Institutional Abuse: A Long History

Abstract: This paper explores the long history of institutions for children in Australia and of the existence of abuse within them. By examining the function which such institutions were designed to perform and the forms and structures which were devised to best achieve such purposes it argues that abuse was all too often not simply inherent in, but essential to institutional operation. It pays particular attention to the classification of children deemed to be in need of institutional "care" and show how through a process of "othering" their institutionalization too often rendered them vulnerable to abuse.

The interim report of Australia's Royal Commission into Institutional Responses to Child Sexual Abuse drew two important conclusions as to the prevalence of the phenomenon it was examining. Abuse, it argued, happened across a variety of institutions, but was more frequent in some forms than in others. Similarly, while all children in out-of-home care were potentially at risk of being abused, some were more vulnerable than others.[1] The Commission's public hearings have taken the form of case studies focused on those institutions and groups that were most at risk, in order to establish what needs to be done to prevent such abuses in the future. However, the case study approach should not divert attention from the findings of the series of preceding national and state inquiries on which the Commission's assertion of the endemic nature of abuse in institutions for children was based. While the predecessor inquiries documented the prevalence of abuse, they have been less effective in explaining why this was the

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[1] Royal Commission into Institutional Responses to Child Sexual Abuse, *Interim Report* (Sydney: Commonwealth of Australia, 2014), 94.

case. This article seeks to fill this gap by placing the testimony presented before such inquiries into a longer historical framework. By examining the function which orphanages and children's homes were designed to perform and the forms and structures which were devised to best achieve these purposes it argues that abuse was all too often not simply inherent in, but essential to institutional operation. It focuses on the children deemed to be in need of institutional "care" and shows how through a process of "othering" their institutionalisation too often rendered them vulnerable to abuse.

The presence and incidence of abuse is a theme through all of the historical abuse inquiries that have reported in Australia over the last twenty years.[2] It first came to attention through the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families which reported in 1997. Although the focus of the inquiry was on the causes and consequences of removal, the commissioners heard repeated stories of harsh institutional conditions, with 19 per cent of witnesses claiming to have been subject to physical assault, and a slightly smaller proportion alleging sexual abuse.[3] This acknowledgment emboldened other care leavers[4] to seek inquiries into the conditions in the homes in which they had been placed in the past, a call first heeded in Queensland where Leneene Forde reported that

[2] For a fuller discussion of these inquiries see: Johanna Sköld and Shurlee Swain, eds., *Apologies and the Legacy of Abuse of Children in "Care"* (London: Palgrave Macmillan, 2015).

[3] Human Rights and Equal Opportunity Commission, *Bringing Them Home: Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families* (Sydney: HREOC, 1997), 158-63.

[4] The term care leaver is used in Australia to describe adults who spent part of all of their childhood in institutional or foster care.

"significant numbers of children in the care of the state in government and non-government institutions have been subjected to repeated physical, emotional and sexual abuse" while many others lived in environments of neglect that had negatively impacted on their adult lives.[5] Two subsequent Senate inquiries heard evidence from a larger number of child migrants and other care leavers with very similar stories to tell. Although both reports acknowledged that their focus was such that they were unlikely to attract people who did not wish to complain about their care experiences, the consistency of the evidence that they did hear further supports the argument that while not all types of abuse were reported in every institution, abuse was widespread.[6] This conclusion was confirmed by Ted Mullighan's report into children in state care in South Australia which found evidence of abuse in every type of institution throughout the mid-twentieth century.[7]

Orphanages in Australia

The institutions that were the focus of these inquiries have a history far longer than the lived experience of those who appeared before them. Orphan asylums were amongst the earliest

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[5] Leneene Forde, *Report of the Commission of Inquiry into Abuse of Children in Queensland Institutions* (Brisbane: The Inquiry, 1999), xii-xiii.

[6] Australian Senate Community Affairs References Committee, *Lost Innocents: Righting the Record Report on Child Migration* (Canberra: Senate Printing Unit, 2001), 72-3; *Forgotten Australians: A Report on Australians Who Experienced Institutional or out-of-Home Care as Children* (Canberra: Senate Printing Unit, 2004), xv.

[7] E. P. Mullighan, *Children in State Care Commission of Inquiry* (Adelaide: South Australian Government, 2008), xiii.

charitable institutions established in the emerging cities in the Australian colonies, arising initially as an offshoot of the convict administration but moving to philanthropic management as civil society developed. The earliest such institution was established on Norfolk Island in 1795, followed by the Female Orphan School in Sydney in 1801, the Queen's Asylum in Hobart in 1833, the predecessor of the Melbourne Orphanage in 1845, the Orphan Home in Adelaide in 1860, the Diamantina Orphanage in Brisbane in 1865 and the Protestant Orphanage in Perth in 1868. Given the sectarianism that was so prevalent at the time, the Catholic Church moved swiftly to establish separate institutions for its children, generally staffed by men and women religious brought from the United Kingdom. The Roman Catholic Orphan School opened in Parramatta in 1844, followed by St Vincent de Paul's Orphanage in Melbourne in 1855, St Vincent's in Brisbane in 1860, St Vincent de Paul Orphanage in Adelaide in 1866, and St Joseph's Orphanages in Perth in 1868 and Hobart in 1879.[8] The orphanage model was also adopted by some of those involved in removing Indigenous children from their families. Indeed, in South and Western Australia orphanages associated with missions predated those for settler children.[9]

The adoption of the orphanage model in colonial Australia needs to be understood in the context of the shift in Europe, identified by Michel Foucault, which saw an increasing

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[8] The history of these, and all subsequent institutions for children in Australia, can be found at the Find and Connect web resource: https://www.findandconnect.gov.au/ (accessed 30 November 2017).

[9] Orphanages for boys and girls were opened at New Norcia in 1848 and at the Point McLeay mission in South Australia from 1859. As with the orphanages for settler children, Indigenous specific institutions tended to describe themselves as homes in the twentieth century.

specialisation in institutions providing relief for the poor. From the late eighteenth century,

groups identified as having particular needs were housed in separate institutions overseen by

individuals who developed their claims to expertise on the basis of meeting those needs,

breaking up the older, large, undifferentiated poor or work houses that had marked public

provision in the past.[10] With the rise of romantic ideals around childhood, came the pressure for

child-specific institutions in which children could be removed from the influence of adult

paupers, including surviving members of their immediate families.[11] The model came from

Britain where from the late eighteenth century philanthropists were establishing such institutions,

borrowing from the older convent and municipal orphanages of Europe.[12] Their proliferation at a

time when the demand for child labour was diminishing is not insignificant, but more important

was their positioning as superior to the care which children could access through public poor

relief systems.[13] The coincidence of the colonisation of Australia with this orphanage boom saw

such institutions become one of the earliest forms of charitable provision. To colonial

philanthropists the establishment of an orphanage served both as a measure of the growth of civil

society and a protection against the threat to the future posed by uncontrolled children. It was

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[10] The key works referred to here are *Madness and Civilization* (New York: Random House

1961), *Birth of the Clinic* (New York: Random House 1973) and *Discipline and Punish* (New

York: Vintage 1975).

[11] Hanneke van Asperen, "The Gates of Charity: Images of City and Community in the Early

Modern Dutch Orphanage," *Journal of Urban History* 43, no. 6 (2015): 2.

[12] Downs, Susan Whitelaw, and Michael W. Sherraden, "The Orphan Asylum in the Nineteenth

Century," *Social Service Review* 57, no. 2 (1983): 273.

[13] Downs and Sherraden, "The Orphan Asylum in the Nineteenth Century," 274.

this second function that the Victorian Governor chose to address when, at the laying of the foundation stone for the Melbourne Orphan Asylum, he asked his audience to "consider what may befall this colony if you do not care for your youth, and especially for your orphans … Remember that these orphans, if not carefully looked after, will shortly go upon the town and become pickpockets. Of the female portion, I need say nothing: I leave that to your own understandings".[14]

The problem in adapting the British model to the Australian environment was that all of the Australian colonies had rejected the need for the Poor Law which in England guaranteed a minimal level of relief to the poor. Governments instead subsidised voluntary charities, including orphanages.[15] Although the colonies produced relatively small numbers of orphans, in line with the British model the subsidised institutions were instructed by government to restrict admission to the children of worthy widows, excluding the children of widowers, or those whose parents were absent or neglectful. Children in the latter categories were left to the various institutions that stood in place of the workhouse in the Australian colonies or to the gaols.[16] The tensions that arose from this arrangement were resolved in the second half of the nineteenth century as the colonies established their variously named state children's departments, designed to cater for children deemed to be neglected. To house these children, the new departments adopted another British model, establishing industrial schools for dependent children, and reformatory schools for

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[14] "The Orphan Asylum," *Argus*, 7 September 1855, 5. http://nla.gov.au/nla.news-article4817482

[15] For a history of the development of orphanages in Australia see Shurlee Swain, *History of Institutions Providing out-of-Home Care for Children* (Sydney: Royal Commission into Institutional Responses to Child Sexual Abuse, 2014), 6.

[16] For details of these early generic institutions see Swain, *History of Institutions*, 5.

juvenile offenders, allowing the more restrictive orphanages to claim the superior position of their British forebears.[17] The force of such arguments was diminished from the 1870s when the state departments abandoned the overcrowded and disease-ridden industrial schools in favour of boarding-out. The success of boarding out in providing family-like care forced the orphanages to reconsider their basic models of operation with most over time transforming themselves from asylums into "homes" in which children were increasingly likely to be housed in smaller groups, although initially still divided on the basis of age and gender rather than seeking to replicate the family model. The recognition that there were some children who could not be accommodated within the boarding-out system also saw the development of government and non-government institutions that were more reformatory in their approach, many of which are the antecedents of the institutions condemned most prominently in the recent inquiry reports.[18]

The shift to family-like care intensified in the twentieth century providing a major challenge to the orphanage model. The introduction of payments to supporting mothers in many jurisdictions from the early years of the twentieth century threatened to further accelerate the orphanages' decline, but the mass unemployment and the near collapse of foster care systems during the 1930s depression provided a temporary reprieve. However, financial pressures forced the surviving orphanages and children's homes to enter into a closer alliance with the state and by the 1950s state wards far outnumbered the voluntary placements on which they had relied in

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[17] "A Visit to the Ballarat District Orphan Asylum," *Ballarat Star*, 20 May 1870, 1. http://nla.gov.au/nla.news-article219308719

[18] The history of the development of child welfare in Australia is told in Nell Musgrove, *The Scars Remain: A Long History of Forgotten Australians and Children's Institutions* (Melbourne: Australian Scholarly Publishing, 2013).

the past. This dependence on state funding rendered them vulnerable when, from the 1970s, state departments moved towards deinstitutionalisation. Foster care became the placement of choice, with smaller residential units for those who could not be accommodated in this way. Although the church and other non-government organisations still play a major role in providing such care the large institutions over which they used to preside were all closed by the late 1980s.[19]

Attempting to defend the reputation of American orphanages, Timothy Hacsi has argued that there were three types of orphan asylums, the isolating, the protective and the integrative. [20] Almost all Australian institutions fell into the first of these categories, separating children from their parents and subjecting them to strict order and control. While it could be argued that Catholic orphanages initially fitted the second category, more supportive of parents, and determined to preserve for the children the best elements of the community from which they had come, their size and increasing dependence on government, meant that these initial differences tended to dissipate over time. By the time the third, the integrative model, arrived in Australia in the mid to late twentieth century it served only as a prelude to the deinstitutionalisation which brought the end to all forms of congregate care.

Historiography

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[19] The transformation and closure of these institutions can be traced through the Find & Connect web resource: https://www.findandconnect.gov.au/

[20] Timothy Hacsi, *Second Home: Orphan Asylums and Poor Families in America* (Cambridge, Mass: Harvard University Press, 1997), 55.

The historiography of the orphanage in Australia has been dominated by studies of individual institutions, often monographs commissioned to mark a particular anniversary.[21] Written with orphanage supporters in mind, they celebrate the achievements of the founders, donors and prominent staff members, but pay little attention to the lives of the children.[22] However, in recent years, the survivor memoir has come to prominence, providing a very different picture of out of home care. Initially these books emphasised the positive aspects of the author's orphanage experience celebrating resilience and survival.[23] The agitation and publicity associated with Australian inquiries has changed the nature of such accounts, focusing on more negative aspects dramatically challenging notions of orphanages as benevolent institutions.[24]

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[21] See for example: J.C. Butler and J.C. Janicke, *The First Hundred Years: Being a Brief History of the Melbourne Orphanage from 1851-1951* (Melbourne: The Melbourne Orphanage, 1951); Della Hilton, *Selina's Legacy: From VCAS to OzChild* (Oakleigh: OzChild, 1993); Ethel Morris, *A Century of Child Care*: The Story of Ballarat Orphanage, 1865-1965(Ballarat: Board of Management Ballarat Orphanage, 1965).

[22] For a critique of such works from a care leaver perspective see: Jacqueline Wilson and Frank Golding, "Contested Memories: Caring about our Past – or Past Caring?" in *Apologies and the Legacy of Abuse of Children in "Care"*, ed. Johanna Sköld and Shurlee Swain (London: Palgrave Macmillan, 2015), 29-33.

[23] Doug McNeil, *Order of* Things (Bentleigh, Victoria: Doug McNeil, 1995); Allan Moore, *Growing up with Barnardo's* (Sydney: Hale and Iremonger, 1900); Bill Smith, *Better Off in a Home* (Melbourne: Uniting Church Archives, 1985).

[24] Kate Davies, *When Innocence Trembles: The Christian Brothers Orphanage Tragedy* (Sydney: Angus and Robertson/Harper Collins, 1994); Frank Golding, *An Orphan's Escape*

Two survivor scholars have moved beyond the focus on individual experience to develop a broader critique of the system charged with providing them with "care", positioning the abuse as systemic rather than individual. While neither former child migrant, David Hill, nor care leaver activist Joanna Penglase position themselves as the primary victims of abuse, their analyses depict a system in which the threat of physical and sexual abuse was ever present, and emotional abuse and neglect were rife.[25] However, as with inquiries, while such works document the endemic nature of abuse in institutional settings few seek to explain why this was the case.

Orphanages as abusive environments

It was in the interests of philanthropic orphanages to cultivate a positive image in the press, yet, from their foundation, there is evidence that they could also be abusive environments. There was widespread acceptance of the need for strict discipline, but far less consensus as to when punishment slipped over into abuse. In order to protect the reputation of the institution, governing boards would go to great lengths to exonerate institutional managers even while

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(Melbourne: Hachette, 2005); Ruth Hegarty, *Is That You Ruthie?* (St. Lucia: University of Queensland Press, 1999); Kate Shayler, *The Long Way Home: The Story of a Homes Kid* (Milsons Point, NSW: Random House, 2001): Ryszard Szablicki, *Orphanage Boy: Through the Eyes of Innocence* (Frenchs Forest, NSW: New Holland Publishers, 2007).

[25] David Hill, *The Forgotten Children: Fairbridge Farm School and Its Betrayal of Australia's Child Emigrants* (Sydney: Random House, 2007; Joanna Penglase, *Orphans of the Living: Growing up in 'Care' in Twentieth-Century Australia* (Fremantle: Curtin University Press, 2005).

disapproving of the methods of punishment they had used.[26] When the abuse was sexual it proved harder to dismiss as such behaviour was clearly illegal. However, the impulse was still to try to avoid scandal rather than achieve justice for the victim. Senior Counsel to the Royal Commission, Gail Furness's summary in relation to the Catholic Church could equally apply to all of the institutions that were subject to allegations of abuse: "The accounts were depressingly similar. Children were ignored, or worse, punished. Allegations were not investigated. Priests and religious were moved. The parishes or communities to which they were moved knew nothing of their past. Documents were not kept, or they were destroyed. Secrecy prevailed, as did cover-ups."[27]

How can we reconcile the supposedly benevolent aims of the orphanage with such reactions to the widespread abuse? The answer lies in investigating the purposes which such institutions were designed to fulfil. Hacsi, has argued that in the case of the early orphan asylums these were twofold: to rescue children from poverty and to reshape them in the interests of the wider society.[28] It was in the space between these two functions that abuse was able to occur. The rescue motive promoted protective treatment of children. In Australia, the Christian Brothers, for example, promised to provide "a comfortable and happy home for young

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[26] See for example: "Ballarat District Orphan Asylum," *Ballarat* Star, 15 June 1869, 3. http://nla.gov.au/nla.news-article112889894

[27] Royal Commission into Institutional Responses, "Case Study 50 Transcripts," 6 February 2017, 24706. https://www.childabuseroyalcommission.gov.au/case-study/261be84b-bec)-4440-b294-57d3ede1234/case-study,-february-2017,-sydney.

[28] Hacsi, *Second Home*, 3.

orphans".[29] However, the notion of rescue also drew attention to what the children needed to be rescued from, which, by implication, was a state to which they would return unless properly "trained". Supporters were repeatedly warned of the "inevitable" consequences should such children be left to the failing families and polluted environments from which they came. [30] There was great emphasis on the benefits that orphanages could bring, promoting the "moral welfare" of the community by producing "virtuous" citizens who would function as dutiful labourers. [31] Such transformation, it was believed, could only be achieved within a controlled environment.[32]

The earliest orphanages borrowed heavily from monastic institutions in both their structure and organisation.[33] As such they shared many of the characteristics of what Erving Goffman has defined as "total institutions": a "barrier to social intercourse with the outside … built right into the physical plant", with "all aspects of life … conducted in the same place and under the same single authority … in the immediate company of a large batch of others, all of whom are treated alike and required to do the same thing together" according to a tightly

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[29] "Thirty-Seventh Annual Report of the St. Vincent De Paul's Boys' Orphanage South Melbourne, with List of Subscriptions and Donations" (Melbourne: St. Vincent de Paul, 1912), 1-2.

[30] "The Protestant Orphan Asylum," *Geelong Advertiser*, 31 December 1867, 3. http://nla.gov.au/nla.news-article147776205; "Our Charitable Institutions," *Queenslander,* 13 April 1867, 6. http://nla.gov.au/nla.news-article20312718.

[31] "Geelong," *Argus*, May 8 1854, 5.

[32] Downs and Sherraden, "The Orphan Asylum in the Nineteenth Century," 274.

[33] Van Asperen, "The Gates of Charity," 3.

scheduled timetable imposed from above.[34] In orphan asylums children were kept separate from the surrounding community, accommodated, educated and trained within the walls. Strict order prevailed with children expected to submit unquestioningly to adult authority. This regimentation explains the observations of a journalist visiting the relatively new Melbourne Orphan Asylum in 1861 who expressed a vague sense of dis-ease at what he saw as a pervasive feeling of "unnatural gloom".[35]

Yet regimentation and order were more commonly seen as evidence that the future interests of the children were being served. The Salvation Army assured its Australian supporters that "at all the homes the inmates are taught to work … the army has no charity for idlers".[36] It was a philosophy shared across the denominational spectrum. At the Catholic St Joseph's home in Melbourne, "habits of industry" were "inculcated at a very early age".[37] However, the boys sent to the Christian Brothers orphanage at Bindoon, Western Australia, experienced such a work regime as more akin to slavery than care. "It was a perpetual hard grind from daylight until dark, with no time out for sitting in school or playing or resting … The Boss became an obsessive taskmaster; the children were his slaves. Soon after their arrival, most of the boys realised that

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[34] Erving Goffman, *Asylums: Essays on the Social Situation of Mental Patients and Other Inmates* (Harmondsworth: Pelican, 1968), 15-17.

[35] "Our Charitable Institutions," *Age*, 3 January 1861, 5. http://nla.gov.au/nla.news-article154883568.

[36] "Salvation Army Social Work," *Age*, 27 July 1903, 6. http://nla.gov.au/nla.news-article197216103

[37] "Archdiocese of Melbourne: St. Joseph's Home, Surrey Hills," *The Advocate*, February 1 1896, 16.

Bindoon was to be no more than an organised slave labour camp. The boys were not aware that slavery had been abolished, and they were so afraid of the Brothers they would not have dared to complain anyway. Bindoon was run on fear."[38] The report of the Royal Commission's case study examining the Christian Brothers' institutions in Western Australia validated this observation, condemning the institutions for the labour required of the boys, and the consequent failure to provide them with access to education.[39]

As total institutions, orphanages also displayed the constant conflict Goffman observed between humane standards and institutional efficiency.[40] Abusive behaviours were not only inherent in, but, at times, essential to institutional operation. Physically abusive practices were a common feature of institutional discipline. The practice of setting boys to fight each other as a form of both punishment and entertainment was common with the "winners" being rewarded for their brutality.[41] It was, one child migrant claimed, "a human cockfight" set up by the [Christian]

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[38] Davies, *When Innocence Trembles*, 94.

[39] Royal Commission into Institutional Responses, *Report of Case Study No. 11. Congregation of Christian Brothers in Western Australia Response to Child Sexual Abuse at Castledare Junior Orphanage, St Vincent's Orphanage Clontarf, St Mary's Agricultural School Tardun and Bindoon Farm School* (Sydney: RCIRCSA, 2014), 4.

[40] Goffman, *Asylums*, 76.

[41] Wayne Laird, Submission 15, Forgotten Australians. https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Community_Affairs/Completed_inquiries/2004-07/inst_care/submissions/sublist, accessed 29 October 2017. All subsequent references to Forgotten Australians submissions can be found at this address; Historical

Brothers "for their enjoyment".[42] In institutions which were chronically underfunded and understaffed, older children performed much of the labour and supervision, giving them unfettered access to younger children. Testimony before recent inquiries captures the mix of helplessness and vulnerability that this engendered.[43]

The demands of institutional efficiency also created the space within which sexual abuse could develop and thrive. Institutions for children were saturated with a sexuality, the presence of which was suppressed, or more often, completely denied. Boys commonly swam naked,[44] and the large common bathrooms for boys and girls operated in the interests of efficiency rather than privacy.[45] The Victorian Betrayal of Trust report explored the impact that such sexualised environments had on offenders, arguing that while the situational offender reacted to such "temptation", the opportunistic offender exploited the access they provided, and the predatory

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Institutional Abuse Inquiry, *Module 2 Child Migrant Programme Evidence Called and Transcripts* (Belfast: Historical Institutional Abuse Inquiry, 2014). HIA 346 witness statement.

[42] Historical Institutional Abuse Inquiry, *Module* 2, HIA 312 witness statement.

[43] Monica Whitman and Anon, Submissions 140 and 248, Forgotten Australians; Stena Keys, Betrayal of Trust submission:

http://www.parliament.vic.gov.au/images/stories/committees/fcdc/inquiries/57th/Child_Abuse_Inquiry/Submissions/Stena_Keys.pdf.

[44] Ralph Doughty, Submission 282, Forgotten Australians.

[45] Anon, Submission 330, Forgotten Australians.

offender manipulated institutional conditions to maximise contact.[46] The public display of young naked bodies, survivor John Sanderson has come to understand, served as a "smorgasbord" from which staff in the latter category could select their next victims.[47]

Orphans as morally deficient

While the structure and function of orphan asylums explains how abuse was able to occur, in order to understand why such abusive environments caused so little alarm we need to examine the assumptions that were made about the children who came into care. In an article published in 1994, feminist scholars Nancy Fraser and Linda Gordon set out to trace the genealogy of the notion of dependency in order to understand how it came to be a negative term used to justify cutbacks to the welfare state. In the course of the nineteenth century, they argue, a term that described an economic relationship was converted into a moral discourse. In the process the poor were transformed into paupers, carriers of negative traits associated with a lack of will power or excessive emotional neediness.[48] Orphanages and children's homes were understood as catering for children of this class, not orphans but "worse than orphans", whose parents had failed to provide them with a home. Their core function was to prevent these

[46] Family and Community Development Committee Parliament of Victoria, *Betrayal of Trust: Inquiry into the Handling of Child Abuse by Religious and Other Non-Government Organisations*, 2 vols., vol. I (Melbourne: Parliament of Victoria, 2013), 135-6.

[47] John Sanderson, Submission 312, Forgotten Australians. See also Leslie Burr, Betrayal of Trust Inquiry: http://www.parliament.vic.gov.au/fcdc/article/1789.

[48] Nancy Fraser and Linda Gordon, "A Genealogy of Dependency: Tracing a Keyword of the U.S. Welfare State," *Signs* 19, no. 2 (1994): 312.

negative traits continuing into the next generation. The moral taint was assumed to be latent in the children taken into care. "Institutional children are far different from ordinary children", a Canadian physician observed. "There are in a child certain qualities of soul that are practically physical. With no mother-love, no restraint from a father, no home, no fireside, so to speak, these emotional springs that should have developed with the child dry up, and there is something actual, something physical, missing from its make-up. That is the very homely reason of the orphan's deficiency".[49]

British historian, Harry Ferguson, has shown how the constitution of the institutionalised child as both victim and threat, as "moral dirt" with the potential to pollute the surrounding environment, justified the harsh discipline which too often veered into abuse.[50] These assumptions shaped the experience of all institutionalised children, whether or not they were directly exposed to harm.[51] "Socially constructed as a grotesque 'other', they were understood as having to be retrained in order to protect other children from their 'contaminating influences'".[52] Marching with the orphanage contingent at Melbourne's St Patrick's Day parade, Ryzsard Szablicki was acutely aware of being "gawked" at by the onlookers. It was at this point that he came to a "realisation that we were, in fact, boys who did not and could not ever belong to the

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[49] "Homes for Orphans," October 1912. Newspaper clipping, Kelso Collection, National Archives of Canada: MG30 C97 Box 14.

[50] Harry Ferguson, "Abused and Looked after Children as 'Moral Dirt': Child Abuse and Institutional Care in Historical Perspective," *Journal of Social Policy* 36, no. 1 (2007): 129.

[51] Joanna Penglase, "Forgotten Australians: The Report of the Senate Inquiry into Children in Institutional Care," *Developing Practice* 11 (2004): 33.

[52] Ferguson, "Abused and Looked after Children," 133.

outside world unless lucky".[53] Even within the institutions children were subject to public humiliation. "'You will be insane like your mother', or 'You will never be any good you bastard', were often used phrases".[54] Janet Ellis who, in 1954, was sent from Britain to a Fairbridge farm school in Australia at the age of seven recalled: "They called me scum; they said I was dirty. They said I was the lowest form of life. I don't remember anyone ever saying 'You did a good job, Jan. Well done'. I remember a lot of people hitting me around the head and belting me with whatever they could lay their hands on".[55]

Assumptions about the essential nature of institutionalised children were readily invoked on the rare occasions when allegations of abuse did come to public attention. An 1873 complaint against the superintendent of Hobart's Queen's Orphanage for placing girls who had absconded in solitary confinement was dismissed on the basis that "taking into consideration the evil influences of these elder children … upon the younger inmates of the Asylum" the "specially severe" punishment was evidence that the Principal exercised "sound discretion".[56] Confronted with proof that the Superintendent of the Geelong Orphan Asylum in Victoria had impregnated one of his young charges, the Committee explained their decision to dismiss him without laying further charges by arguing that he was: "a most valuable servant of the Institution, but like many

[53] Szablicki, *Orphanage Boy*, 165.

[54] Lewis Hyde Gibson, *A Trial and Separation: The Story of an Institutionalised Boy and His "Mental Defective Mother"* (Carrum: L. Gibson, 1995), 62.

[55] David Hill, *The Forgotten Children: Fairbridge Farm School and Its Betrayal of Australia's Child Emigrants* (Sydney: Random House, 2007), 293-4.

[56] "The Queen's Orphan Asylum," *Tasmanian,* 3 May 1873, 13. http://nla.gov.au/nla.news-article198912116

others had done he had yielded to temptation, and, from what he had heard … temptation of no common order".[57] At a 1908 inquiry into allegations that veteran Victorian child rescuer, Selina Sutherland had used excessive forms of punishment, her defence counsel argued that she had only hit the children "when they really deserved it".[58] Cross-examining Edith Martin, a former assistant at the home, Sutherland's counsel asked whether she did not understand "that many of the children at the home were gathered from the slums, and that their habits are dirty".[59] When the residents in such homes sought to approach teachers, doctors or other people in authority with allegations of abuse, they had to confront assumptions which positioned them as "other" to children ensconced within families: less innocent, less reliable and less likely to be moral. In cases of sexual abuse the ability to access the language with which to describe their experiences only rendered them more likely to be negatively judged.[60]

The construction of institutionalised children as the defective or diminished "other" also rendered them available, and able to be constructed as welcoming or even seductive in the minds of the staff with paedophilic tendencies. Evidence presented before the Royal Commission demonstrated how such understandings were internalised by both the children and the perpetrators. John Hennessy, who describes in some detail how he was groomed by the brothers at Bindoon, believes that the residents were seen as outside the realms of normal childhood. "I

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[57] Geelong Protestant Orphan Asylum," *Geelong Advertiser*, 29 January 1875, p. 3. http://nla.gov.au/nla.news-article148773662

[58] "Miss Sutherland," *Argus*, 13 October 1908, 7. http://nla.gov.au/nla.news-article10162481; "Miss Sutherland," *Argus*, 20 October 1908, 9. http://nla.gov.au/nla.news-article10185397.

[59] "Miss Sutherland," *Argus*, 26 September 1908, 21. http://nla.gov.au/nla.news-article10190256.

[60] Louise Jackson, *Child Sexual Abuse in Victorian England* (London: Routledge, 2000), 87, 99.

believe the brothers felt we were children of the Devil. We were not children of God. Because we were born out of wedlock". [61] Already tarnished, they were seen as available, a view embodied in the words of the officer who took Raymond Carlile from his bed at the Riverview Salvation Army Boys Home in Queensland: "I want you, you dirty little thing".[62] The Aboriginal children at Bethcar home in rural New South Wales were inured to their lesser status through Bible studies conducted by their abuser who "told us we were sinners and that we were going to hell. He said that we were good for nothing and that our parents did not want us because we were liars … [and] that we belonged in the gutter".[63] At the South Australian Salvation Army home, Eden Park, Graham Rundle was regularly abused by an officer who would then "become very irate and blame me like it was my fault saying … 'You shouldn't have led me on'. 'It was the devil in me' he said".[64]

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[61] Royal Commission into Institutional Responses, "Case Study 11 Transcripts," WA13, 28 April 2014, 1527, http://childabuseroyalcommission.gov.au/case-study/e7ba58da-609c-4854-aa74-c8992ec75d3c/case-study-11,-april-2014,-perth.

[62] Royal Commission into Institutional Responses, "Case Study 5 Transcripts," Day 37, 28 January 2014, 3913, http://www.childabuseroyalcommission.gov.au/case-study/a0bd6592-0036-42eb-9c33-62c7ad8312b1/case-study-5,-january-2014,-sydney

[63] Royal Commission into Institutional Responses, "Case Study 19 Transcripts," Day 96, 22 October 2014, 10057. http://www.childabuseroyalcommission.gov.au/case-study/a83cd4b4-1c68-4233-953c-a7da8e3cfa8b/case-study-19,-october-2014,-sydney

[64] Royal Commission into Institutional Responses, "Case Study 33 Transcripts," C106, 6 October 2015, 11078. http://www.childabuseroyalcommission.gov.au/case-study/7c8304d0-7956-434e-82b4-1a434e1d2042/case-study-33,-october-2015,-adelaide

Such survivor testimony demonstrates how the internalising of such attitudes rendered children both vulnerable and unable to resist. After many years in Catholic orphanages John Wells had such a need for affection that at least initially he saw "sitting on a brother's knee and being fondled … [as] a nurturing sort of thing".[65] Oliver Cosgrove felt that the behaviour was wrong but was confused as to how to respond. "We were taught to be grateful for even being there. It also would have been difficult to speak about it, because I assumed I was at fault".[66] CA, a former resident of an Anglican home in New South Wales spoke of the confusion caused by a priest who, as the children were all chanting prayers, would use his hands to "wander over [her] small budding body". "We never told", she added, "for the beatings were to be feared more than the violation of what we believed ourselves to be – worthless".[67] For many care leavers these feelings of inferiority carried over into adulthood. As Joanna Penglase concluded: "we have spent our lives unrecognised and invisible, feeling that what happened to us as children was somehow our fault … our childhood in 'care' scarred us for life".[68]

Conclusion

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[65] Royal Commission into Institutional Responses, "Case Study 11 Transcripts," 1567. http://childabuseroyalcommission.gov.au/case-study/e7ba58da-609c-4854-aa74-c8992ec75d3c/case-study-11,-april-2014,-perth

[66] Royal Commission into Institutional Responses, "Case Study 11 Transcripts," 1575-6.

[67] Royal Commission into Institutional Responses, "Case Study 3 Transcripts," Day 17, 19 November 2013, 1708-9. http://childabuseroyalcommission.gov.au/case-study/38a5efdf-5834-4b40-be30-b8a30061b547/case-study-3,-november-2013,-sydney

[68] Penglase, "Forgotten Australians," 32.

The critique that saw the decline and ultimately the closure of the large orphanages did not focus on the prevalence of institutional abuse. Rather it arose from a concern that institutions failed in their goal of remaking the tainted child. Advocates of boarding out in the nineteenth century praised the ability of the foster home to be "more completely submersive than it is possible for any institution life to be of the pauper spirit", not because it was more loving and caring but because it introduced the child to the importance of labour.[69] These arguments were echoed by advocates of deinstitutionalisation in the twentieth century who claimed that a family-like home provided a better environment in which to train the child in the skills they would need to earn their living in later life.[70] In retrospect, the judgement of orphanages has been somewhat less harsh, and the claims of foster care are seen to have been over-rated. Neither critique, however, has addressed the incidence and causes of abuse in out-of-home care. Focusing on the goals and outcomes of the competing forms of care, they ignored the ways in which they all rendered children vulnerable to ongoing abuse. In the face of such silences, it was left to the survivors of such abuse to confront governments with their failure to care, campaigns which have led to the inquiries that have proliferated across western countries in recent years.

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[69] "The System of Boarding-out Pauper Children," *Economic Journal* 3, no. 9 (1893): 69.

[70] "Children's sorrows brought daily to Child Welfare," *Sun*, 17 September 1952, 19. http://nla.gov.au/nla.news-article231005607