If I can stop one kid being touched, it's better than nothing. At the end of the day ... something's got to be done about the institutions ... I honestly believe that ... even myself, I was being bounced between [those institutions] ... basically, I was just being passed around, you know.

Kaden told the commissioner:

I'm still here to talk about it, so that's the main thing. There's a lot of people that I was in the institutions with that are not alive no more, you know, take their own lives or OD'd or whatever the case may be, but I'm still here to talk about it, so that's the main thing.

There are thousands of these stories on the royal commission's website, and I encourage members of this place and the community to take stock of what has truly happened in our nation and the blind eye that we turned to the abuse of our nation's young people. If this place, if this chamber, has any purpose at all it should be to make sure that we listen to people who have been forgotten in our nation—to listen and act to ensure effective redress and, most importantly, to protect children in our nation from now on and always. I know abuse still happens in our society. It happens in families. It happens in institutions. We can't pretend that grand statements in this chamber will prevent that overnight, but we can and must do more.

We have been too slow in picking up and adopting the recommendations of the royal commission. It has taken, frankly, too long to see many of those recommendations implemented. I have paid close attention to those recommendations, and they did not make their recommendations lightly. The evidence from victims of this abuse give a clear mandate to the recommendations of the royal commission. They should be implemented faithfully, and the task for all of us now in this parliament is to follow, faithfully, the recommendations that have been made by the commission to protect our nation's children. The commission got its job done very efficiently, in a timely manner, but it is of great concern to me that the time line for a great many of the recommendations has already gone a long way beyond what the royal commission recommended they should be. If there is one message I have for the chamber today it is that we have been too slow not only over the great vast history of this abuse but also in responding to the need of making sure this never happens again.

Revealed in the pages of the royal commission's final report is a history of the betrayal and violations of the hearts, bodies and wellbeing of thousands of fellow Australians, Australians who were children at the time of this abuse. It should be unimaginable that our institutions or individuals could have participated in, perpetuated, tolerated, covered up and condoned every aspect of this abuse. We need to face up as a nation to exactly what has happened, to provide meaningful redress and to say sorry as we do in this place today and to mean it. It is critical that we take the human rights of children in Australia seriously and uphold them. We must listen to the voices of children who have been so much missing from this debate.

**Senator KITCHING** (Victoria) (13:58): In rising to speak on the motion moved by Senator Cormann, the apology to victims and survivors of institutional child sexual abuse, I would like to acknowledge the contributions made by those who have already spoken: the Prime Minister, the Leader of the Opposition, Senator Cormann, Senator Wong, and members and senators from all parties and the crossbench. There are times when our parliament needs to rise above party divisions, and this is certainly one of them. I recognise the sincerity of the emotions experienced and expressed by all of the speakers.

I want to acknowledge the leadership shown by former Prime Minister Julia Gillard when she announced the Royal Commission into Institutional Responses to Child Sexual Abuse in November 2012. It will be, perhaps, her finest legacy. As she said at that time, too many children have suffered child abuse but have also seen other adults let them down. They've not only had their trust betrayed by the abuser but other adults who could have acted to assist them have failed to do so. There have

been too many revelations of adults who have averted their eyes from this evil. Julia Gillard was determined that Australia could no longer avert its eyes—

**The PRESIDENT:** Order! Senator Kitching, you'll be in continuation when debate on the matter is resumed.

## MOTIONS

### Child Sexual Abuse

Consideration resumed of the motion:

That the Senate apologise to the victims and survivors of institutional child sexual abuse.

**Senator KITCHING** (Victoria) (20:18): I acknowledge the leadership shown by the former Prime Minister, Julia Gillard, when she announced the Royal Commission into Institutional Responses to Child Sexual Abuse in November 2012. It is perhaps her finest legacy. As she said at that time:

... too many children have suffered child abuse, but have also seen other adults let them down—they've not only had their trust betrayed by the abuser but other adults who could have acted to assist them have failed to do so. There have been too many revelations of adults who have averted their eyes from this evil.

Julia Gillard was determined that Australia could no longer avert its eyes from evil—and it is evil, with the full import of that word—and the report of the royal commission has fully vindicated the decision she took in 2012.

I don't want to name him, but I want to talk about a friend of mine. He went to one of the finest schools in Melbourne. He was a boarder there in the 1970s. He was sexually assaulted. The headmaster and the school supported the teacher, even calling the teacher a hero and someone who always acted in the best interests of the boys. These statements were made just prior to eventually paying my friend \$500,000 in compensation, decades later. My friend was sexually assaulted by a teacher when he was 15 years old. When he told the headmaster what had happened, he was told that his claim was outrageous, that he had a vivid imagination, that he needed discipline and that his parents needed to consider whether he should stay at the school. The headmaster said that the teacher was an 'honourable man'. My friend's father was not a particularly physically demonstrative person, but he held my friend tight and he said, 'Son, we love you, we believe you and we'll make this right.'

My friend eventually received an apology from the school in June of this year—more than 40 years later. The only reason I know about this is that we were chatting a few weeks ago and he said, 'I'm coming up to Canberra on Monday.' This was the day the apology was given in the other place. I said: 'Oh, great! Are you coming up for work?' He said, 'No, I'm coming up for the apology.' He interpreted my silence quite correctly as my needing further elucidation. He said: 'I want to hear the apology. I think I will find it healing.' We were on the phone, but I just wanted to hug him, to hold him tight, as his father had done so many years before, because I could hear not only the voice of the adult but also the voice of the child. I didn't see him until the day after the apology. He is a lovely man, a very competent man, a very funny, intelligent and engaging man and a well-known man in Melbourne. But for the first time, when I saw him that following day, I saw the child he had been and the unnecessary journey he had had to undertake because of the betrayal, the grief, the anger, the

pain and the awful, awful maelstrom of emotion. I am sorry. But my friend, not surprisingly, is a better person than the criminal who abused him. My friend said, in the only interview he has given:

My message is stand up, be heard, you're not alone.

I will stand with you.

Don't be a victim, be a survivor.

He said to me the following day that the apology will help him move on, that it is healing.

I want to acknowledge some people without whom we would not have had a royal commission. There is the former New South Wales police officer Peter Fox, whose investigation into the cover-up of child sexual abuse triggered the government's decision to appoint the royal commission. He had a great deal of difficulty in bringing his investigation into the light and he should be commended.

As a Catholic, I have found the report of the royal commission to be painful reading. It is difficult to reconcile the deep love and compassion that one knows exists within a faith with the evil that has been done to innocence. I sincerely hope—and I'm sure that this hope is shared by all Australian Catholics and all people of faith—that the church will change its attitude and its behaviour. We are starting to see some changes, including in the solemn vow: 'Never again will the safety of the child be placed behind the reputation of the church. No more cover-ups or transferring of people accused of abuse to other places.' The church was the first non-government institution to opt into the National Redress Scheme.

The Catholic Church is, however, not alone. I want to acknowledge, for example, Manny Waks, who courageously exposed the sexual abuse that he and others suffered in institutions of the orthodox Jewish community in Melbourne. There have been many others who have helped, from many religious and non-religious institutions and from government and nongovernment. They have exposed a failure to protect children and the fact that perpetrators were instead protected. It is now clear that there has been a systemic failure to protect children in institutional settings of all kinds—state and private, religious and secular—for many decades. That must now stop, for, if it doesn't, we must ask: what kind of society do we want? 'Sorry' is a word and only has power because one understands why one is sorry and the actions that therefore flow from that state of being. There is little point in saying sorry if there is no change.

The royal commission has given us a powerful set of recommendations. I thank the commissioners for their diligent carrying out of what must have been, at times, a harrowing duty. We as parliamentarians now also have a duty, and that is to put the recommendations of the royal commission into effect. I note the commitments given by the Prime Minister and the Leader of the Opposition to that effect. This parliament—all of us, from all parties and the crossbench—needs to ensure that those commitments are acted upon, whoever is in government—for, if we shirk that duty, we will not be forgiven.

**Senator HANSON-YOUNG** (South Australia) (20:24): I rise to contribute to this motion on the apology following the royal commission into institutionalised child abuse. The royal commission was many years coming, and it has done incredibly important yet harrowing work to really put the spotlight on the suffering and the pain of so many Australian children in the institutions that were—many of them—meant to care for, look after and love the children who they abused.

I want to start by saying that I am sorry. I want to associate my comments and heartfelt apology with those of every other member of this place and the other place—those who have stood and verbalised an apology, those who have acknowledged the moment's silence in the House of Representatives, and those who will do the same here shortly this evening. I'd also like to acknowledge the leadership of former Prime Minister Julia Gillard in bringing forward this royal commission. There are many things that I wish Julia Gillard had done while she was Prime Minister, but I think it is fair to say that her strongest legacy will be this royal commission. The spotlight has exposed evil crimes done to children in institutions that are unthinkable, but it is so important to have had it happen. It should have happened many, many years ago. The evil should have been stopped many, many years ago. But, for what we have before us today, I think we need to pay strong and honest tribute to Ms Gillard for showing leadership at the time.

I also want to associate myself with the comments of, and pay my respect to the leadership shown by, my own colleague Senator Rachel Siewert in relation to this issue. Senator Siewert has been fighting hard for many, many years in this place for justice and truth for the survivors of institutionalised child abuse, and for those who, for too long, remained voiceless and whose suffering and pain remained a dark secret. I also thought that the contribution in this place earlier today from Senator Kristina Keneally was one that deserves to be acknowledged. She spoke very eloquently and, as a practising Catholic, I think her words carry incredible power.

Many of us, as we have acknowledged and reflected upon the much-needed apology to the survivors—and to those who didn't survive—think it is absolutely essential that we acknowledge that the children whose childhoods were stolen had it happen almost in plain sight. Yes, there were dark secrets that the institutions were keeping and that children—abused at the hands of those who were meant to care for them, look after them and love them—were forced to keep. But many, many people knew. And many, many people—adults; people in authority—stayed silent when they should have spoken up. That is what we are truly sorry for. As adults, too many people stayed silent and allowed these children to suffer, to be abused, to be traumatised, to be re-abused and re-traumatised, some night after night, week after week, month after month—and for years. The absolute horror of these acts is only compounded by the cover-up that was associated with them.

There have been many accounts that have been used as part of the reporting through this royal commission, and many of us in this place have referred to individual stories that reflect so devastatingly the pain and the suffering that innocent children have had to carry. Tonight I want to focus my short time speaking on this motion on what we have to do to ensure that this never, ever happens again. If we are honest about reforming the way we deal with the issue of institutional child abuse, we must accept that listening to children and believing them has to be first and foremost. We have to accept that those responsible for this evil must be well and truly held to account. There is no excuse—ever—for abusing or hurting a child. There is no confession that can make this abuse less evil. If we are to deal with this issue properly, we must accept that religious institutions themselves must change.

Out of the 180-odd recommendations from this report, a number of them stand out in a very stark way. Recommendation 7.4 goes directly to the issue of the confessional. I will read it so that we have it clearly on *Hansard*:

Laws concerning mandatory reporting to child protection authorities should not exempt persons in religious ministry from being required to report knowledge or suspicions formed, in whole or in part, on the basis of information disclosed in or in connection with a religious confession.

No religious institution should ever excuse the abuse and trauma inflicted on children. After years and decades of suffering, generational and intergenerational trauma, it is time that we acknowledge that the confessional is not an excuse for keeping child abuse secret or for protecting the abusers.

It is the responsibility of any religious organisation, any person in authority and any adult that when they see evil they do something to stop it. And when they see children suffering, they must do something to stop it. If they suspect that a child is being abused and is suffering emotional or physical abuse or sexual abuse, they must do something about it. Any institution that refuses to comply with laws of mandatory reporting of child abuse, using the excuse of the seal of confession, I believe, should be prosecuted. I believe that using the seal of confession to refuse to report child abuse does not warrant the protection of Australian law or funding from the Australian taxpayer. If the Catholic dioceses around this nation are not prepared to concede to the recommendation of mandatory reporting of child abuse, I don't believe they should be receiving any public money. If you're not prepared to stick to the law that is designed to protect children, you're not playing your part as a decent institution in the community.

From 1 October this year, my home state of South Australia became the first state where priests are now legally obliged to report any confessions of child sexual abuse. In response to these laws being put in place, we have the leadership within the Catholic diocese in Adelaide openly saying they will defy those laws. Despite everything that we have been through, despite all of the reporting that has gone on and the exposure of this horror and this evil, we have leadership within the Catholic Church saying that they are refusing, and will refuse, to comply with the basic necessity of mandatory reporting and that somehow their seal of confession is more sacred than the life of an innocent child. I fundamentally and strongly disagree. I hope that the public response on this issue creates pause for thought for a number of those within the leadership of the Catholic Church and the various dioceses about complying and not using the confessional as an excuse to keep secret these horrible, painful and evil acts.

The report into institutionalised child sexual abuse also dealt, in a very sensitive manner, with the other contentious issue facing religious organisations. That, of course, is mandatory celibacy. Recommendations 16.18, 16.19 and 16.20 in the royal commission's final report all go to this. I strongly support that. If we are to be honest and brave, and if we are to pay genuine tribute and apology to all those who have suffered, to those children who never made it, to the survivors who are still in pain and suffering today, and to their children, who have suffered the intergenerational trauma of this abuse, we must also deal with forced celibacy within religious institutions. Canon law should be changed so that celibacy is not mandatory, and it should be illegal to force an individual to be celibate simply for religious tradition. I understand that this is a very sensitive element. I understand that this is a very controversial and sacred part of religious practice. But, if we are to be honest with ourselves, with the community and with the children who have suffered, we must face this and not hide behind it.

There are many other good recommendations throughout this report. I am very pleased that the government, the opposition, the Greens and other members around this chamber and the other

have agreed to take these on. We must also insist that religious institutions and the church leadership take them on as well. Let's not allow the pain and re-traumatisation to have happened in vain. These two issues, the seal of confession and the enforcement of celibacy, must change if we are to ensure that we are doing everything we possibly can to protect children and young people from the type of evil and horror that we know has existed for far too long in those dark corners of institutions, and adults must do their jobs to protect children and to protect the innocence of children. That is what is important here—not ancient law and practice, but the protection of the innocence of a child and their right to a childhood, to love and care, and to be believed and supported, without the cover-up and without the shame.

**Senator STORER** (South Australia) (20:45): Little is more important in life than bringing children into this world. Nothing is more important than the responsibilities parents face, having made that fundamental decision—that is, to ensure that children can grow up in an environment where they have the best chance to prosper, to know that they are loved and, most importantly, that they are safe. Parents can and do a lot on their own, but the community has a role too. The Royal Commission into Institutional Responses to Child Sexual Abuse showed us how grievously as a community we have failed. Like those who have spoken before, today and tonight, I say sorry to the tens of thousands of children who suffered for so long at the hands of people they believed they could trust and who suffered as adults as their pleas were ignored.

Sixteen thousand individuals contacted the commission with their deeply distressing accounts of abuse. More than 8,000 accounts were heard in person. For the commissioners and those working with them, I know this was a deeply distressing experience but one they weathered for the greater good. The commissioners and all associated with them are owed a great debt of gratitude, not just from the many who suffered for so long—voices in the wilderness often ignored by the institutions responsible for their abuse or, worse, belittled as they struggled for justice. Churches moved around priests who they knew were abusers. They resisted appeals from victims and their parents. They took legal advice designed to minimise their liability.

The nation owes Julia Gillard a pat on the back and a collective hug for having the courage to establish the royal commission. As the former Prime Minister has noted, she worried at the time about the effects of an inquiry probing people's hurt. She was anxious that the inquiry would take a long time and cause frustration. Odd fears, she now notes, given the results and the recommendations of the royal commission.

The Prime Minister, Mr Morrison, deserves to be congratulated too, for promoting and leading the national apology. As the Prime Minister said three weeks ago:

Why were the cries of children and parents ignored? Why was our system of justice blind to injustice? Why has it taken so long to act? Why were other things more important than this, the care of innocent children?

These are unanswerable questions, but now the time for grief ought to be over. Now is the time for redress. How we as a parliament, and as a nation, respond to the royal commission will be the proof of what we have learnt as a community. Words are one thing, but actions are quite another. The government has not rejected a single recommendation of the royal commission. The Prime Minister says that the government is acting on 104 of the inquiry's 122 recommendations, and is consulting with the states and territories on the remaining 18. I note the four key areas of the findings and

recommendations to be: child safety as a national responsibility, the need to implement child safe standards, the importance of believing children and the potential for a genuine apology to have a therapeutic benefit.

As Professor Daryl Higgins, the Director of the Institute of Child Protection Studies at the Australian Catholic University puts it:

For the apology to be meaningful, Australians will want concrete actions to provide redress for those already harmed.

... ..

... organisations can adopt prevention strategies that focus on modifying risky environments (including physical structures, policies and supervision practices), so that it is harder for would-be perpetrators to behave as they did in the past. Governance, funding arrangements and accreditation should be contingent on serious progress towards a culture of safety.

A National Redress Scheme for victims of child sexual abuse in organisations, to allow psychological counselling and compensation of up to \$150,000, has already been announced. But, as Professor Higgins points out, what people really need to hear is that things will change. They want to know what is happening in youth-serving organisations. How will the mistakes from the past not be repeated? They need to hear how child safe strategies will become standard practice. How will they, for example, be embedded in funding arrangements and accountability requirements? If organisations won't prioritise the safety and wellbeing of children, says Professor Higgins, then the public purse should not be open to them.

The statistics revealed by the royal commission are as grim as they are stark. Close to 60 per cent of victims who approached the inquiry reported sexual abuse in religious institutions. A central recommendation of the inquiry was the National Redress Scheme. Despite various statements, the Catholic, Anglican and Uniting churches are yet to fully formally opt into the scheme. Apologies may have been made, but, once again, it is action which counts. As the Prime Minister puts it, justice, decency and the beliefs and values we as Australians share insist that they sign on. So far, though, some key institutions have not. Time is running out. Many of the victims are old, frail and ill. They deserve recognition, justice, treatment and recompense for their suffering.

I applaud Senator Hinch, who has made chasing down child sexual abuse one of the missions of his career, both in the media and in this place. He has a motion on the *Notice Paper* for tomorrow calling on the government to withhold public funding and deny charity tax concessions to religious institutions that fail to opt into the National Redress Scheme by the end of 2018. It is a motion that I support, and I hope that government senators will support it, too, when it comes to a vote tomorrow. The royal commission reported in December last year. Twelve months is quite long enough for the institutions in question to sign up voluntarily.

Then there is the CREATE Foundation, the peak body for foster care children, calling for:

... a tightening of standards related to the ongoing monitoring of placements to ensure that children and young people in the out-of-home care system are provided the opportunity to have a voice in this monitoring process.

The royal commission revealed that the out-of-home care sector, commonly known as 'foster care', was the worst source of child abuse in Australia in the years before 1990. Nearly 50,000 children are currently in out-of-home care across Australia. As the CREATE Foundation puts it:

We must never again be in the position of ignoring so many children and young people who tried to tell their stories of abuse and were silenced by a flawed and non-accountable system.

The last word should belong to Julia Gillard, who appealed to governments around Australia to develop schemes for the victims that will operate with 'a culture of openness and generosity'. As a community which did not sow such qualities in the past, it is the least we can do to heal the hurt and try to ensure it never happens again.

**Senator STEELE-JOHN** (Western Australia) (20:52): Every child has the right to feel safe, to be heard and to be protected by those in whom their safety is entrusted. But, for survivors of institutionalised child abuse, those rights were denied. You sought safety and were subjected to unspeakable harm. You spoke up, and those with power turned away. You named demons and were demonised. For these unforgivable acts of avoidance, for the culture of wilful ignorance, for the pain and trauma that was met with silence, for the silence that was created and in which prowled the predators that did your life such terrible damage—for all these things and so much more—your parliament tonight offer up our apologies.

There may well be those watching at home who neither trust the words we offer nor believe in the genuineness of the spirit in which they are put forward. To those I say: you have every right to be suspicious, because you placed your trust in us, you placed your trust in those who were charged with your protection, and we failed you. Our failure will cast a long shadow over this place and all places that took part in it—a shadow which we will never, nor should we ever, attempt to escape. We made you feel as though you were shameful, as though you were broken, when it was we who were broken, when it was our shame to be held.

It is for us now to offer this recognition, to offer this apology and to humbly seek your forgiveness. It is for us now to dedicate ourselves solemnly to the work of making this apology material—to dedicate ourselves to doing those things which will ensure that no child is ever again subjected to the harms, that no child is ever again turned away from when they speak up and that no demon is ever again facilitated to prowl among the young of this nation.

As we reflect upon the findings of the royal commission, as we absorb the stories that were so bravely told after being held for so long, we must reflect upon those things which caused these horrors to take place. We must recognise that our society has for too long disregarded the voices of children, treating them as mere chattels of adults and writing them off as imaginative and as liars when they come forward with their stories. We must reflect upon how we as a society can radically and urgently change this—the ways in which we can elevate and enshrine the rights of Australian children so that no child ever again is left to suffer in silence or subjected to abuse.

I thank the chamber for its time.

**The PRESIDENT:** The question is that the motion of apology moved by Senator Cormann be agreed to. I will ask senators for a moment's silence to signify our assent to the motion.

Question agreed to, honourable senators standing in their places.