

Reconciliation Plan

For children who as wards of the State were placed in adult mental health facilities

Statement of Reconciliation

The Queensland Government acknowledges the harm done to people who as children and wards of the State were placed in adult mental health facilities for extended periods of time and who did not at that time have an identified mental illness.

The decision to place you as a child in these facilities for extended periods was wrong and inflicted pain, suffering and loss. For this we are sorry.

The decision to place you in a facility with adults, who had a serious mental health illness and some of whom had criminal charges pending, deprived you of an education and the opportunity to grow and develop in a nurturing environment like other children and young people your age. As impressionable children and young people, you were placed in areas within these facilities that were at times abusive, brutal and violent. This was wrong and we are sorry.

The Queensland Government reaffirms the 2010 apology that was given to you and offers you this plan for reconciliation.

This plan can never undo or remove the harm and the impact that this harm has had on you and your families. It is, however, a genuine commitment to acknowledge the harm, recognise its impact on your life, and provide some tangible support to assist you in the future.

We respectfully ask that this plan be received in the spirit in which it is offered – a symbol and commitment to genuine, honest and heartfelt reconciliation. It is our hope and desire that this plan goes some way to healing some of your hurt, pain and suffering and helps to improve your life.

We acknowledge your strength of character, resilience and perseverance in advocating for yourself and others over a long period of time. The Government also acknowledges the honesty, openness and courage of each person who participated in the process to develop this Reconciliation Plan.

The retelling of life stories can at times be painful and distressing. We thank you for sharing your stories and for giving all Queenslanders the opportunity to learn from the mistakes of the past.

Hon Annastacia Palaszczuk
Premier
Minister for the Arts

Hon Cameron Dick
Minister for Health
Minister for Ambulance
Services

Hon Shannon Fentiman
Minister for Communities,
Women and Youth
Minister for Child Safety
Minister for the Prevention of
Domestic and Family Violence



Introduction

From the 1950s through to the 1980s, some children as wards of the State of Queensland were placed in adult mental health facilities. These children, who did not have an identified mental illness, were placed in these facilities by the State principally due to their behaviour not conforming to what was considered to be the standards of the day.

Wolston Park was one of a number of adult mental health facilities where children were placed by the State. Other facilities included: Lowson House and Ward 16 at the Royal Brisbane Hospital; Ipswich Mental Hospital (subsequently known as the Challinor Centre); Baillie Henderson and Willowburn (Toowoomba Hospital); and the Winston Nobel Unit (Chermside).

As a result of this placement decision these children suffered harm. Their experiences include physical and sexual abuse, and deprivation of an education and access to activities that would contribute to normal social development. Some were incorrectly diagnosed with a mental health illness and some received treatments that have had an adverse impact on them and their families. This harm has resulted in life-long impacts that affect them to this day.

In 2010, the Queensland Government apologised to people who as children were inappropriately placed in Queensland adult mental health facilities. The apology, issued by the then Minister for Health and the Minister for Community Services and Housing and Minister for Women, acknowledged that the apology offered in the 1999 Forde Inquiry Report did not extend to those who, as children, suffered in any way while a resident in an adult mental health facility. The 2010 apology included a commitment to plan formal reconciliation in consultation with those who were harmed.

Between 2010 and 2016 there was tenacious advocacy by some of the people who had been harmed for the State Government to fulfil its commitment to plan reconciliation. Despite this tenacity, little had been done to honour the commitment in the apology to plan formal reconciliation until now.

The strategy to plan reconciliation

In late 2016, the Minister for Health and Minister for Ambulance Services approved a strategy to plan reconciliation with those who were harmed.

This strategy was to be implemented with the following guiding principles:

- a. Acting consistently, fairly, respectfully and sensitively.
- b. Minimising the risk of re-traumatisation by:
 - i. having a sound understanding of the prevalence and nature of trauma arising from interpersonal violence and child sexual abuse;
 - ii. recognising and being responsive to the social and cultural contexts which shape the needs and healing pathways of those who have been harmed; and
 - iii. recognising the importance of trust and relationships in overcoming trauma and supporting healing.
- c. Recognising the lived experiences of those who have been harmed and having regard to their individual needs.

- d. Respecting requests for confidentiality.
- e. Accepting the implications and undertakings in the State's apology.
- f. Not taking advantage of those who were harmed.
- g. Working collaboratively and negotiating in good faith.

To be included in this process a person must have been:

- a child in the care of the state (i.e., a ward of the State); and
- as a child and ward of the State, was placed by the State in an adult mental health facility; and
- was inappropriately placed in that adult mental health facility (i.e., had no identifiable mental illness); and
- claims either directly to the State, or via a non-government organisation funded to provide support, to have suffered harm as a result of being inappropriately placed in an adult mental health facility as a child in the care of the State.

In addition to working with those people who had already been in contact with the State Government, on 22 April 2017, the Department of Health placed an advertisement in *The Courier-Mail* and *The Australian* newspapers outlining the reconciliation process and asking those who had been affected to come forward. This was important to ensure that all people who were eligible had an opportunity to be involved in the reconciliation planning process.

The strategy included the engagement of an independent person to conduct a sensitive inquiry with each person who was harmed and wanted to participate in the reconciliation planning process to understand what reconciliation meant for each of them personally. Following this, the Government would determine what action it was prepared to offer in terms of reconciliation, having regard to the information gathered by the independent person. Subject to the acceptance of the offer, the Department of Health would implement the Reconciliation Plan based on the elements that each person has accepted.

The engagement of an independent and respected person was critical due to the sensitive nature of the issues, the high level of distrust of the State and its agencies by those who were harmed as a result of Government policy at the time, and the length of time that had passed since the apology was made and any tangible actions being taken.

The Department of Health engaged Ms Betty Taylor to conduct these sensitive inquiries. Ms Taylor has worked across the domestic violence and sexual assault sector for the past 30 years and is highly regarded for her expertise and compassion. In April and May 2017, Ms Taylor met with eight people (all women) individually to understand what reconciliation meant to them.

Key findings – independent sensitive inquiry

Ms Taylor identified four common themes during her sensitive inquiry. These issues reportedly had impacts on the women as children and throughout their lives, and included:

- the use of anti-psychotic drugs and sedatives to control behaviour as opposed to the treatment of any diagnosed mental health condition;
- experiencing rape and sexual abuse;
- living with fear due to an environment that was harsh and cruel; and
- being isolated from peers and denied access to schooling.

A key finding was that the experiences and impacts on the people who took part in the sensitive inquiry were much broader than the institutional sexual abuse of children. For example, as children, these people were detained with adults who had severe mental illness and some also had been charged with serious criminal offences. They endured acts of physical violence, were isolated, and were deprived of educational experiences. Due to the broad and wide ranging impacts on their lives, a broader response should be considered than that being proposed by the Royal Commission into Institutional Responses to Child Sexual Abuse.

Ms Taylor's report will be tabled in Parliament.

There are allegations of a criminal nature referred to in the report. It is understood that some of these allegations have been previously reported to the Queensland Police Service while others may not have been. This report has been provided to the Queensland Police Service and the Crime and Corruption Commission of Queensland to consider what action could be taken in response to these allegations, in consultation with the women involved.

The Reconciliation Plan

This plan is for people who as children were wards of the State of Queensland and were placed by the State in an adult mental health facility and did not at that time have an identified mental illness (participants).

This plan can never undo or remove the harm and the impact that this harm has had on participants and their families. It is, however, a genuine commitment to acknowledge the harm, recognise its impact, and provides some tangible support in the future.

It is our hope and desire that this plan goes some way to healing some of the hurt, pain and suffering and assists to improve the life of each participant.

Each participant is offered all of the following elements. However, each participant can determine which element or elements they wish to accept or in which they would like to participate.

1. Initial supports: The State will provide financial support for each participant to understand the legal and financial implications of accepting this Reconciliation Plan. There will also be support available for each participant to access counselling and debriefing support as a result of their involvement in the reconciliation planning process.

2. Monetary payment: The State will provide an *ex gratia* payment to each participant in acknowledgement of the harm that occurred as a result of the decision of the State to place the participant in an adult mental health facility. The acceptance of this payment does not extinguish any common law rights that the participant has under any other Queensland law, i.e., no deed of release will be sought.
3. Future support: The State will provide assistance to each participant to navigate access to relevant government services.
4. Records and information: The State will provide support to each participant to access their personal health records and will provide information on the impact of the medications that they received while in these facilities.
5. Recognition and remembrance: The State will purchase the painting by Anne Wallace depicting the women in a boat and will display this painting in a public place with the apology and the Statement of Reconciliation as a public acknowledgement of the harm and a reminder for future generations. The State will also hold a private commemorative event for the participants to mark the completion of the reconciliation planning process.