Scottish Child Abuse Inquiry

Witness Statement of:

International Association of former Child Migrants & their Families (IAFCM&F)

Support person present: **No**

1. This witness statement is presented by the International Association of former Child Migrants and their Families (IAFCM&F or 'the Association'). It has been prepared by Norman Johnston, President of the IAFCM&F ([redacted]) and Committee Members Tony Costa ([redacted]) and Marcelle O'Brien ([redacted]). We have consulted a wide range of former child migrants regarding their concerns and priorities over many years.

2. The Association's origins were initially as the client advisory group to the Child Migrants Trust (CMT) in the 1990s.

3. The Association's wider agenda developed after 1997 from the long-term campaigning work of Harold Haig, the Association's founder Secretary who worked tirelessly, often daily, as a volunteer until his death in 2012.

4. Whilst the CMT provides vital, specialist services to restore our families and identities and help our recovery from childhood institutional abuse, our campaign for justice required an allied but separate organisation to pursue goals of recognition, justice and reparation for all former child migrants. The Association was established in October 1997.

5. The Association's objectives are to promote the interests of all former UK child migrants and members of their families, particularly by seeking justice, professional, independent specialist services and redress from those Governments and agencies involved in child migration schemes, and by promoting greater public awareness of the devastating consequences of childhood deportation on our lives.

6. The Association's priority agenda was set at the First International Congress on Child Migration at New Orleans in 2002. Our objectives have not changed over the years, but our repeated requests to governments have been denied, diluted and occasionally accepted.

7. The principal objectives are:

- An independent, judge-led inquiry into the British policy of child migration or, more correctly, deporting its most vulnerable citizens.
- Long term, secure funding for the independent, specialist services of the Child Migrants Trust to ensure we have expert help to reclaim our families and identities.
- A family restoration fund with no arbitrary end date for former child migrants, to help us meet with our families following decades of enforced separation.
- National Apologies from those countries involved in the barbaric practice of child migration.
- Reparation including adequate redress – two key areas which require swift action as child migrants are an ageing population.
- A memorial in the United Kingdom to ensure the painful legacy of child migration is not forgotten, and our families have a place to visit and reflect both now, and after we are gone.

8. Following our country's National Apology in February 2010 which meant so much to all of us, there was a failure by the UK government to develop a post apology plan. After the apology must come truth and justice.

9. Harold Haig responded to former Prime Minister Gordon Brown's Apology, on behalf of all former child migrants and their families. This moving, sincere response can be viewed on the CMT website. I would ask this Inquiry to familiarise themselves with our response to that day, which we had waited for all our lives. This was truly a precious moment of recognition by our Country.

10. The Child Migrants Trust has always ensured those governments responsible for child migration have been regularly informed of the devastating consequences of these cruel child migration schemes. It has taken more than 30 years to reach this day. Many of our childhood friends have died without receiving any justice whatsoever. Justice delayed was justice denied to them.

11. Until 2002, the Association had several hundred active members representing the UK and all four countries involved in British child migration. Following the International Congress on Child Migration in New Orleans, we changed our policy on membership, in order to pursue the broader objectives and work as a focussed committee alongside the Child Migrants Trust.

12. The Association changed its approach because considerable time and effort was being wasted on administering membership fees and local concerns that detracted from pursuing the bigger picture issues.

13. Since 2002, the Association committee has operated as a campaigning group, consulting closely with the CMT and communicating with former child migrants on an individual and group basis. In addition to website and newsletter updates of our activities, on occasions we send open letters to most former child migrants on the CMT mailing list, rather than maintaining membership ourselves. This is one of the ways the CMT provides help with related administrative work and a means of reaching more former child migrants than our earlier membership-only mailing list.

14. The Association has only ever represented the interests of former UK child migrants and their families. We are a unique group of people who desperately require unique solutions to our very specific needs.

The Association's work

15. Our primary focus has always been to achieve justice and truth for all former child migrants and their families. This is a tragedy beyond words.

16. We speak with one voice on this matter and over the years have consulted with hundreds of former child migrants regarding their concerns and priorities. We are confident we speak with the authority of the child migrant community.

17. We have been fully involved in all the key public, cultural and political events involving child migration, especially the two parliamentary inquiries in the UK (1998) and Australia (2001) followed by two significant national apologies (Australia 2009, United Kingdom 2010) and four Inquiries: the Australian Royal Commission into Institutional Responses to Child Sexual Abuse (2013-17), the Northern Ireland HIA Inquiry (2014-17), the Independent Inquiry into Child Sexual Abuse (IICSA) (England and Wales 2017-18) and now the Scottish Child Abuse Inquiry.

18. The Association has its own base within each of the CMT's three offices in Australia and the UK, which provide administrative support whilst we maintain independent operations. In 2011, the Association received its first external funding, an annual Federal grant of $25,000 AUD to promote the interests of former child migrants and engage in wider community education activities.

19. We have played a key role in cultural initiatives such as in cinema (Oranges and Sunshine 2011) television and stage productions plus the establishment of national memorials and exhibitions. We were actively involved in the establishment of the first UK memorial to former child migrants in Nottingham in 2007. We also acted as consultants for museum exhibitions in the UK and Australia, including the 2010 exhibition in Westminster Hall, and the 2015-16 exhibition 'On their Own' at the V&A Museum of Childhood in London.

20. The Association has undertaken considerable media work over more than twenty years, participating in major documentaries including CBS Sixty Minutes and many quality programs screened in Australia and in the UK. We worked with the Charles Wheeler oral history program on BBC Radio 4 and gave many interviews surrounding the national Apology in 2010.

21. Within its client advisory role, the Association acts as a consultant and source of feedback to the CMT on issues and concerns within the former child migrant community.

22. In 2002, in collaboration with the CMT and the generous financial support of Nottinghamshire County Council (the *'conscience of the world'* in relation to child migration whose vital financial support to CMT requires due recognition), we attended and supported the First International Congress on Child Migration, held in New Orleans, USA. This landmark event brought together nearly one hundred professionals, including lawyers, psychologists, social workers, politicians, lecturers and historians. We also contributed to a special session on Child Trafficking at this Congress, chaired by Margaret Humphreys, which included a representative from the United Nations.

23. The Association has its own section on the CMT website and prepares articles for the CMT newsletter. This is distributed to more than a thousand former child migrants and family members in several countries to promote awareness of its activities and encourage active discussion and feedback.

24. The Association has prepared many written submissions relating to key issues for former child migrants. For example, we prepared statements on Redress for the Australian Royal Commission into Institutional Responses to Child Sexual Abuse, and the statute of limitations as an obstacle to justice in civil proceedings.

25. We also gave evidence in person and provided a written statement to IICSA. Indeed, the IICSA report on child migration used the evidence of Marcelle O'Brien (Association Committee member and co-author of this submission) as part of its introduction to their final report.

26. We supported and encouraged former child migrants giving evidence to the Northern Ireland inquiry into Historical Institutional Abuse and helped promote other redress initiatives via consultation with former child migrants.

27. Former child migrants have been denied truth and justice all our lives. We are hoping that this Inquiry will focus a spotlight on why we were so cruelly abused and robbed of our identity, our families, our culture, communities and our country.

Lobbying the British Government

28. We were able to give testimony before IICSA only because of intense lobbying of former Prime Minster Cameron, who refused our request for a judicial inquiry on child migration but instead arranged for us to meet with relevant Ministers in October 2014. At that stage, we were unable to participate in IICSA as that Inquiry restricted evidence regarding historical abuse to 1970 – precisely the year when the last child migrants were deported to Australia.

29. Ministers Norman Baker from the Home Office and Dr Dan Poulter, Parliamentary Under Secretary of State for Health, met with the IAFCM&F President Norman Johnston; John Hennessey, a leading member of the Association and Margaret Humphreys, CMT Director, to discuss our request for a separate judicial inquiry into child migration. We were urged to contact the then Chair of IICSA, Fiona Wolfe, regarding former child migrants' participation. The Ministers advised they would be reporting to the Prime Minister after our meeting.

30. Within a week of that meeting, Fiona Wolfe resigned and we received no formal meeting minutes or advice about our next step. However, the terms of reference for IICSA were extended to 1945, a welcome and positive step.

31. IICSA was not the Inquiry former child migrants required to address the full range of issues that merited investigation, rather than limiting the focus to those strands that relate only to institutional sexual assault.

32. However, at least some questions were being asked – more than two years after that meeting. But it was too late for John Hennessey who died in [redacted] 2016, without ever knowing that IICSA would have listened to his evidence.

33. Over thirty years after Margaret Humphreys first informed the British Government of all we suffered and what was needed, and almost ten years on from a national Apology, it is just not good enough. Many former child migrants remain excluded from participation unless they identify as a survivor of childhood sexual assault.

34. Children kidnapped from home and family, continually flogged and beaten senseless, starved and deprived of warmth and safety, forced into slave labour and then denied their true identity – this catalogue of crime and corruption is apparently not considered worthy of judicial investigation. This failure to investigate amounts to another layer of indifference and abuse.

35. We welcome the Scottish Child Abuse Inquiry, particularly as it is judge led and has the capacity to investigate the complex layers of the child migration experience, where earlier Inquiries have been limited to a more restricted brief.

36. The issue of identity fraud and the deception involved in our status as orphans, for example, has never been properly investigated by a public Inquiry, yet it had catastrophic consequences for thousands of British children including many from Scotland. Similarly, there have been heart-breaking repercussions for the families of former child migrants and decades of cruel separation.

37. The Association has an extensive and damning archive, hundreds of documents showing our consistent and extensive lobbying of the British Government in pursuit of our objectives over the past 20 years. Sometimes, our letters have been unanswered. But, equally, we give credit for welcome moments of engagement with past Prime Ministers, Blair and Cameron, but most especially Gordon Brown.

38. There have been many failures and lost opportunities along the way. Resistance by the British Government to accept its responsibilities for the colossal policy failure of child migration and its often brutal consequences for thousands of British children is an indictment of our country. As the years rolled by, it is nothing short of a national disgrace that many former child migrants have gone to their graves without adequate help to find their families or any explanation for why they were selected for deportation and a stolen childhood of degradation and abuse.

39. In 1993, former Prime Minister John Major expressed his indifference to the plight of former child migrants and missed a vital opportunity for positive, decisive leadership. During a Commons adjournment debate, David Hinchliffe, MP for Wakefield called for an independent public inquiry to end the disgraceful Government cover-up of the issue. Mr Major did not answer the question directly but washed his hands of any responsibility: '*Any concern about the treatment of the children in another country is essentially a matter for the authorities in that country.*'

40. Margaret Humphreys' work with the All Party Group of MP's played a key role in the establishment of the Health Select Committee Inquiry into the welfare of former British child migrants in 1998, chaired by David Hinchliffe.

41. Sadly, the Inquiry's short report resulted in a '*statement of regret*' by the Secretary of State for Health rather than a full Apology by Prime Minister Blair, who in his first major speech as PM had promised that there would be '*no forgotten people*.' We assume it was fear of the cost of redress measures that prevented the British Government from making a full national Apology in 1999.

42. The late Audrey Wise, MP for Preston and a member of the Health Select Committee, described child migration as '*war crimes without the war*.' We do not believe, therefore, that a full apology was avoided because the full extent of the abuse was not understood.

43. There were some helpful measures put in place, but the British Government failed to develop any long term policy regarding child migration, the same mistake they made following Gordon Brown's Apology in 2010.

44. Within three years from the Health Select Committee 1999 report, we were back to the drawing board as CMT's funding was once more under threat. The clock was ticking but, yet again, the opportunity for many of us to find our families was once more at risk. This was one of the driving forces behind the New Orleans Congress.

45. It took too long to resolve the CMT's funding to anything close to adequate, by which time many more of our mothers and fathers had died before we could be reunited with them. This constitutes, more explicitly than anything else, secondary abuse of British citizens. Unforgiveable, given that the Child Migrants Trust had made the consequences of restricted funding abundantly clear. Margaret Humphreys is on record as repeating, time and time again – '*every day counts for former Child Migrants*'. In those years, our parents were reaching the end of their lives – now most have died – and we ourselves are now ageing and dying.

46. The Government's refusal to act has become a multigenerational problem spanning decades. Will it be left to our children to continue the pursuit of justice? Even now, after the British Government's slow response to the one IICSA recommendation regarding financial compensation, there is no security of funding for the Family Restoration Fund which may end in March 2020.

47. During 2005, the IAFCM&F President and Secretary, Norman Johnston and Harold Haig, met with the British High Commissioner, Baroness Helen Liddell, at the Commission in Canberra. We discussed our concerns and frustration at the lack of any meaningful response by the British Government to our plight in the several years following the Health Select Committee Inquiry.

48. It was a frank discussion. We thank the High Commissioner for her forthright views. Her message was distressing, tough and confirming. '*You will have a very long wait. The British Government are waiting for you all to die*.' We spoke with journalists immediately afterwards outside the High Commission.

49. The engagement with the British Government at the time of the Apology in 2010 was a refreshing moment of truth and recognition. The exhibition on child migration held in Westminster Hall was the first time the reality was in stark evidence in our country. The responses from the public confirmed our view that nobody who cares for children could tolerate what was done to us.

50. We wish to give full credit where it is due. The post Apology developments of the Family Restoration Fund and improved funding for the CMT have made a real difference, especially in bringing families together.

51. But there were no cultural or educational initiatives to build a lasting understanding of our experience and help learn the lessons from the past. Until the limited implementation of the IICSA report recommendations, there has been a complete refusal to consider issues of redress or, more importantly, a judicial inquiry to determine what was needed. Government decided itself that it had done enough.

52. Following IICSA, even after the implementation of a payment scheme set at the most minimal level of £20k for a lifetime of loss and suffering, (without any consultation about a meaningful amount or other redress measures needed), it seems child migration still remains largely unknown to the general public and unacknowledged by government. There was no statement from the Prime Minister nor any debate in the House. Hardly a moment of change.

53. Soon after the UK 2010 Apology, we alerted the British Government when the Queen was due to visit an institution in Western Australia, which today offers services for indigenous children, after its dark past as a place of torture and despair for British child migrants. This came at a time when the CMT and the Association's request to participate in the annual Commonwealth Heads of Government Meeting (CHOGM) had been denied.

54. We were alarmed that Her Majesty probably had no idea of the significance of that institution, Clontarf, which accommodated but did not safeguard hundreds of British children. However, many former child migrants viewed the occasion as yet another slight and a failure to take account of our history – all within a year of the nation's Apology.

55. The majority of us shared a childhood of pain, loss and deprivation without hope, comfort or safety. Many of us were subjected to the most serious sexual assaults over a period of many, many years. Even more were subjected to cruel and abusive regimes of punishment that could better be described as torture. In 1998, we were greatly offended by Canon Christopher Fisher, from the UK Catholic Children's Society, who compared conditions in Australian child migrant institutions to those in British boarding schools. It beggars belief that this level of denial and hypocrisy was put forward as a serious comment.

56. We do not collect statistics regarding how many former child migrants experienced sexual assault. However, we know from speaking with former child migrants for the past 20 years that it was many children, probably numbered in the hundreds at least, and that some institutions had an endemic culture of sexual abuse.

57. We know also that many children lived with the constant threat of serious physical, sexual and other forms of abuse. They witnessed other children being taken from their beds at night, and observed many kinds of behaviours by adults towards vulnerable children which today would be called 'grooming,'

58. Child migration history is layered with barbaric practices and policy failures that cry out for a judicial inquiry. If a dozen British children today were subjected to the appalling maltreatment, deception and degradation we suffered, there would be an immediate national inquiry and justifiable demands for organisational accountability. **We hope that as a judge led Inquiry, SCAI will actively investigate the wider child migrant experience where other public Inquiries have so far failed to look beyond the pattern of systemic sexual abuse.**

59. Our submissions to the 1998 UK Health Select Committee and the 2001 Australian Senate Inquiry detail those experiences, which include many examples of gross and degrading abuse. They also include highly suspect practices that require an investigation and explanation beyond the patronising 'standards of the day' excuse that was repeatedly given by the deporting agencies to justify appalling standards of care and their total failure to control paedophiles and violent offenders within their employ.

60. Only white children were eligible for the racist child migration policy aimed at strengthening the Empire with '*good white British stock*.'

61. Child migrants were the subject of Commonwealth identity fraud - cruelly mislabelled as 'war orphans' which stopped many from searching for their parents until it was too late.

62. Deprived of our records, most former child migrants were denied even a full birth certificate that named our parents. In many cases, family background information was never sent with the children but remained out of reach in UK archives. That condemned us to a life without family or identity until the Child Migrants Trust came to our aid in the late 1980s. As we have said on many occasions - without Margaret Humphreys and the Child Migrants Trust we would still be in the wilderness.

63. Many former child migrants were deported without our parents' knowledge or consent. Many parents were told the cruellest of lies – that their children had been adopted by loving, caring families in the United Kingdom. The truth, of course, is very different. As young children we were sent to what we can only describe as labour camps where we were starved, beaten, abused in despicable ways and all ties to our family and country were severed.

64. This Inquiry will hear of very young children being sexually abused and exploited in British institutions prior to their deportation, only to find the same horrors awaited them after arrival in their new country.

65. It breaks our hearts to hear from some of our child migrant friends that their parents tried desperately to get them back, but were lied to and deceived by these very well thought of charitable institutions in the U.K. Without the work of the Child Migrants Trust, many of these parents would never have seen their children again. That, of course, was the dreadful plan.

66. The late John Hennessey gave evidence before the Australian Royal Commission in 2014 that he could '*still hear the screams of the kids being separated*' from their brothers and sisters on the dockside at Fremantle. We would urge you to read the testimony of John Hennessey, who campaigned for an Inquiry for 30 years.

67. It is an indictment of the slow progress in delivering justice to former Child Migrants that key issues were not resolved in John's lifetime (John died suddenly on [redacted]2016).

68. We have learnt of some brothers and sisters being separated forever and sent to different countries – some to Canada and others to Australia. Cruel beyond belief.

69. In some Australian institutions, we were subjected to shocking medical neglect and degradation. Some were handed over to student dentists and had their permanent teeth extracted. Others were subjected to dubious 'treatments' to control bedwetting that involved repeated sexual molestation. Some former child migrants were deprived of glasses and left institutions illiterate and disadvantaged educationally and in so many other ways.

70. We lived a childhood of fear and terror which has, without doubt, caused many of us life-long detrimental consequences to our health and well-being.

71. The intimidation experienced by many of us was one of the most damaging and cruel practices of many institutions and has, without doubt, caused lifelong emotional damage to many former child migrants.

Child Sexual Abuse and Child Migrants

72. We suffered in silence for years. No-one would have believed us. It was only through the dedicated professional and pioneering work of the Child Migrants Trust, in particular Margaret Humphreys, that enabled us to dare to trust. Slowly, over the years, we started to feel confident enough to speak of the unspeakable.

73. We were threatened and terrorised to remain silent as children about the assaults we endured. We barely had the words to explain to ourselves let alone others. There was nobody to trust and there were punishments for those who tried to speak up. Victims of abuse were blamed by perpetrators. Our suffering has been ignored by successive governments since we began to speak out in the late 1980s.

74. Through the preparation of statements for redress schemes and parliamentary inquiries in Australia and Northern Ireland, many former child migrants have had to face the terrible pain of institutional physical and sexual assault and place the shocking details on record. Many of us had never spoken out before. We have been helped to cope with the unbearable pain through the professional, dedicated support of the CMT who have stood by us every step of the way. Their independence has been vital. It is not easy for us to speak about early trauma and many of us still live with the constant fear of our childhood nightmares.

Response of institutions to child sexual abuse

75. This is a very difficult question to answer within the context of the child migrants' experience. We were explicitly, in every sense, vulnerable to paedophiles with no-one to turn to. We were rejected and abandoned by our country of birth. We were told we were the children of whores.

76. Many were sent to well-established paedophile rings. The Royal Commission hearings in 2014 established that the Order of Christian Brothers had records of paedophile activity going on in their institutions since before World War 2. Who would you tell, when every day of our young lives was about surviving in a world of terror and loneliness? Despair is a feeling that child migrants fully understand.

77. We do not have information on the response of institutions to any contemporaneous allegations of sexual abuse of former child migrants.

78. In our experience, over the past 30 years, as the true extent of their shameful practices has been publicly exposed, we have seen the deporting agencies moving begrudgingly from positions of denial into public relations strategies, which minimises their full involvement.

79. A way of charting this change is to compare the accounts of denial given in 'Lost Children of the Empire' by Bean and Melville, published in 1989 with 'Empty Cradles' by Margaret Humphreys written five years later. This gives details of a faith based agency's public apology in 1993 for the physical and sexual abuse suffered by those in their care in Western Australia. Governments moved painfully slowly so we had to wait another 17 years for the UK Government's apology, despite our repeated and ignored request for a comprehensive, judicial inquiry.

80. In the 1990s, when many of our parents were still alive, we needed the practical, professional help of the Child Migrants Trust to find our parents and reunite us wherever possible. Margaret Humphreys is on record as firmly stating the view that there was still so much hope – if we moved swiftly. The Trust was starved of funds, even in the face of this explicit warning. Yet again, we were treated as second class citizens by our own country.

81. Instead, reactions of denial by the UK government created a type of secondary abuse as many of our parents died before we could find them.

Legal Remedies

82. We have, at various times, sought legal advice to resolve the wide ranging issues of human rights violations suffered by us and by many of our parents and families.

83. Each time we have been thwarted – our action in 2000 before the European Court of Human Rights was eventually adjourned in favour of a 'domestic remedy' that was not available to us. This has never been our preferred route. We have come before our government in sadness rather than anger, as our archive of correspondence will show.

84. It remains our hope that the humanity of the British public will ultimately ensure that Government fully appreciates and understands the endless suffering of thousands of your children, and moves swiftly to address many of the outstanding issues before we die. More than anything, we want to spare our children this unresolved legacy.

Inquiries and Redress

85. There have been two important parliamentary inquiries into child migration over the past twenty years which had a positive impact for former child migrants. The Association took a consistent position in regard to each inquiry and made similar recommendations on key issues.

86. The Association played a full and active role in the UK Health Select Committee inquiry into child migration in 1998. Key members travelled from the USA and Australia to give their personal testimony in London.

87. Nine recommendations for future action concluded our written submission but most were rejected or only partially accepted. For example, the government did not implement the most significant recommendations for a judicial inquiry, a national memorial and a compensation scheme.

88. Similarly, instead of a national apology by the Prime Minister, a statement of regret was offered by the Secretary of State for Health.

89. There was agreement to establish a £1m Travel Fund to help reunite families separated by child migration, but this lasted for only three years and provided for just one visit for 450 former child migrants. This was roughly a third of those who would have used a less restricted Fund where visits could be made to more distant relatives (e.g. cousins) if they were the only surviving members of a family. This measure compares very badly in size to the later Australian Fund.

90. Obviously, families separated for over fifty years cannot be regarded as fully reunited after a single visit. Again, this suggests that small gestures and half-hearted responses were seen as sufficient by the UK government at that time. We spent more than forty years without even a birthday or Christmas card from home. Some of us were only four years of age when we were sent to a life of hell on earth.

91. Given the earlier 'lamentably low' funding allocated to this issue, in the Select Committee's own words, these new policies could be offered as a good response, even though they clearly failed to match the level of need. This was a critical time when we were let down again – when hopes were high, yet some of us missed the opportunity to meet with our mothers and fathers who died during this period.

92. Although there was improved funding for the Child Migrants Trust, a much more decisive and bold approach was required, given the backlog of work created by several years of inadequate grants. Again, the Government seemed to lack the urgency needed to find parents before it was too late.

93. Our call for central archiving of our records was also rejected. This is a critical consideration given the deporting agencies poor track record on treating former child migrants with honesty and respect. How can we trust them with records which, for many, are the key to finding and reuniting with our families?

94. Central archiving of our historical records would have at the very least changed the power dynamic between former child migrants and those agencies that abused and deceived us.

95. Our proposal for a database was accepted. Sadly, we were not consulted about how this would be implemented or how much it would cost. On reflection, it did not prove a sound investment. The considerable resources would have been better spent on the Child Migrants Trust or Travel Fund.

96. After the Select Committee reported, the Australian Government refused our request for a similar Inquiry. We lobbied prominent opposition politicians and held a demonstration in Canberra in 2000, which led to a Senate inquiry.

97. Many of our earlier UK recommendations were retained as they were just as relevant in Australia. We appeared in person to speak to our full, written submission before the inquiry. Once again, we argued the case for a judicial inquiry, a national apology, compensation and centralised records. All these proposals were rejected as well as ways to learn lessons from these policies.

98. The UK and Australian governments responded to each inquiry by rejecting any form of national compensation or a judicial inquiry to consider the wider issues, including the case for financial redress.

99. A more just and convincing approach would allow a judicial inquiry to examine the merits of compensation. That would avoid two serious charges. First that the government was marking its own homework and acting as both judge and jury. Secondly, that it lacked the moral courage to confront its own failures or those of vested interests which wished to avoid scrutiny or accountability.

100. The question of redress, in the face of such harrowing testimonies of those [redacted] who survived such abusive, terrible, childhoods at the mercy of the Christian Brothers orphanages in Australia, was a forced response following court action by Slater & Gordon in the early 1990s. We will refer to this group as the Catholic Brothers. John Hennessey publicly used the term '*the Un-Christian Brothers*' – a term we fully endorse.

101. There has been no consistency and little sense of justice across Australia in terms of redress. Different States have pursued different approaches at different times. Some States like New South Wales have no official redress schemes so civil proceedings have been an alternative route to justice.

102. The Catholic Brothers, in the face of recent criticisms by the Royal Commission in Australia (Case Study 11), were invited by the Commission to try to redeem themselves and review their pathetic levels of redress. Again, little has been learnt. Child migrants had to meet with the apologists who, once more, became their own actuaries and at times, we understand, bartered the amounts of compensation.

103. Following the Australian Royal Commission's recommendations, the National Redress Scheme was established from 1 July 2018. On the positive side, it provides access to a modest level of redress for those who suffered sexual abuse in the institutions without the stress of legal proceedings. However, the Australian government undercut the Royal Commission proposal by reducing the maximum award to $150,000 rather than the recommended $200,000. The scheme provides no access to redress for any other forms of abuse. Whilst we do not wish to criticise genuine attempts at progress, for those who were worked like slaves, starved and almost beaten to death as children in State care – the lack of any Australian redress options after so many years of campaigning is shameful and feels discriminatory.

104. The UK redress scheme, set at a single payment of £20,000 for all eligible child migrants is welcome on the one hand, but there is no escaping it is a paltry sum that many former child migrants consider tokenism at best.

105. No other elements of redress have been implemented by the British government following the establishment of this scheme nor a post Inquiry strategy beyond the payment. There was no statement from the government, no memorial to be established at a major London location, no legacy projects or educational initiatives. No commitment to continued independent services. At this point, in March 2020 the government is continuing with its plan to shut down the Family Restoration Fund, our lifeline to family and identity. We recall Gordon Brown's words as he delivered the Apology: '*We will care for you, all your days.*'

106. The process of redress is one which we hope this Inquiry will seriously consider. Redress requires several key ethical values which underpin what should be a transparent process, which removes the power dynamic from the abuser. Child abusers live on in our heads - surely that is enough for anyone to bear. The long-term impact for the survivors generates a life-long legacy of traumatic memories.

107. The process of engaging in any redress scheme is in itself highly stressful for survivors of abuse and there is a high risk of re-triggering childhood trauma. Key ethical values underpinning a robust redress process include:

- Independence of control by past perpetrators or their successors and guarantees of confidentiality and safety from public exposure
- Professional, independent and properly funded support services to prepare statements of historic abuse and provide counselling and support before and after application or hearing processes
- Referrals to police where perpetrators of historic abuse are identified
- Transparent process in assessing claims for redress
- An appeals process that offers a meeting in person with decision makers rather than a totally administrative process

108. The deporting agencies in the United Kingdom, including Scotland, are still operating child-care services. They hold on to their charitable status in the face of such gross betrayal of the importance of family life and childhood.

109. Many child migrants endured a childhood lost forever and a family life of cruel separation. The agencies' lack of accountability, even after thirty years, is both perplexing and disturbing.

110. As far as State redress is concerned, this has not been well managed or a positive experience for many former child migrants. Even the Western Australia scheme, which started with good intentions, proved very disappointing in practice. The maximum payment was set at 80,000 Australian dollars but was reduced to 45,000 dollars after the election of a new government. This is an insulting amount for those who have been subjected to repeated, serious sexual abuse over several years as well as physical abuse or neglect, resulting in permanent injuries and long term psychiatric conditions. It also showed a disgraceful devaluing of our worth by that State with the resulting loss of confidence in the process and outcomes.

111. The Australian National Redress Scheme (NRS) had settled less than 230 cases out of over 4000 applications within the first year of the scheme's operation. This rate of progress is much too slow. During that year, we know of several former child migrants who died without any resolution.

112. The NRS has several major flaws, particularly in relation to those who were abused in institutions that no longer exist and cannot 'sign up' to the redress process. In those cases, the Australian government will take no action until at least two years have passed – 1 July 2020. This affects many former child migrants, particularly those sent to Fairbridge institutions in Western Australia, New South Wales and Tasmania. Their applications will remain on hold and the child migrants will hopefully survive this delay to see some form of redress outcome - another layer of abuse in our view.

113. It is fair to say that the odds have been very much stacked against former child migrants in their search for three objectives – basic justice and truth, fair levels of redress and adequate levels of professional services. This applies in both the UK and Australia, where CMT has not been funded consistently and adequately over a period of many years. Both nations had many solid and substantial reasons for finally delivering public apologies.

114. The Association has consistently called for a full, independent and comprehensive judicial inquiry into UK child migration policy in view of its devastating impact on thousands of individuals and families.

115. This impact includes permanent damage to the physical and mental health of several hundred former child migrants – the survivors of these dreadful schemes. Governments have resisted all the Association's many calls for a judicial inquiry. We hope this opportunity in Scotland will examine the issues that will have equal relevance to those sent from other countries within the UK, given child migration was essentially a Westminster managed program.

Post Apology issues 2010-2019

116. The establishment of the £6 million Family Restoration Fund, appropriately and helpfully managed by the CMT, has been a wonderfully positive initiative and has funded over 1,300 reunion visits over the past nine years.

117. Announced by Gordon Brown during his Apology and supported by the Cameron Government in July 2010, this has offered real hope and joy to the child migrant community. Its flexibility and responsiveness has meant that for the first time, we have the security of knowing that if a close family member falls critically ill, the resources to visit them will be made available. It means we can plan a visit to our brothers and sisters and know it need not be the last time we will ever meet. This is sound policy, targeted well and resourced properly. Thank you, Andy Burnham MP, past Secretary of State for Health, who played a significant role during this period and since.

118. However, the Family Restoration Fund is scheduled to end in March 2020, an arbitrary end point to a much needed resource. How was the decision reached that after 60 years apart, our links to our family should be severed once again? It feels like betrayal, the unkindest cut of all. This is a repeat of the government's decision to close the fund in 2017, ultimately reversed several months later, but a policy decision that seriously threatened our future relationships with family at home. Has nothing been learned?

119. Almost a decade after the nation's Apology, we did not expect there would still be a need to campaign for basic services and redress measures. We did not ask to be sent away from our families. Are we to be condemned once more to isolation in our final years?

120. The long-term, secure funding of the Child Migrants Trust is essential to our well-being and that of our families. Its pioneering work in helping us to recover from the lasting legacy of serious, sustained abuse is still needed.

121. Indeed, it will be necessary for years to come. The Trust's evidence, we hope, will articulate the need for continued services, living testimony and appropriate national memorials – learning from the past could never be more important. Please do not fail further generations by denying our experience. This will only lead to a much slower resolution of these issues over further decades and generations. This cannot be in the public interest.

122. Until their response to the IICSA recommendations, the UK Government resisted any form of redress despite its own clear involvement and obvious responsibilities. We entered into discussions with government immediately prior to the Apology, but were informed there was *'no appetite for such discussion.'*

123. If the UK Government has violated the rights of former child migrants to a personal identity and a family life, it is perfectly reasonable for the Government to compensate former child migrants.

124. The UK redress scheme was set at the same level for all eligible child migrants, without an assessment of the damage, potential or actual, caused by child migration. It was recommended on the basis that even if they were not abused, all child migrants were at risk of abuse given the many deficits in monitoring standards of care. However, this one size fits all approach is open to question, especially since many were abused in a variety of serious and substantial ways over long periods of time.

125. In our view, given the minimalist amount provided against the catastrophic and lifelong consequences of this British government policy, former child migrants should have access to redress options with a higher and more realistic cap, on the basis of pain and suffering. The proposals of the Northern Ireland inquiry offer much support for this view. It is a matter of great concern that these have not been implemented after a delay of well over two years.

126. Time limitations have been the principal barrier to justice for former child migrants. The individual tormentors of our childhoods may well be dead and safe from facing justice, but the organisations that appointed and shielded them – faith based, charitable and statutory agencies – remain accountable today. It is their turn to face the consequences that we have endured for decades. We are pleased that Scotland has been able to reform some important aspects of the law on time limitation.

127. There has never been a judicial Inquiry into child migration. We have managed to ease our way into some public Inquiries – that considered aspects of our experience such as sexual assault – but in more than 30 years of campaigning, our repeated requests for a full investigation and more transparency have been denied.

128. The fact that the UK Government has never called for its own inquiry, but only reacted in a very limited way to the report of the Health Select Committee and then failed to evaluate its response, suggests that it has never taken its heavy responsibilities seriously.

129. We acknowledge that Scotland was not the most culpable or prolific player in child migration. But we ask that this judge led Inquiry might listen to our plea for a joined up response, and recommend a UK judicial Inquiry that will finally respond the many and complex issues required to help us recover while there is yet time.

130. The UK government was extremely slow to offer any real practical help for at least a decade before the 1998 Health Committee Inquiry. During this time, many opportunities were missed. Parents could have been found and reunited with their missing children. Instead, they died without ever knowing what happened to their children. That has been only one but probably the most serious consequence of the official response of denial which delayed much needed progress and action for far too long.

131. These are shameful episodes of failing to do the decent thing. Saying sorry is simply not enough after this level of official neglect of duty with such shocking consequences. A much more comprehensive strategy is still needed. We say this is secondary abuse. The government knew what was required, indeed requested, in terms of a more coherent and bold response. Its continued inertia and negligence have compounded the original harm. The result is that many have been retraumatised, over and over. Will we ever see justice in our lifetime?

Summary

132. This unholy alliance between States, Charities and Churches totally failed to protect the most vulnerable of Britain's children and compounded our suffering. They all endorsed a racist policy. As we struggle once again to prepare our statement for this Inquiry, we relive the horrors of the past – torture, hard labour and sexual abuse of such severe depravity that we are reminded of Audrey Wise's description *'War crimes without the War'*.

133. We wept together as we gave our evidence. Thirty years later, we still wait for truth and justice. Time and time again, opportunities for action have been delayed or ignored.

134. Gordon Brown changed the shameful face of child migration – and restored us to our country, our birth right. Margaret Humphreys, especially, and the Child Migrants Trust restored us to our families, our identity and a sense of dignity. One by one from 1988, Margaret Humphreys brought us home to our Mothers, Fathers, Brothers and Sisters. The most hurtful betrayal was to be told our parents were dead – that we were orphans.

135. Even in the face of terrible threats and intense, repeated intimidation, Margaret kept her focus on the positive way forward – refusing to be side-tracked by anything other than our recovery. Putting right the wrongs and making opportunities wherever possible.

136. Child migration is a catalogue of failed opportunities to safeguard us as young children. The UK government ignored all the warnings that we were at severe risk of harm. It underestimated how vulnerable we were and relied on good intentions which were no match for paedophiles and sadists.

137. The UK Apology in 2010 was the day we had waited for all our lives – at last, recognition. Truth and justice must surely follow. Yet, as we near the tenth anniversary, we find ourselves still lobbying for services, a memorial, for support to be reunited with our families and, most of all, for a judicial Inquiry. An investigation that will fully examine the many strands of the human rights abuses that permeate so many aspects of child migration – identity fraud and kidnapping, slavery, racism, child trafficking, systemic physical and sexual assault, denial of responsibility and secondary abuse.

138. We were sent across the oceans as vulnerable children, some only three years old. Brothers and sisters separated on the dockside. Seventy years later, we return as witnesses. It has been far too long, but it is never too late for truth and justice.

139. We have no objection to this witness statement being published as part of the evidence to the Inquiry. We believe the facts stated in this witness statement are true.

Signed..... [redacted]

Norman Johnston, President, IAFCM&F

Dated.....29th October 2019

Signed..... [redacted]

Tony Costa OAM, Committee Member, IAFCM&F

Dated.....29th October 2019

Signed..... [redacted]

Marcelle O'Brien, Committee Member, IAFCM&F

Dated.....29th October 2019