

In the matter of the *Inquiries Act 2014***Yoorrook Justice Commission****AFFIDAVIT**

Date of Document: 11 January 2023

Solicitors Code: [REDACTED]

Filed on behalf of: [REDACTED]

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I, Dr Catherine O'Neill of The University of Melbourne, Grattan Street, Parkville VIC 3010, National Editor and Research Co-Ordinator, affirm:

1. I am an employee of The University of Melbourne, and I work as the National Editor and Research Co-Ordinator of the Find & Connect web resource project (**Find & Connect**). The Find & Connect project is funded by the Australian Government and provides a public knowledge space about the history of children's institutions in Australia, and the web resource brings together a range of available historical resources relating to institutional 'care' in Australia.
 2. The Australian Government also funds the national Find & Connect Support Services which provide specialist trauma informed counselling, referral services, peer support, education and social support programs. Services are also available to provide assistance to locate and access records and reconnect with family members where possible.
 3. Access to records is often sought by First Nations persons who are members of the Stolen Generations, namely persons who were removed from the care of their family against their and their family's wishes and placed into children's institutions, foster care, or adopted to white families. Records are also often sought by descendants of Stolen Generations members.
 4. Records are often obtained to provide individuals with answers to their questions about their family and their time in care, and access to these records is incredibly important for members of the Stolen Generations. First Nations persons who were placed in care will at a minimum have lost contact with their family and their country, which has a significant impact on identity and sense of self. Many persons in care have suffered humiliation and sometimes much more serious abuses. Experiences in care often result in long-term traumatisation for the individual and intergenerational trauma for their children and family. Where redress is an option, the records may be used to support applications.
 5. The 1997 *Bringing Them Home Report* stated that access to individual and family Stolen Generations records was fundamental to locating and reunifying families, but that problems persist in accessing records despite government responses to the Report and efforts by organisations supporting Stolen Generations survivors. The ongoing issues with access to
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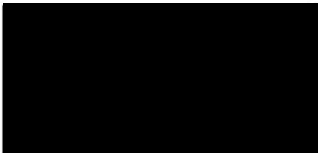
records relates to records management differences across Australian States and territories administered by individual churches and other non-government agencies

6. Relevant records that members of the Stolen Generations are searching for with regard to their personal and family history include but are not limited to:
 - (a) Australian state and territory adoption records;
 - (b) Australian state and territory foster care records;
 - (c) Australian state and territory births, deaths, and marriages records;
 - (d) Australian state and territory records regarding out of home care for a child; and
 - (e) Non-state records regarding out of home care for children such as mission records and religious organisation records. These can be held by the institutions individually, or where the institutions are no longer functioning entities the records may be held by a state or territory repository of last resort.
7. While there are processes in place for access to various Australian Federal, State and Territory records which can be lengthy, access to these records is more of a straightforward proposition today than it has been previously. This is the result of changes to Freedom of Information law and other laws governing access to such records, and attitudes changing over time as the importance of accessing these records becomes apparent to the wider community.
8. The *'Access to Records by Forgotten Australians and Former Child Migrants: Access Principles for Records Holders and Best Practice Guidelines in providing access to records'* June 2015 (**Best Practice Guidelines**) was developed on behalf of the Department of Social Services in consultation with a Records Access Working Group and the Find & Connect Advisory Group. The Best Practice Guidelines are voluntary, aspirational guidelines that can apply to any institution involved in the provision of out of home care in the institutional care system in Australia.
9. The Best Practice Guidelines provide 12 Access Principles which apply regardless of the location of the records. The Access Principles are as follows:
 - (a) **Principle 1:** record holders will enable maximum provision of access to records to individuals about themselves, their family, identity and connection, circumstances surrounding placement in care, and details of their time in care ;
 - (b) **Principle 2:** Right for individuals to receive all personal identifying information about themselves, and core identifying information about close family;
 - (c) **Principle 3:** Every person, upon proof of identity, has a right to receive a copy of all records found relating to themselves;
 - (d) **Principle 4:** Application or copying fees or any other charge are to be imposed;

- (e) **Principle 5:** Every record holder will establish timeframes, consistent with their jurisdiction's practice for release of information within which applicants will receive all relevant records where access conditions are met;
- (f) **Principle 6:** Record holders will establish a review/appeal mechanism which can have another party who was not involved in the initial assessment review decisions on what information is provided or withheld, and address any other grievances raised by the applicant. This review process will be free of charge;
- (g) **Principle 7:** All applicants will be advised of the nature and context of the information provided and the possibility of distress that may result from accessing records about them;
- (h) **Principle 8:** Every applicant has a right to receive information at the time of application about appropriate support and assistance services available to them, and to be encouraged to use those supported access services;
- (i) **Principle 9:** Individuals may annotate or add to their records to correct, amend, and tell their story in relation to events documented in their records. Individuals may also alert record holders to their wish that their records are not released to family members while they are still alive;
- (j) **Principle 10:** Individuals are entitled to have their Find & Connect Service or other support service involved in the process of locating and releasing records;
- (k) **Principle 11:** Record holders will work collaboratively to identify and address policy and procedural barriers that adversely impact upon a person's access to records as identified in Principle 1;
- (l) **Principle 12:** Where there is no ongoing legal organisation inheriting responsibilities, assets or staff of an organisation that undertook some form of out-of-home care, the state or territory responsible for children's services will become the repository of last resort for records relating to children in care.

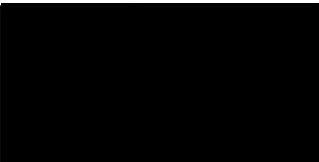
Now produced and shown to me and marked "CO-1" is a copy of the Best Practice Guidelines.

10. There has been limited uptake in use of the Best Practice Guidelines by both government and non-government agencies. For members of the Stolen Generations, obtaining access to records relating to their out-of-home care is challenging. There are a variety of factors which may impact access to records held by non-government organisations, including but not limited to:
- (a) Staffing levels of various institutions being insufficient to manage requests for access;
 - (b) The winding down of the organisations responsible for maintaining the various records, and associated loss of organisational knowledge and in some cases loss of or inappropriate disposal of records;

- (c) Unlike with government records, there is no legislative framework mandating specific requirements for the non-government organisations to follow regarding storage and access to their records;
- (d) Restriction to access as a mechanism of protecting the organisation from claims for redress or reparations for historical wrongs committed against First Nations people.
11. Restricted or refused access to non-government records regarding out of home care is a systemic injustice suffered by First Nations people, which requires redress.
 12. The United Aborigines Mission (**UAM**) is an organisation I became aware of and have come across repeatedly in my work. A key objective of Find & Connect is to create a definitive list of all institutions that existed in every state and territory. UAM came up in this context as they had at least 20 missions and children's homes in operation at various times across Western Australia, South Australia, and New South Wales.
 13. For years there has been an informal collection of individuals and group working to try and find out the fate of UAM's records, without success. There are members of the Stolen Generations who have been greatly hurt by the situation with UAM and who urgently require access to their family records, and who rightly expect these records to be appropriately managed and preserved.
 14. Since the early 2000s, access to UAM's records was facilitated through [REDACTED] the apparent sole volunteer archivist for UAM. This remained the case until [REDACTED] "retired" some time on or about March 2019.
 15. Anecdotally, people who did apply for access to UAM records only received the most basic information despite the public information available about the extent of UAM's archival record holdings.
 16. In working on our list of institutions in all Australian states and territories, another aspect of this work involved looking at what records were known to exist. In building a list of UAM institutions for the Find & Connect website, we created website entries regarding UAM on the basis of the content of a 2005 publication by historian and researcher Dr Karen George titled "*Finding your own way: a guide to records of children's homes in South Australia*" (**FYOW**). FYOW contains a comprehensive listing of records held by the UAM regarding its institutions in South Australia. Dr George previously had access to the UAM records as part of the State of South Australia's Children in State Care Commission of Inquiry (**Mullighan Inquiry**) and compiled the list of documents and the institutions they related to in FYOW from her physical review of the UAM records.
 17. On the basis of Dr George's comprehensive listing of UAM-held records in FYOW, UAM's collection contains records with basic information about the children who were in its "care", including admission and discharge records. However, as indicated by the FYOW list there are many more records in the collection including correspondence, minutes and other 'miscellaneous documents'. It is these records that contain priceless information for members of the Stolen Generations needing to understand and heal from a childhood separation from family and community.
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18. In April 2014, my research assistant reported that UAM were uncontactable at the details Find & Connect had for the organisation; she had left a voice message on an answering machine after her email to them at the email address [REDACTED] bounced back.
19. Through the course of my work at Find & Connect, I became aware of multiple First Nations persons who had attempted to access UAM records relating to them or their family members and were unsuccessful. Find & Connect has received many contacts from individuals seeking help to access UAM's records.
20. [REDACTED] has previously worked with Nunkuwarrin Yunti's Link-Up SA Program (**Link-Up**), which provides family tracing, reunion and counselling services to Aboriginal and Torres Strait Islander people and their families who have been separated under the past policies and practices of the Australian Government. Many persons who were unsuccessful in their attempts to access UAM records sought assistance from Link-Up, and also from State Records of South Australia Archivist [REDACTED]. I became aware of multiple unsuccessful attempts to access UAM records via [REDACTED].
21. [REDACTED] was previously employed by Find & Connect as a Content Developer, and part of [REDACTED] role was to liaise with organisations that held records to confirm that the information on the Find & Connect website about their organisation and their records was accurate. [REDACTED] contact with record holders also provided the record holders an opportunity to provide details of how records could be accessed or to request an amendment to the online record where appropriate in circumstances such as where the records have been inherited by another organisation or a state or territory repository of last resort. UAM was a specific organisation that [REDACTED] tried to establish ongoing contact with, as we were aware that the UAM records were of great importance to a large number of Stolen Generations members.
22. As part of her Content Developer role at Find & Connect and also as part of her role at Link-Up SA, [REDACTED] attempted to work with UAM office holders to ascertain what records they held to ensure the online record for UAM was as accurate as possible, and that it was clear to any person how UAM records could be accessed. Unfortunately, UAM's attitude toward having details of records and access on the Find & Connect website became more obstructive as time went on.
23. In 2015, as part of documenting on the Find & Connect website the process of how to access UAM records UAM supplied a copy of request form for access to their records. As a part of the application process, applicants were required to sign up to UAM's "Terms of Search":

"UAM agrees to search its records for this information at no cost to you subject to your agreement to the following provisions:

- 1. That UAM has no obligation to ensure that any information which it has in its records is found;*
 - 2. That you release UAM from any action, suit, claim or demand in respect of any act or omission of UAM and its servants and agents in respect of the subject of your inquiry).*
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24. On 11 May 2015 [REDACTED], a director of UAM, emailed [REDACTED] from the email address [REDACTED] provided me with a copy of this email. In the email, [REDACTED] advised that:

- (a) In 2009 the Council of UAM Ministries closed the records of the UAM to public access;
- (b) that the property where the records had previously been stored ([REDACTED] [REDACTED]) was sold by UAM in 2011;
- (c) the UAM records had been placed in storage and were not readily accessible;
- (d) UAM did not have facilities other than a "tiny office"; and
- (e) The Council of UAM Ministries would not agree to split the UAM records by state to be given to state repositories of last resort as *"they are the history of the life of UAM and its ministry covering WA, VIC, NSW and SA since 1894."*

Now produced and shown to me and marked "CO-2" is a copy of the email from [REDACTED] dated 11 May 2015 provided to me by [REDACTED].

25. On 2 December 2015, [REDACTED] received an email from [REDACTED] via the email address [REDACTED] a copy of which was provided to me by [REDACTED]. At this time, [REDACTED] had been attempting to commence discussions on establishing a Memorandum of Understanding (MOU) between UAM and Link-Up to obtain access to the UAM records for research purposes. [REDACTED] email rejected the suggestion of even entering into discussion on establishing an MOU. In his email, [REDACTED] stated:

"I have again canvassed the members of the UAM council regarding your request to open up the records of UAM to facilitate your research request..."

The council does not accept that the records they hold contain the level or amount of information claimed in the paper, "Importance of the records of the UAM..." Missionaries kept very few if any records in the course of their work;

The UAM has no resources, financial or people, to spend on this type of project."

Now produced and shown to me and marked "CO-3" is a copy of the email from [REDACTED] dated 2 December 2015 provided to me by [REDACTED]

26. On 8 December 2015, [REDACTED] sent an email to [REDACTED] who worked with the Royal Commission into Institutional Responses to Child Sexual Abuse and was writing an issues paper about access to records. [REDACTED] provided a copy of this email to me, and it reads as follows:

"I wanted to write to you because I am having a big issue with the United Aborigines Mission [UAM] and access to their records, currently held in Melbourne.

I have been working in this area for some time. Prior to 2005 I accessed records held by the UAM. At that time [REDACTED], the Honorary Archivist had the records in

[REDACTED]

the back area of his home. I was allowed to view the records in order to list them for the Finding Your Own Way guide to records of children's homes in SA. During the South Australian Children in State Care Inquiry [CISC], as Research Historian, I was again allowed access to the records in Melbourne and during the Inquiry, the majority were actually sent over to Adelaide so we could research them for information about people who attended the Inquiry. Correspondence files were a rich source of information about children coming and going and happenings at the various missions. The records were sent back after the Inquiry.

During the 2011-2014 Find & Connect project, I had great difficulty even being able to make contact with [REDACTED] ([REDACTED]). This has continued through 2015 – most emails and phone calls have remained unanswered. Finally I was sent a new access form (attached) and the below email which basically says they will not help at all and blatantly lies, saying that missionaries created few, if any records. The records are now in an inaccessible storage facility.

Anyway – I wanted to bring this situation to the attention of the Royal Commission. I am happy to write up a full submission on this at a later date if that is useful. It is a tragic situation because there are many Link-Up clients still waiting for records after many years and a number have died without ever getting them. I am not certain why the UAM and [REDACTED] have become so closed and unhelpful. They assisted with the CISC Inquiry and had no negative impact as a result of it that I am aware of.”

Now produced and shown to me and marked “CO-4” is a true copy of the email sent to [REDACTED] dated 8 December 2015 and the attached access form provided to [REDACTED] by UAM.

27. In June 2018, The Healing Foundation held a Knowledge Circle in Canberra which had the UAM records as an agenda item or discussion as a case study. The Healing Foundation is a national Aboriginal and Torres Strait Islander organisation that provides a platform to amplify the voices and lived experience of members of the Stolen Generations and their families.
28. The discussion of UAM records came about in the context of the 1997 *Bringing Them Home* Report's recommendations to provide advice to government on ensuring better access to historical records. The Knowledge Circle brought together representatives from Link-Up services across Australia, and representatives from the Australian Institute of Aboriginal and Torres Strait Islander Studies, along with staff from a number of record-holding organisations and service providers. The Knowledge Circle group discussed challenges with engaging with private record holders.
29. An article written by [REDACTED] on the Knowledge Circle summarised the issue of access to records as follows:

“In the past, the UAM was more open and collaborative, allowing South Australian records to be surveyed and listed for the Finding Your Own Way Guide to Records of Children's Homes in South Australia (Nunkuwarrin Yunti of SA Inc. 2005). They also complied with a request for access by the South Australian Children in State



Care Commission of Inquiry, also known as the Mullighan Inquiry, which ran from 2004 to 2008.

Over the last decade, records access has become much more restricted. Occasionally, a researcher is provided with very minimal information, such as dates of admission and discharge, whereas the Gerard Mission dormitory in South Australia, for example, has 10 folders of detailed correspondence and reports sent between the mission and the Secretary of the UAM. Those documents provide insights into the operation of the home over many years, often mentioning children, families and staff members by name.”¹

Now produced and shown to me and marked “CO-5” is a true copy of the article written by [REDACTED].

30. In September 2018, [REDACTED] put [REDACTED] and me in touch with [REDACTED]. She was the first person besides [REDACTED] we’d met who’d had any level of success in gaining access to records from UAM. [REDACTED] mother was in “care” at a UAM-run home in South Australia, and [REDACTED] was in possession of copies of priceless records she had managed to obtain from UAM through a great deal of persistence. At this time, [REDACTED] was working for Link-Up SA and she continued to be concerned that many clients were not able to access their records held by UAM.
31. In October 2018, [REDACTED] told me that a sign that used to be up at the UAM unit [REDACTED] [REDACTED] had been taken down. A little while before this development, [REDACTED] drove by the unit and [REDACTED] happened to be there at the time. [REDACTED] and [REDACTED] chatted for about 45 minutes, with [REDACTED] reporting to me that the conversation focused on:
- (a) UAM being in a ‘spot of bother’ regarding allegations of abuse;
 - (b) UAM was having to liquidate its assets to pay damages for cases of abuse in its institutions, and would then donate the balance to an Aboriginal church in Adelaide;
 - (c) UAM’s records possibly being deposited with a Bible College in Melbourne; and
 - (d) In response to [REDACTED] queries about seeking funding for digitisation of the UAM records [REDACTED] advised he was not inclined to apply for a Find & Connect grant as he did not want any money coming in to UAM as it might end up forming part of compensation or damages payments.
32. In November 2018, Find & Connect were running a grants program to assist small non-government record holders to manage their records. Find & Connect attempted to make contact with UAM to encourage them to apply so they could get funding to digitise their records. [REDACTED] acted as a conduit between Find & Connect and UAM at this time, as she had previously had success in dealing with [REDACTED]. Unfortunately, [REDACTED] did not reply to her messages about the grants program.

¹ National Link-Up News edition 31, *Gatekeepers: changing the narrative for restrictive private record holders*, page 5

33. In late 2018, UAM's website was taken down and the web address redirected to another website named Genesis Networks, an 'internet presence provider and computer networking consultancy' whose clients include a number of Christian religion-affiliated charities and groups.
34. The UAM website remains offline, but an archived version can be viewed at <https://web.archive.org/web/20180316183146/http://www.uam.org.au/>.
35. Following the conclusion of the Find & Connect grant scheme, I am aware that [REDACTED] continued to seek funding opportunities and make attempts of a dialogue with [REDACTED] about getting the UAM records digitised. In approximately February or March 2019, [REDACTED] was having discussions about digitisation of records with Public Record Office Victoria (**PROV**).
36. On or about 13 March 2019 I received an email forwarded by [REDACTED] [REDACTED] had reached out to UAM via email again on the subject of digitising their records and her proposal to seek funding to help UAM achieve this objective. The email to [REDACTED] was from the email address [REDACTED], dated 13 March 2019, and read as follows:

"Dear Ms [REDACTED]

[REDACTED] retired at the end of last year. He has not been replaced. Volunteers are attending to any UAM matters that arise.

UAM is making its own arrangements with other Christian bodies for its archival material and will not participate in your proposal.

UAM"

Now produced and shown to me and marked "CO-6" is a copy of the email received by [REDACTED] UAM dated 13 March 2019.

37. Find & Connect have made multiple attempts to locate any other organisation that may hold UAM's records. On the basis of information gleaned from conversations between [REDACTED] and [REDACTED] it was thought that UAM were intending to hand over their records to a Theological College in Victoria or an Aboriginal church group in Adelaide. Specific details about where UAM were intending to place their records was never provided to [REDACTED] or Find & Connect by [REDACTED].
38. Despite having undertaken numerous searches for organisations that may have taken control of UAM's records, we have never found any other organisation that publicly states they are now the repository for UAM's archival records.
39. On 16 May 2019 I spoke with [REDACTED] a lawyer with Carroll & O'Dea Lawyers in New South Wales. [REDACTED] represents a number of Stolen Generations survivor clients including a number who had been in "care" at Bomaderry, a former UAM-run institution in New South Wales. In our phone discussion, [REDACTED] reported that she had had ongoing difficulty in obtaining access to information held by UAM on behalf of her clients. As far as I am aware, none of [REDACTED] clients have been successful in obtaining access to UAM records. [REDACTED] advised that she had recently been put in

touch with the law firm representing the UAM, Sharrock Pitman Legal (**Sharrock Pitman**), located in Glen Waverley, Victoria.

40. On 3 September 2019, I made attempts to contact UAM regarding their records. I made two calls to the mobile telephone phone number [REDACTED], which was the number listed for UAM listed on their website. My phone calls went unanswered and I left a voicemail message requesting a call back. I also sent two emails to UAM's known email addresses. I received no reply to my email contact either.

41. On 8 October 2019 I emailed Sharrock Pitman addressing my correspondence to [REDACTED] regarding access to UAM records. Trainee Lawyer [REDACTED] replied via email on 17 October 2019 advising that UAM had effectively been inactive for a number of years.

Now produced and shown to me and marked "CO-7" is a true copy of the email sent to Sharrock Pitman on 8 October 2019 and Sharrock Pitman's reply email dated 17 October 2019.

42. On 18 October 2019 I had a telephone discussion with Trainee Lawyer [REDACTED] of Sharrock Pitman regarding records held by UAM that were in their possession. I had hoped to discuss whereabouts of the remainder of the records and access to the records, but was advised that UAM was in the process of being wound up and had not been operational for years. [REDACTED] also advised that UAM had no records except for 2 registers which were in Sharrock Pitman's custody. This concerned me greatly, as I was aware that UAM had a sizeable record-holding previously and I feared that the records other than the 2 registers had been destroyed.

43. On the same day, I received email correspondence from [REDACTED] confirming the content of our telephone discussion earlier in the day.

Now produced and shown to me and marked "CO-8" is a copy of the email from [REDACTED] dated 18 October 2019.

44. On the same day, I emailed [REDACTED] ([REDACTED] a Paralegal at Carroll & O'Dea Lawyers in New South Wales about my contact with Sharrock Pitman. I emailed [REDACTED] so she may provide an update to [REDACTED] on the status of my enquiries regarding UAM's records.

Now produced and shown to me and marked "CO-9" is a copy of the email I sent to [REDACTED] on 18 October 2019.

45. In October 2019 Find & Connect had a discussion with [REDACTED] and [REDACTED] ([REDACTED] from Aboriginal Affairs New South Wales, and Aunty [REDACTED] a former resident of Bomaderry Aboriginal Children's Home and a member of the Aboriginal Affairs New South Wales Stolen Generations Advisory Committee. As there had been difficulty in getting a response from UAM when it was Find & Connect or a solicitor seeking access to records, it was decided that contact with UAM regarding their records would be made by [REDACTED] ([REDACTED] an Aboriginal pastor and Director of Indigenous Peoples' Organisation.

46. [REDACTED] correspondence to UAM requested that UAM pass their records on to an Aboriginal Evangelical organisation to manage. [REDACTED] emailed [REDACTED] who was listed as the Treasurer for UAM on the Australian Charities & Not-For-Profits Commission's (ACNC) Charity Register and also posted a hard copy of his correspondence to UAM's listed postal address. I was advised by [REDACTED] that no response was received to the email or the hard copy correspondence.
47. In February 2020, the Find & Connect website entry for UAM was updated to remove details of conditions to access UAM records. Information about difficulties in accessing UAM records, and what was known about the records at the time, was placed on the UAM page on the Find & Connect website.
48. In October 2021, in the course of my work with Find & Connect I became aware that the South Australian Attorney-General's office had made contact with Sharrock Pitman regarding UAM. On 5 October 2021 I received an email from [REDACTED] a Senior Policy Strategist at The Healing Foundation, providing a copy of correspondence from the South Australian Attorney General's office. This correspondence confirmed that Sharrock Pitman was in possession of a "small collection of historical records of the [UAM]" and had advised that former residents of UAM institutions could make a formal request in writing for copies of relevant records.
49. *Now produced and shown to me and marked "CO-10" is a copy of the email received from [REDACTED] and the attached correspondence from the South Australian Attorney-General's office.*
50. In July 2022, the Find & Connect website entry for UAM was updated to include contact details for Sharrock Pitman.
51. A number of UAM institutions are included in the National Redress Scheme for people who have experienced institutional child sexual abuse. In 2021, UAM was declared as a defunct organisation by the National Redress Scheme, and for its South Australian institutions including Colebrook the South Australian government has agreed to be a funder of last resort for the National Redress Scheme. Find & Connect became aware of UAM's deregistration as a charity and a company in Australia via the National Redress Scheme's declaration; this was the first time it was publicly confirmed to Find & Connect that UAM was in fact defunct.
52. The Find & Connect website has kept the last known contact details for UAM as up to date as is possible. We want to make sure that individuals who are seeking access to the records are able to make contact with someone to make their request. The UAM entry was updated with additional contact details for Sharrock Pitman via telephone and email. The last known private email address and contact mobile phone number for UAM still remain on the Find & Connect website along with Sharrock Pitman's details.
53. Despite there continuing to be a demand for assistance and support services for seeking records from UAM, I do not believe that anyone is responding to requests made for access and copies of relevant documents from the UAM records.
54. On 12 October 2022, [REDACTED] ([REDACTED] Records Management Officer at Relationships Australia (NSW) forwarded correspondence to me that [REDACTED] had
- [REDACTED]

received from [REDACTED] ([REDACTED] from Sharrock Pitman lawyers on 12 October 2022. [REDACTED] had made contact with Sharrock Pitman seeking access to records on behalf of a former resident of Bomaderry Children's Home in New South Wales, after having found the firm's details on the Find & Connect website as a point of contact for access to UAM records. [REDACTED] wrote the following:

"Dear [REDACTED]

I refer to your recent letter requesting documents regarding the Bomaderry Children's Home.

Unfortunately we are not able to assist as we no longer act for UAM Ministries we and no longer hold any admission records or similar.

We have previously requested that the Find and Connect database be updated to remove our law firm as the contact point for Bomaderry and UAM Ministries, and we again request that this be updated to avoid any further confusion."

Now produced and shown to me and marked "CO-11" is a copy of the email to [REDACTED] from [REDACTED] dated 12 October 2022 forwarded to me by [REDACTED] on 18 October 2022.

55. On 21 October 2022 [REDACTED] ([REDACTED] Program Manager at Find & Connect, responded to [REDACTED] email:

"Dear [REDACTED]

I refer to your email to [REDACTED] dated 12/10/22, copied below.

Find & Connect policy is to provide record holders' contact details alongside any information regarding records. Where records have been moved or transferred, we invite record holders to provide us with the current record holder's contact details, and we update the site after verifying that information is correct.

We note that you mention holding UAM records, and will update the information on Find & Connect in accordance with our policy when you provide us with the contact details of the organisation/s you provided them to.

We have no record of any previous contact from Sharrock Pitman."

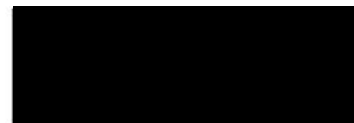
56. Later that day, [REDACTED] replied to [REDACTED] email with the following:

"Dear [REDACTED]

Thank you for your email.

We are authorised to advise that any future correspondence can be directed to [REDACTED]

Now produced and shown to me and marked "CO-12" is a bundle exhibit of the emails between [REDACTED] and [REDACTED] on 21 October 2022 referred to in this affidavit at paragraphs 55 and 56.



57. On 26 October 2022, [REDACTED] replied to [REDACTED] email of 21 October 2022:

"Dear [REDACTED]

Please be advised that to update the website, we will need the following information:

- *The name of the organisation that is holding the records*
- *Name of person and/or role title responsible for records access*
- *Email address of responsible person/role*
- *Phone number for person/role/organisation responsible for records access*
- *Postal address of organisation responsible for managing records requests*
- *Category of records transferred (admissions registers etc).*

I note you have sent us a PO box with no email, phone number, or name attached. It will obviously take us some time to try and verify that the organisation/people using the PO box, so if you can provide us the details above we will be able to update our information in a more timely manner."

58. Later that day, [REDACTED] replied to [REDACTED] email with the following:

"Dear [REDACTED]

Thank you for your reply.

Unfortunately, we simply do not have all that information. We were engaged as solicitors for UAM before it became defunct and we do not know how our details were added to the Find-Connect database. We simply need to be removed as a contact point, as we have no further association with UAM and we cannot assist with any enquiries from the public about UAM records.

Thank you for your assistance."

59. The same day, [REDACTED] replied to [REDACTED] email:

"Thank you for your email. We will follow up with the PO Box you provided, and as per our previous email will update our information as soon as we can verify that whoever is associated with that PO Box is the current record holder."

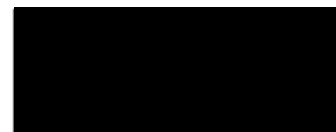
Now produced and shown to me and marked "CO-13" is a bundle exhibit of the emails between [REDACTED] and [REDACTED] on 26 October 2022 referred to in this affidavit at paragraphs 57 to 59 inclusive.

60. On 8 November 2022, Find & Connect sent a letter to the PO Box address provided by Sharrock Pitman, seeking to confirm the details of the current holder of UAM's records.

Now produced and shown to me and marked "CO-14" is a copy of the correspondence sent to the holder of the PO Box address.

61. To date, no response to this correspondence has been received by Find & Connect.

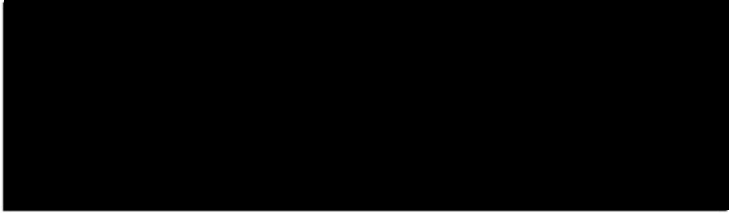
62. I am aware that [REDACTED] has sought access to UAM records via correspondence sent to the PO Box address received from [REDACTED] but I understand no response has been received to date.



63. Find & Connect is committed to ensuring records relevant to Stolen Generations survivors are as easy to locate and as accessible as possible. In the case of UAM, this is almost impossible to achieve at this point. As Find & Connect is unable to verify who currently holds UAM's records and who to direct any requests for access to, we are unable to update our website entry for UAM but are also disappointed that the contact details available to us will not assist Stolen Generations survivors in locating and accessing records.

The contents of this affidavit are true and correct and I make it knowing that a person making a false affidavit may be prosecuted for the offences of perjury.

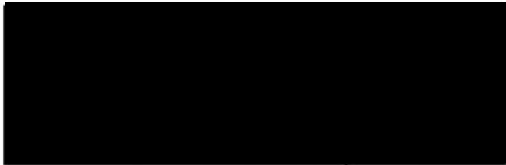
Sworn or Affirmed at Coburg
in the State of Victoria on 12/1/2023



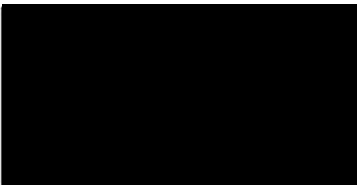
Before me,



on



A person authorised under section 19(1) of the *Oaths and Affirmations Act 2018* to take an affidavit.



In the matter of the *Inquiries Act 2014***Yoorrook Justice Commission****CERTIFICATE IDENTIFYING EXHIBIT OR EXHIBITS**

Date of Document: 11 January 2023

Solicitors Code: [REDACTED]

Filed on behalf of: [REDACTED]

DX: 494, Melbourne

Prepared by: [REDACTED]

Telephone: (03) [REDACTED]

Ref: 300317-01076

Email: [REDACTED]

*This is the exhibit marked "CO-1" now produced and shown to Catherine O'Neill at the time of affirming the person's affidavit on 11 January 2023:

[REDACTED]
[Signature of deponent]

[REDACTED]
[Signature of person taking affidavit]

Exhibit "CO-1"

Access to Records by Forgotten Australians and Former Child Migrants: Access Principles for Records Holders and Best Practice Guidelines in providing access to records' June 2015



Australian Government
Department of Social Services

Access to Records by Forgotten Australians and Former Child Migrants

DSS1687.11.15



Access Principles for
Records Holders
&
Best Practice Guidelines in
providing access to records

June 2015

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Introduction

These Access to Records Principles and accompanying Best Practice Guidelines are a component of the response to National Apology to Forgotten Australians and Former Child Migrants, many of whom suffered abuse and neglect while in out-of-home care during the last century. The National Apology was issued by the Federal Government in 2009.

In particular these documents represent action on Recommendations 16 -18 of the Community Affairs References Committee report, 'Forgotten Australians: A report on Australians who experienced institutional or out-of-home care as children', August 2004 (Senate Inquiry)¹ That is:

Recommendation 16

That all government and non-government agencies agree on access guidelines for the records of all care leavers and that the guidelines incorporate the following:

- the right of every care leaver, upon proof of identity only, to view all information relating to himself or herself and to receive a full copy of the same;
- the right of every care leaver to undertake records searches, to be provided with records and the copying of records free of charge;
- the commitment to a maximum time period, agreed by the agencies, for the processing of applications for viewing records; and
- the commitment to the flexible and compassionate interpretation of privacy legislation to allow a care leaver to identify their family and background.

Recommendation 17

That all agencies, both government and non-government, which provide access to records for care leavers, ensure adequate support and counselling services are provided at the time of viewing records, and if required, subsequent to the viewing of records; and that funding for independent counselling services be provided for those care leavers who do not wish to access services provided by a former care agency.

Recommendation 18

That the Commonwealth request the Council of Australian Governments to review all Federal and State and Territory Freedom of Information regimes to ensure that they do not hinder access by care leavers to information about their childhoods and families

¹ Commonwealth of Australia, Community Affairs Reference Committee, [Forgotten Australians: A report on Australians who experienced institutional or out of home care as children](#), August 2004

**PRINCIPLES FOR
ACCESS TO RECORDS BY
FORGOTTEN
AUSTRALIANS AND
FORMER CHILD
MIGRANTS**

JUNE 2015

Preamble

These Principles create a framework for access to records for Forgotten Australians and Former Child Migrants.² The Principles are further elaborated into Best Practice Guidelines which accompany the Principles. The Principles aim to maximise the amount of information available to Forgotten Australians and Former Child Migrants and to create greater consistency in conditions under which the information is made available.

The Principles are applicable to organisations that are Records Holders and those that provide services supporting access to records. They create an enabling framework for access to records of Forgotten Australians and Former Child Migrants.

Subject to agreement from the relevant authorities of the States and Territories, these Principles and accompanying Best Practice Guidelines are intended to enable Records Holders to use the discretion available to them in the legislative environment, to implement the intent of the Australian Government's Forgotten Australians recommendations to enable access to this group of Australians who, through no fault of their own, experienced institutional or out-of-home care in the twentieth century.

The Principles and accompanying Best Practice Guidelines are aspirational. They do not always reflect current practice, but they act as clear statements of intent.

The Principles aim to establish a common understanding of what is permitted and intended for access to records by Forgotten Australians and Former Child Migrants. Establishing these Principles will enable more consistent policies and practices for access to personal records of Forgotten Australians and Former Child Migrants, across Australia.

It is acknowledged that it may not be practical or appropriate to implement the Principles in all cases. However, it is desirable, wherever possible, for publicly funded and non-profit organisations to aspire to providing as broad and complete access as possible to the records they hold or are responsible for.

The Principles are challenging for Records Holders, and will require endorsement or adoption by each State and Territory jurisdiction, and private Records Holders, where applicable, before they become community practice.

² Further definitions of the Forgotten Australian and Former Child Migrant communities are included in the Best Practice Guidelines. The phrase 'Care Leaver' is used in these Principles and Guidelines to refer to both Forgotten Australians and Former Child Migrants, in the understanding that this terminology is disputed.

Access Principles

These principles apply regardless of the location of the records. That is, the responsibility for ensuring the same access rules applies to records relating to Forgotten Australians and Former Child Migrants regardless of the physical location or custodianship of these records.

Principle 1: Maximum provision of access to records

Records Holders will enable maximum information to be available to Forgotten Australians and Former Child Migrants about themselves, their family, identity and connection; circumstances surrounding placement in care; and details of time in care.

Principle 2: All information about themselves, and core identifying information about close family

Every person, upon proof of identity, has the right to receive all personal identifying information about themselves, including information which is necessary to establish the identity of close family members, except where this would result in the release of sensitive personal information about others. This includes details of parents, grandparents, siblings – including half siblings, aunts, uncles and first cousins. Such details should, at minimum, include name, community of origin and date of birth where these are available.

Principle 3: Copies of records

Every person, upon proof of identity, has a right to receive a copy of all records found relating to themselves.

Principle 4: No Fees or charges for access to records containing personal information

No application or copying fees or any other charge are to be imposed.

Principle 5: Time limits to respond to requests for records

Every Record Holder will establish timeframes, consistent with their jurisdictional practice for release of information, within which applicants, once any access conditions are met, will receive all relevant records.

Principle 6: Ability to seek review or appeal a decision

Records Holders will establish a review or appeal mechanism which can have another party, not part of the initial assessment, review decisions on what information is made available or withheld, and address any other grievance raised by an applicant, free of charge.

Principle 7: Records will be provided in context and applicants alerted to possible causes of distress

Every applicant will be advised of the nature and context of the information provided and the possibility of distress that may result from accessing records about them.

Principle 8: Right to know about support and assistance services

Every applicant has a right to receive information, both orally and in writing, at the time of application about appropriate support and assistance services available to them and be encouraged to use supported access services.

Principle 9: Care Leavers may annotate records to tell their story and express their wishes to limit access to records

Forgotten Australians and Former Child Migrants may annotate or add to their records to correct, amend and tell their story in relation to the events documented in their records. In addition, they may alert Records Holders that they do not wish records about their time in care to be accessed by family members, while they are still alive. The mechanisms for recording the wishes shall be stored in such a way as to be obvious whenever the records are accessed, and persistently linked to the record/s. The Records Holders will respect such wishes, but may, in exceptional circumstances and subject to demonstrated need (assessed using formally agreed criteria), determine that access is permitted by family members.

Principle 10: Applicants entitled to use the Find and Connect Services and their other support services to assist

Forgotten Australians and Former Child Migrants are entitled to have their Find and Connect Service or other support service, e.g. service provider, counsellor or case manager, involved in the process of locating and releasing records.

Principle 11: Records Holders will work collaboratively to enhance access

Records Holders will work collaboratively to identify and address policy and procedural barriers that adversely impact upon a person's access to records as identified in Principle 1.

Principle 12: Government state or territory records holders are the repository of last resort

Where there is no ongoing legal organisation inheriting responsibilities, assets and/or staff of an organisation that undertook some form of out-of-home care, the state or territory department responsible for children's services will become the repository of last resort for records relating to children in care.

**BEST PRACTICE
GUIDELINES FOR
ACCESS TO RECORDS BY
FORGOTTEN
AUSTRALIANS AND
FORMER CHILD
MIGRANTS**

JUNE 2015

Introduction

These **Best Practice Guidelines for Access to Records of Forgotten Australians and Former Child Migrants** (subsequently **Guidelines**), are intended for use by those who are responsible for, all or any of the following:

- Managing records relating to Forgotten Australians and Former Child Migrants,
- Finding and locating records when requested,
- Processing records for access, and/or
- Presenting records to an individual through supported access or other means.

The **Guidelines** have been developed in conjunction with Records Holders and representatives of the Forgotten Australian and Former Child Migrant communities.

There is no assumption that all Records Holders will be able to comply with the provisions outlined. Some have well developed practices, and these **Guidelines** will represent little challenge to such Records Holders. Others struggle with resourcing, backlogs and inherited practices relating to records that may make compliance with these **Guidelines** a challenge. These **Guidelines** are a statement of 'best practice' at this time, and are voluntary and aspirational. Tailored versions of the **Guidelines**, reflecting what is achievable within a particular Record Holder's environment, may be made mandatory by the jurisdiction/organisation.

The **Guidelines** support a proactive approach to releasing records to enable maximum access to those who are the 'subject' of the records. This approach recommends a liberal approach to access, not relying solely on the provisions of the various legislative instruments that govern access (particularly to government records) in each jurisdiction. This approach echoes the findings of multiple enquiries across Australian jurisdictions, identifying Forgotten Australians and Former Child Migrants, who, through no fault of their own, became part of a system of institutionalisation. Records held by the various organisations may fill gaps in knowledge, verify memory, support identity and connection to family. As such, these groups require particular attention by Records Holders and a sympathetic approach to enabling access.

The **Guidelines** have been developed to promote consistency in providing access to records across the practices of all Records Holders and those who provide access to records. Respecting that each jurisdiction will have its own general rules for access to records, these **Guidelines** aim to promote a shared base line from which each Record Holder and service provider of access, can assess their own practice. From there, any changes needed to reflect best practices can be introduced to change individual practice as is practical and achievable.

These **Guidelines** are grounded in the reality that social practices, priorities and shared understandings change over time. The Forgotten Australian and Former Child Migrant communities have 'fallen through the gap' in relation to access to records, and are not eligible under the more liberal rules relating to access that apply through the current generation of child welfare legislation applicable in most jurisdictions. The practices of the past and the results of the past actions are unchangeable, but it is how we respond to social challenges such as treatment of children in the past, that we can address in a small way through access to records of the past.

**SECTION 1:
IDENTIFYING THE CARE
LEAVER COMMUNITY,
NEEDS AND
EXPECTATIONS**

1.1 Who are Forgotten Australians and Former Child Migrants?

Forgotten Australians are the estimated 500,000 children who experienced care in institutions or outside a home setting in Australia during the 20th century. They are survivors of the institutional care system, which was the standard form of out-of-home care in Australia for most of the 20th Century.³

The term Forgotten Australians was first used by the Community Affairs References Committee report, 'Forgotten Australians: A report on Australians who experienced institutional or out-of-home care as children' in 2004, relates mainly to those children who were in out-of-home care in the twentieth century. Out-of-home care varies in its form depending on the time period. It includes large institutional settings, such as orphanages, smaller residential homes run by a variety of organisations on behalf of the state, foster care or other out-of-home arrangements.

Former Child Migrants is an umbrella term to embrace those affected by child migration schemes to Australia, largely involving children from the United Kingdom, but also including some from Malta. These schemes involved agreements between governments where the Australian Government was the legislated guardian of the children but responsibility for the care of the children was delegated to State Governments and then often further delegated to receiving agencies. Some of these schemes continued into the 1970s.⁴

Collectively, both Forgotten Australians and Former Child Migrants are referred to as Care Leavers in these **Guidelines**.

In summary, the following definitions are applied:

Former Child Migrant: An unaccompanied child under the age of 16 who was brought out to Australia from the UK and/or Malta under various schemes and who had no family ties or contacts in Australia.

Forgotten Australian: Following the Senate report with that title, a term widely applied to and by Australian-born Care Leavers.

Care Leaver: Any person who was in institutional care or other form of out-of-home 'care', including foster 'care', as a child or youth, or both, at some time during the 20th century.

³ [Alliance for Forgotten Australians: Forgotten Australians: Supporting survivors of childhood institutional care in Australia](#) Alliance for Forgotten Australians 2008. Fourth edition, July 2014

⁴ Commonwealth of Australia, Senate Standing Committee on Community Affairs, **Lost Innocents: Righting the Record – Report on child migration**, 2001

1.2 What makes access to records so important to Care Leavers?

The past three decades have seen a variety of reports into the care and treatment of children in out-of-home care. These have ranged across all States and Territories. Many of these reports have identified access to records as being of primary importance to Care Leavers.⁵

The experience of individual Care Leavers varies considerably, but there are a significant number of Care Leavers who suffered considerably in their time in care. At minimum those placed in care are likely to have lost contact with family and their place of origin. This loss has a major impact on a person's identity and sense of self. In addition, many suffered humiliation and sometimes much more serious abuse. Often people were denied access to educational opportunity and stigmatised. These experiences result in people who are likely to suffer long term traumatisation brought about by these events.

Care Leavers are often seeking answers to questions including:

- Who placed me in care and why?
- Who were my parents?
- Do I have any brothers and sisters?
- Did anyone visit me?
- Who arranged for my foster parents to care for me?
- Was the child welfare department involved?
- How were decisions made to keep me in care?
- Why didn't other members of my family (uncles, aunts, grandparents) look out for me?⁶

Information is also sought about the health of their parents as worries about possibly inherited health problems arise.⁷

Individuals may want to validate or verify their memories of a specific event.

Where redress is an option, people may seek records to support applications.

As public discussion and awareness of the suffering of children in care become more available, more people are seeking access to records about themselves.

⁵ See Royal Commission into Institutional Responses to Child Sexual Abuse: [*Inquiries and Reports Relevant to the Royal Commission into Institutional Responses to Child Sexual Abuse*](#), 2013

and more recently, Swain, S. 2014. *History of inquiries reviewing institutions providing care for children*. Royal Commission into Institutional Responses to Child Sexual Abuse. Sydney.

⁶ *Forgotten Australians*, Chapter 9, Identity and Records, section 9.6, p 254

⁷ *Forgotten Australians*, Chapter 9, Identity and Records, section 9.8, p255

The availability of support services to facilitate access to records, and networks of people creating communities of support can empower individuals to seek their records. Such support services include the Find and Connect Services, or support organisations such as the Alliance for Forgotten Australians or CLAN.

See further:

[1.3 Care Leavers Expectations of Records](#)

[1.4 Impact of records on Care Leavers](#)

[Section 3 The mechanics of processing applications for access](#)

1.3 Care Leavers expectations of records

Many Care Leavers have high expectations of what the records will reveal. In many cases they will be disappointed.

The expectation that there is something that is 'my file' is often not the reality of how records were maintained by homes or governments. The reality of what can be produced is often constructed for the purposes of presenting the records that still exist.

Expectations can be raised that answers to particular questions will be available, only to find mundane, sometimes erroneous statements, possibly judgemental and potentially damaging content.

Case: Vlad Selakovic⁸

I needed to ask questions about myself. I needed answers! I needed answers like, who am I? What am I? Where am I going in life? What is happening to me? Why am I in the situation in life, right now, that I am? Those pages didn't contain those things. All they did was tell me: where I was, what had happened to me in certain periods of time, what I'd done.

For Record Holders, the reality is that Care Leavers will often expect more than is there. Sometimes records have been lost, or cannot be found, or have been destroyed by accident or according to an approved destruction authority current at the time. Care Leavers sometimes find these explanations unconvincing.

Case: Mimi⁹

Mimi has applied for access to her records a number of times. On each occasion the Department has replied that the records relating to her time in care were amongst those documented as being destroyed in the 1970s. Mimi does not accept that, and insists that the records are still in existence: 'They wouldn't have destroyed the file - that documents my life'.

⁸ Vlad Selakovic [Transcript of Presentation given at 'Archiving: moving forward as a community' workshop](#), 15 April 2010

⁹ Please note: with the exception of Vlad Selakovic's case where published sources are cited, all case studies citing individuals are fictional and resemblance to circumstances experienced by a real individual is co-incidental and unintentional.

Mimi, therefore, sees the refusal of the Department is a cover-up continuing the state based patterns of victimisation.

Both the Records Holder and Mimi must accept that they are at a stand-off in these circumstances. Mimi will continue to ask for her records. The Department must continue to seek records, and respond to each and every request courteously to accepted standards.

See further:

[Section 4: Providing Information to Care Leavers](#)

1.4 Impact of records on Care Leavers

These records can change lives. For many, the records are so tightly bound up with questions of identity and self, that gaining knowledge of the circumstances and events can provoke a range of complex emotions, including reopening of old wounds, and re-traumatisation. Life-long questions can be answered and ghosts laid to rest in the best possible outcomes. Not all outcomes of access to records can be assumed to be positive.

Records change lives

Joe was a twin. He and his twin brother were placed into care at the time of the death of his mother. Subsequently Joe's brother was reunited with his father and taken out of care to live with his father. For the whole of his life, Joe has been haunted by questions such as: Why him, not me? Why was I left in care?

Records relating to Joe's time in care revealed that his father never stopped asking for Joe to be released to his care along with his twin brother. Joe's father wrote regular letters over the whole of Joe's childhood; he sought recommendations from community figures including a member of parliament to support his application.

The decision-making revealed in the records showed the Department believed a single father could only cope with one child. Joe had been noted as 'acting up' in the file, thus his twin was considered easier for a single parent to cope with.

These revelations changed the way Joe thought about his father. The evidence that his father never stopped caring for him and trying to reunite the family, was life altering for Joe.

Records cause distress

A woman requested a copy of her ward file. According to the file, the woman was removed from her parents as a baby and placed in one foster home in the country where she remained until she was 18. She was still living in the same country town. There had been regular checks on how she was going from the child welfare department and all the reports said it was a successful placement and the child was happy and well cared for. When the client read the file, she was very distressed and said the file was totally inaccurate. She said that she had

experienced continued physical and emotional abuse from the foster mother the entire time.

Vlad Selakovic's experience¹⁰

... Then Leonie rang up and said, 'I've got your file'. *That* created certain issues in my life that I wasn't quite sure of, I was so indecisive and ... scared. And I mean scared. Because, there it is, there's my childhood. In pages. You know what it's like to read a book, your favourite book and you're so engrossed in this book that you can't put it down? This is the complete opposite. It was so shocking and so demoralizing and so dehumanizing to me and to each and every one of us that must go through this. And it really was dehumanizing. Because it's just nothing. It doesn't tell about *me*. It just tells you about the person, who was a number, and one of many, in a group. And they don't individualise you at all ... there are certain things in there, saying, about myself, how I'm hungry, or you know, cunning, conniving, spirited, all these sorts of things – I'm an 8 year old, 10 year old boy. I mean, someone please tell me how I got to that point? I don't know. Well, I do – we had to survive.

Records Holders must be exceptionally sensitive to the potential impact of the records on the person seeking access. Supported release, a process whereby a professional (usually a social worker) trained in trauma and client interaction, is available to assist a person during the reading of their file and using such services should be strongly encouraged.

It is important to appreciate that the Care Leaver's use of a file may not be the same as the expectation of Records Holders. Because the experience can be such a traumatic one, Care Leavers have noted different responses.

Case: different experiences

Vlad Selakovic tells of carrying his file around for months before feeling sufficiently strong to read it.

Belinda conducted a ceremony to burn her copies of the files as a symbolic gesture.

See further:

[1.3 Care Leaver expectations of records](#)

[Section 5: Providing access services to Care Leavers](#)

¹⁰ Vlad Selakovic, See footnote 8

1.5 Documenting the Care Leaver's story

The records that document time in care may represent a very different view of reality to that perceived and experienced by the Care Leaver themselves. Recordkeeping of the past was a bureaucratic process, designed to serve the needs of the organisation or institution, not the people documented in the records.

The Care Leaver should be encouraged to annotate or add to the record, by creating their own account of their time in care, to include with the organisational record. This enables Care Leavers to present their view of the events documented in the organisational file. The annotation/addition will be located with the organisational record/s and always be presented with the organisational record when future access is allowed.

Such annotation of /addition to personal records is allowed under the legislative Privacy and Freedom of Information/Right to Information regimes in many states and territories.

See further:

[2.5 Annotating records](#)

[4.9 What rights do Care Leavers have over the records?](#)

**SECTION 2:
WHAT INFORMATION
CAN I GIVE TO CARE
LEAVERS?**

2.1 Maximum access

The Principles for Access to Records by Forgotten Australians and Former Child Migrants establishes two basic principles which should guide all Records Holders in determining what records Care Leavers should have access to.

These are:

Principle 1: Maximum provision of access to records

Records Holders will enable maximum information to be available to Forgotten Australians and Former Child Migrants about themselves, their family, identity and connection; circumstances surrounding placement in care; and details of time in care.

Principle 2: All information about themselves, and core identifying information about close family

Every person, upon proof of identity, has the right to receive all personal identifying information about themselves, including information which is necessary to establish the identity of close family members, except where this would result in the release of sensitive personal information about others. This includes details of parents, grandparents, siblings – including half siblings, aunts, uncles and first cousins. Such details should, at minimum, include name, community of origin and date of birth where these are available.

For these communities, who through no fault of their own, were removed from family, a liberal interpretation of the current rules is proposed. This is allowed under protocols such as 'administrative release' or 'informal release' in various legislative environments. There are precedents for a more liberal access regime outside the legislative rules according to agreement. The *Forgotten Australians* Senate Report in particular recommended legislative revision to empower Care Leavers to get greater than normal access. In particular this form of liberalised access has been applied to members of the Stolen Generation in the past. In some jurisdictions these liberal rules are still available to members of the Stolen Generation, creating an iniquitous situation for Forgotten Australians and Former Child Migrants who suffered similar dislocation from family and community.

These principles are intended to guide Records Holders best practice for these communities, regardless of the specific legislative provisions in place in each state and territory jurisdiction. All legislative environments have an element of discretion. Much freer access to records of their time in care operates within this discretionary area.

Each jurisdiction should determine what mechanisms should be adopted within their jurisdiction to give effect to these principles.

2.2 Third party privacy

The intention of these Guidelines is to provide as much factual information about family to Forgotten Australians and Former Child Migrants as possible. Having been deprived of family connections through no fault of their own, and by practices of the past which are no longer applied to current children in care, the details in records may offer the only information available to them about identity and family of origin.

The findings of multiple inquiries into problems that Care Leavers have in accessing records identify the application of the third party privacy rule as the major frustration to Care Leavers. The irony is that the more an individual already knows, through piecing information from birth certificates, newspapers or other publicly available sources, enabling them to name family members, the greater the information they are deemed able to see without violation of the third party rules.

The major reason to exercise reasonable care in providing access to records is to protect the privacy of third parties. The Freedom of Information/Right to Information and Privacy legislation of various states and territories establish quite clearly that third party privacy should be respected. The mechanisms in place provide for consultation of a third party as to whether the information should be released. Consultation is difficult, costly and time consuming to apply.

These Guidelines propose a different view of what constitutes a third party. Here, it is proposed, that personal information may belong to more than one person simultaneously: for example, your mother's name and family identification is your mother's personal information, but it is equally your personal information. Using that logic, a great deal of information about family can quite legitimately be released to a Care Leaver.

For the purposes of these Guidelines, family is taken to mean close family: parents, grandparents, siblings and half siblings, aunts, uncles and first cousins. A person growing up within a family, will generally know the factual details of their close family. These details form part of the personal information of an individual.

Factual information about relatives should be left in records released to Care Leavers. This includes information concerning a deceased individual.

Not all information may be released by this interpretation. Information which may potentially cause distress may be withheld.

This section has identified 'sensitive' information which may potentially cause distress to the third party and recommends that this information should be managed with care. This term is not intended to replace or interfere with the legislative interpretation of the word 'sensitive' which has specific meaning in a number of jurisdictions. Distress means that the third party is reasonably likely to suffer hurt, damage or loss.

Information which may potentially cause distress to the third party may be:

- psychiatric evaluations of family members
- beliefs in relation to religion
- political affiliations
- personal habits
- information about other family members divulged by one person.

Determining what information may potentially cause distress is always subject to interpretation. Where individual cases raise issues that are not clear to the person making the assessment of what information to withhold, Records Holders should institute a mechanism of peer review and discussion to assist an individual make decisions, while always being guided by the principle that maximum information should be released. In assessing whether information may potentially cause distress, and therefore should be withheld, Records Holders should constantly remind themselves that one of the Care Leavers primary questions in seeking information is to understand why they were placed in care.

The phrasing of the request for access can determine whether the application is dealt with as a request for personal information, or whether seeking more general information (see further section 4.1), and therefore under which set of legislative rules the request is processed. Wherever possible, the most generous interpretation of the request should be assumed. Information about time in care is deeply personal even though it may not be deemed immediately obvious personal information. As much information as possible, consistent with the jurisdictional rules, should be released to the Care Leaver. Where a request has been phrased to limit the information provided to personal information, guidance and assistance should be provided to assist in either rephrasing the request to enable more information to be released, or to assist an applicant in making a subsequent request for information that may not be specifically categorised as personal information.

The following set of rules should guide practice¹¹:

Information on File Concerning:	Comment (Leave/Delete)
Parents and Grandparents	
Names and addresses	<p>LEAVE:</p> <p>In general a person would know who their grandparents are. Additionally, this information is necessary for family reunification and to establish or confirm identity and belonging.</p>
Information concerning the parents/grandparents name, that is – a) not on a birth certificate or in any other record other than the applicant’s file; or b) inconsistent with the Care Leaver’s knowledge	<p>LEAVE:</p> <p>It is possible the only information confirming the parents or grandparents name and date of birth.</p>
Letters written by the department, home, service or other organisations to the parents or grandparents or vice versa	<p>LEAVE.</p>
Personal particulars relating to parents or grandparents e.g. education, domestic circumstances, activities that they are engaged in	<p>LEAVE:</p> <p>Unless the information is assessed as reasonably likely to cause distress, that is - the parent or grandparent is reasonably likely to suffer a detriment (e.g. hurt, damage, loss) as a result of the</p>

¹¹ This table is slightly modified from that prepared by Mimi Morizzi, ‘[Guide to the Access and Issue of "Forgotten Australians" Client Records \(records pre 1989\)](#)’ Lentara UnitingCare, UnitingCare Victoria and Tasmania, 2013

Information on File Concerning:	Comment (Leave/Delete)
etc.	information being issued.
Information about a parent or grandparent's personal, social or sexual habits or actions and disclosures about such matters made by the individual etc.	<p>DELETE:</p> <p>If it is assessed as reasonably likely to cause distress, that is - a parent or grandparent is reasonably likely to suffer a detriment (e.g. hurt, damage, loss) as a result of the information being issued.</p>
Information concerning visits to the child or the child visiting the parent or grandparent	<p>LEAVE:</p> <p>The purpose of a visit is assumed to be maintaining contact with the child.</p>
All information concerning a deceased parent or grandparent	LEAVE.
Siblings, half siblings	
Names and dates of birth of siblings	<p>LEAVE:</p> <p>In general a person would know the names of all their siblings.</p> <p>This information is necessary for family reunification and to establish or confirm identity and belonging.</p>
Address and contact details	<p>LEAVE:</p> <p>In general, a person would know the address and contact details of their siblings.</p> <p>This information is necessary for family reunification and to establish or confirm identity and belonging.</p> <p>DELETE:</p> <p>If there has been previous contact with the sibling and the sibling has asked that this information</p>

Information on File Concerning:	Comment (Leave/Delete)
	remains private. If appropriate, check again to establish if the sibling still wants their details kept private.
Personal particulars relating to siblings e.g. education, domestic circumstances, activities that they are engaged in etc.	LEAVE: In general, a person would know personal particulars of their siblings.
Information about a sibling's personal, social or sexual habits or actions and disclosures about such matters made by the individual etc.	DELETE: If it is assessed as reasonably likely to cause distress, that is - a sibling is reasonably likely to suffer a detriment (e.g. hurt, damage, loss) as a result of the information being issued.
References to siblings and the applicant in the same context eg John and Betty (siblings) went to camp	LEAVE: Unless it is assessed that release of information is reasonably likely to cause distress, that is – that the sibling is reasonably likely to suffer a detriment (e.g. hurt, damage, loss) as a result of the information being released.
Information concerning visits to the child or the child visiting the sibling	LEAVE: This information may be relevant for family reunification and to establish or confirm identity and belonging.
All information concerning a deceased sibling	LEAVE.

Relatives, including aunts, uncles, first cousins	
Names of relatives	<p>LEAVE:</p> <p>In general a person would know the names of all their relatives.</p>
Address and contact details	<p>LEAVE:</p> <p>In general, a person would know the address and contact details of their relatives.</p>
Letters written by the department, home, service or other organisations to the relatives or vice versa	<p>LEAVE:</p> <p>Unless it is assessed that release of information is reasonably likely to cause distress, that is – that the relative is reasonably likely to suffer a detriment (e.g. hurt, damage, loss) as a result of the information being released.</p>
Personal particulars relating to relatives eg education, domestic circumstances, activities that they are engaged in etc.	<p>DELETE:</p> <p>Most family members will not necessarily know these types of details about relatives and release of such information is reasonably likely to cause distress.</p>
Information about a relative's personal, social or sexual habits or actions and disclosures about such matters made by the individual etc.	<p>DELETE:</p> <p>Most family members will not necessarily know these types of details about relatives and release of such information is reasonably likely to cause distress.</p>
Information concerning visits to the child or the child visiting the relative	<p>LEAVE:</p> <p>Most people visiting the child would have done so for the primary purpose of maintaining contact with the child. This information is necessary for family reunification and to establish or confirm identity and belonging.</p>

External Carers (e.g. Holiday Hosts)	
Names of carers	<p>LEAVE:</p> <p>In general a person would know the names of all their carer.</p>
Address and contact details of carer	<p>DELETE:</p> <p>But offer to facilitate a process of contacting the carer on the client's behalf should the client seek contact with the carer.</p>
Letters written by the department, home, service or other organisations to the carer or vice versa	<p>LEAVE :</p> <p>Unless it is reasonably likely that any of the following apply:</p> <ul style="list-style-type: none"> a) That the release of information is reasonably likely to cause the carer distress, that is, that the carer is reasonably likely to suffer a detriment (e.g. hurt, damage, loss) as a result of the information being issued. b) The information does not directly relate to the Care Leaver. <p>DELETE:</p> <p>Address and contact details of carers.</p>
Internal Carers	
Names of carers and staff	<p>LEAVE:</p> <p>In general a person would know the names of all their carer (or staff).</p>
Address and contact details of carers and staff	<p>DELETE:</p> <p>But offer to facilitate a process of contacting the carer or staff on the client's behalf should the client seek contact with the carer or staff.</p>

<p>Letters written by the department, home, service or other organisations to the carer/staff or vice versa</p>	<p>LEAVE:</p> <p>Unless it is reasonably likely that any of the following apply:</p> <ul style="list-style-type: none"> a) That the release of information is reasonably likely to cause the carer distress, that is, that the carer is reasonably likely to suffer a detriment (e.g. hurt, damage, loss) as a result of the information being issued. b) The information does not directly relate to the Care Leaver. <p>DELETE:</p> <p>Address and contact details of carers/staff.</p>
<p>Other non-related children in the home</p>	
<p>Names of other children in the home/care situation</p>	<p>LEAVE:</p> <p>In general, a person would know the names of other children they grew up with. Additionally, names, places and dates assist a client to remember facts about their time in care.</p> <p>Note: delete family names of other children – some Care Leavers have expressed concern that their family name is disclosed due to the potential of information later appearing in electronic social media. Consider that not all Care Leavers have disclosed that they were in care. Deleting family names is not a foolproof method of protecting privacy as, in certain circumstances (e.g. an unusual name, a small community) it may be quite easy to re-identify an individual.</p>

Contact details of other children in the home/care situation	<p>DELETE:</p> <p>But offer to facilitate a process of contacting the other Care Leaver on the clients behalf should the client seek contact with the other Care Leaver.</p>
References to other children and the applicant in the same context e.g. David (other child) and Mark (the applicant) played on the swings	<p>LEAVE:</p> <p>Unless the information is reasonably likely to cause the other Care Leaver distress, that is – that the other Care Leaver is reasonably likely to suffer a detriment (e.g. hurt, damage, loss) as a result of the information being issued.</p>
Any other personal particulars of other children with the exception of photos	<p>DELETE:</p> <p>This information is not specific to the Care Leaver and is not required to prove identity or validate memory. Normal third party privacy rules should be applied to this information.</p>
Photo(s) that include other children, staff, other people	<p>LEAVE:</p> <p>If one of the children in the photo(s) is the person making the request. If the photo is subject to copyright indicate that the photo is copyright of the department/home/service or photographer and subject to the Copyright Act 1968.</p> <p>Photos of people are not to be provided if the client is not in the photo unless those photos have been previously published, or the photos are of group events e.g. special functions, celebrations etc., or where the photos are already in the public domain available for public use.</p>

2.3 Redaction

Redaction is the process of removing information from view, usually by blocking out the information on a copy and recopying that changed document.

Redaction is undertaken to protect information deemed not relevant to the query being processed in the application for access. Often it is undertaken to protect third party privacy.

Under practices used to administer Freedom of Information/Right to Information requests, Records Holders are often required to inform those receiving the records why the information was redacted (or blocked out from view). Usually this is done by referencing the specific section of the legislation that was used. This information is usually provided in a covering letter to the Care Leaver which is provided with the records themselves, either to them directly or through a support service.

Many report that these statements of reasons for redaction, which usually cite the section of the relevant legislation, are daunting and expressed in language that is difficult, and tell them nothing.

Best practice would be to annotate the record giving as much information on what is redacted without releasing the information:

- For example: if a sentence is redacted which says Bill (the applicant's brother) was sent to work for a dairy farmer for two years and is angry that his full wages have never been paid. This information relates to a person not a Care Leaver, but to a close relative. Using the proposed third party rules, release of this information would be appropriate. It is hardly sensitive information. But if it were redacted, the explanation could read: information relating to your brothers employment removed under s (xxx – the relevant legislative provision).

Some Records Holders have adopted practices of removing a second name, leaving a first name, in the belief that this will de-identify a person. This is an acceptable practice, as often the Care Leaver will remember individuals from their past, but Records Holders should understand that this is not really adequate protection of a third person's privacy if the matter is truly needing protection. In many instances it doesn't take much 'detective' work to determine a person's identity. In most cases this will not be a big problem, but Records Holders should be aware of the likelihood of identifying individuals from their name and the circumstances in the records.

Example of informing a Care Leaver about what is redacted¹²

Under the FOI Act some information was not released to you. This is for the following reasons:

Personal Privacy - Section 33(1)

This section of the Act prevents the unreasonable disclosure of information relating to the personal affairs of another person.

- The seven pages part released to you included:
- Two pages listed the surname of your alleged co-offender.
- Four pages listed the surname of other trainee's at the home.
- One page listed the name of another ward not related to you.

2.4 Providing copies

Copies of all personal information records (subject to redactions where applied) should be made available at no cost to the Care Leaver.

Where the records contain items that should belong to the individual Care Leaver, the original of these documents should be provided, and a copy retained by the Record Holders. This type of record includes:

- Original or extracts of birth certificates;
- Certificates of achievement;
- School reports;
- Correspondence addressed to the Care Leaver from relatives during their time in care;
- Photographs.

Copies of these original records should be made. The originals should be returned to the Care Leaver. The copies should be placed on the relevant Record Holder's record. The copy placed in the records should be annotated with the fact that the originals were returned to the Care Leaver and the date.

2.4.1 How to provide copies

Copies should be provided in paper format. On request, a Care Leaver may obtain the copies in electronic form, either on a compact disc or USB device.

Because these are highly personal records, if they are sent electronically, care should be taken to use encryption and to make sure that the Care Leaver knows how to access the files.

Copies should be placed in chronological order with the earliest at the top. Where records have come from different sources, such as from each of a Ward file, an

¹² Example from Department of Human Services, Victoria

admissions register or a punishment book, a separator should be inserted with the identification of the source clearly indicated.

A summary of the contents should be prepared to guide the Care Leaver on how to read the records. This should be packaged independently from the copies of the records themselves. Do not attempt to make a story of the copies – Care Leavers generally do not wish to have an interpretation provided, but the records themselves. Explanation of the people in the records and their roles may be of assistance.

Supported access is recommended to assist Care Leavers understand the context and the contents of the records released. However this is not a mandatory requirement. Where the Care Leaver requests, the files can be sent by mail. Records Holders should take care not to send these files when the Care Leaver may be particularly vulnerable to the time of year: for example Mother's Day, Father's Day, Christmas Day, and birthdays etc.

Packaging of records should also be considered.

Vlad's experience¹³

It's not very inviting is it? Your life, put in a post bag ... they could have got, direct mail or something... 'there's your childhood, wrapped up in a little envelope'!

'Vlad expressed that he felt hurt to receive his records in a standard issue Postpak, as well as by the physical presentation of the documents themselves – in a grey plastic folder, containing pages of copies of documents secured by a bull-dog clip'

2.4.2 Alerts to potentially distressing information

Where material of potentially distressing content is included, an alert to the support service or to the Care Leaver where the records are released directly, should be included:

Case Study: Alert to potentially distressing information in a record

A man requested his file. He believes his mother passed away but knows no real details of her and knows nothing about his father. He was placed in care at 6 weeks of age. When you receive the file, it contains information that his mother was working as a prostitute and his father was a visiting sailor. The file describes the baby as 'mentally retarded', 'an ugly baby', and unsuitable for adoption as he was 'deformed looking'.

¹³ Vlad Selakovic, see footnote 8 and O'Neill, C, Selakovic, V, Tropea, R 'Access to records for people who were in out-of-home care: moving beyond 'third dimension' archival practice' *Archives and Manuscripts* Vol 40, No 1, March 2012, p32

See further:

[Section 5: Providing access services](#)

[5.1 Providing access services to Care Leavers](#)

2.5 Annotating records

Records held by organisations were made for the purposes of the organisation. The interpretation of events held in an organisation's records may be quite different to those of a Care Leaver who experienced the out-of-home care. In these circumstances, the Care Leaver should be offered the opportunity to incorporate their own story into the records held by the Record Holder. The Care Leaver's account should become part of the records of the organisation and always be made available with the original organisational records.

Annotating or adding to the organisation's records with their own account may not appeal to individual Care Leavers, and annotation is simply one option available to tell individual stories to counter-balance the organisation's view.

Where a Care Leaver chooses to include an annotation or addition into the organisation's records, the words and expression of the annotation or addition provided by the Care Leaver should be incorporated as provided, with no organisational editing, or changes, made by the Records Holder. The Records Holder may offer assistance to a Care Leaver in preparing such an annotation or addition, if this is requested by the Care Leaver.

The wishes of the Care Leaver should be respected at all times.

Where a dispute or disagreement arises, the review process, detailed in Section 4.5 should be made available and the Care Leaver informed of the availability of the review process.

Further rights are available to indicate the Care Leaver's wishes in relation to limitations on availability of the records (see section 4.9).

The Privacy/Freedom of Information or Right to Information legislation of most states and territories outlines a process of annotation for personal information. Guidelines for Records Holders may be available from the respective responsible agency administering such legislation, however the process outlined in these Guidelines is not restricted to the rules of specific legislation, but rather operates in the discretionary area, and should be interpreted to provide greatest comfort and assistance to the individual Care Leaver.

See further:

[4.5 Mechanisms for review, complaint and compliments](#)

[4.9 What rights do Care Leavers have over the records?](#)

2.6 Providing supporting material

A range of fact sheets should be made available to Care Leavers. These should include:

- Summary of the organisation and the records (see [4.7 Explaining the context to Care Leavers](#))
- List of abbreviations commonly used in the records (see [4.6.2 Understand the records](#))
- Rights available to them for review of decisions (see [4.5 Mechanisms for review, complaint and compliments](#))
- Explanatory records of any redaction (see [2.3 Redaction](#))
- Rights to annotate or add to records and to express wishes about access restrictions for their records (see [4.9 What rights do Care Leavers have over the records](#))

Access to records is best provided through a supported access process but this cannot be made mandatory. Some Care Leavers find the imposition of limitations on their ability to look at records privately inappropriate. They may see the support service as desiring to interpret their lives, representing a further instance of institutional interference in their lives. Explanations outlining the reasons for supported access should be given and the use of the services strongly encouraged wherever it is available.

Regardless of the form of access (whether supported access, or provision of the records by post), access to records should be followed by contact with the Care Leaver to discuss the records further and explain things that are not clear. Again, this is best done in person with a trained access provider, but can be done by phone. This should be scheduled for a month after providing access to the records and should be undertaken regardless of the location of the Care Leaver, including interstate or overseas.

See further:

[Section 5 Providing access services to Care Leavers](#)

2.7 Informing Care Leavers that further records may be available in time

Projects to index records of the past may be underway or planned. Records known to be unsorted and undocumented may be known to exist. If projects to make such records available are planned, Records Holders should tell Care Leavers of these projects and advise that more records may be available after further records processing work.

Best practice involves contacting those Care Leavers who have already submitted applications for records about any new material found as a result of processing work.

See further:

[4.6.3 Dealing with legacies](#)

**SECTION 3:
THE MECHANICS OF
PROCESSING
APPLICATIONS FOR
ACCESS**

3.1 Preliminary

Care Leavers are a potentially vulnerable group of people. Everyone is different, and many have been traumatised through their childhood experiences which may have a long term impact on self-esteem, behaviour and interpersonal style of interaction.

Those who provide services to Care Leavers must be sensitive to these issues and be proactive about supporting Care Leavers.

In particular, the following general basic approaches should be incorporated into providing records services:

- Plain English to be used in written and oral communication;
- Simple instructions;
- Treat everyone as a unique individual, not lumped together with others;
- Treat everyone with respect;
- Treat everyone equally;
- Do no harm;
- Do not patronise, or reduce the Care Leaver to the level of a child;
- Inform, be honest and do not make excuses for the past.

Be aware that as a result of their childhood experiences, literacy may be an ongoing problem for some Care Leavers. Expectations that providing something in writing will inform a Care Leaver may be incorrect. The need to talk individuals through processes and the results of enquiries may be higher. Similarly computer literacy skills may not be present, particularly in older Care Leavers. So communication strategies should be in place for access to information about services in multiple formats beyond the World Wide Web. Most Care Leavers are English speakers, so as opposed to other communities, access to information in languages other than English is a low priority.

3.2 How long should processing of requests for records take?

Each jurisdiction places rules on timeframes for responses to requests for records made under Freedom of Information/Right to Information laws. Generally the rule is between 30 and 45 days. A period of extension is usually available although the aim should be to meet the targets unless there are exceptional circumstances.

A liberal view of access should be taken for Care Leavers. This involves acting to process requests according to agreed practices which are empowered by 'administrative release', 'informal release' or 'proactive release'. Trade-offs may be made in these circumstances. 'It may take longer than the formal FOI process, but you will get more', may be an appropriate response. Most records created prior to 1989 do not have the problems of vast quantities of files which are common for more recent Care Leavers. This of course, is both a blessing and a

curse. However, with the smaller amount of material created and extant, meeting a fixed time period for processing should be possible.

Generally speaking responding to a request for access with records available within a 30-45 day period should be the goal of Records Holders.

At a minimum, within the 30-45 day period:

- requests should be clarified if this is needed,
- an acknowledgement of request letter should be sent, and
- at least some records (if extant) should be made available.

If records are not made available within the best practice timeframe of 30-45 days, the Care Leaver should be able to access the appeal process established under the relevant jurisdiction's Freedom of Information/Right to Information legislation.

Case: Vlad¹⁴

And honestly, if you were to look at it - somebody put this together, and said, 'uh, look, hang on, that's right, this bloke ordered his file'. I think it was 45 days, a period of 45 days, and once I'd applied for the file, I had to have it within 45 or 60 days. Well, after two months, and it didn't turn up, I thought, you know, it didn't worry me. Into that next week, I thought, 'it might turn up today, it might not'. The anticipation, the anxiety that I went through, knowing it was due to be there at that particular time ... The next week, when it hadn't turned up, I'd completely forgotten about it, just pushed it aside and, like, knowing that I was never going to get it. I didn't want it.

3.3 What does processing a request mean?

Processing a request means locating the records. This can be a complex job, requiring extensive searching of multiple finding aids such as indexes. The records then need to be retrieved from storage. The records need to be checked to ensure that they relate to the enquirer.

A further process of checking for any redaction (or blocking out of information) needed to protect third person privacy needs to take place.

See further:

[2.1 Maximising access](#)

[2.2 Third party privacy](#)

[2.3 Redaction](#)

¹⁴ Vlad Selakovic, see footnote 8

3.4 Can we prioritise requests for access from Care Leavers?

Generally all requests for access to records should be treated equally. But there may be circumstances in which prioritisation of requests for records become necessary. When such prioritisation is determined to be necessary, requests for records for Care Leavers should use the following assessment criteria¹⁵:

Medical

- serious or terminal illness e.g. if the Care Leaver has cancer;
- serious illness requiring medical history of Care Leaver or family medical history;
- genetic condition;
- transmissible health condition;
- pregnancy;
- serious psychological/psychiatric illness requiring history of Care Leaver to develop an urgent therapeutic response.

Compassionate

- Care Leaver is 65 years or older;
- Care Leaver is homeless;
- Care Leaver is recently released from prison.

Service provision

- birth certificate or other document is required to enable applicant to access services e.g. to apply for a passport or to gain citizenship in another country.

Legal

- claim for compensation (where there is a time limit on lodging an application) requiring information contained in records about Care Leaver;
- court matter where records will be provided as evidence;
- management of an estate where records may:
 - assist in determining how assets will be distributed, or
 - enable an applicant to make a claim on an estate or trust.

If there are multiple parts to a Care Leaver's file, priority could be given to releasing the earliest parts within the nominated time frame. Care Leavers report that one of their major concerns is understanding the circumstance that led to them being placed in care, so the earliest files may assist in that process the most.

¹⁵ These criteria are based on those from the NSW Department of Human Services fact sheet '[Are you a former ward](#)'

See further:

[1.2 What makes access to records so important to Care Leavers?](#)

[4.1 Helping Care Leavers make requests](#)

3.5 Proof of identity

All Records Holders and support services involved in accessing records need to identify people who wish to access personal information. Respect for privacy is a guiding principle for access to personal information. These Guidelines recommend a liberal approach to releasing personal information, but care is still needed to ensure that the person seeking the information is entitled to the specific information available and/or provided.

Care Leavers often face greater problems in providing verification of identity than other people. The circumstances and on-going consequences of their childhood can cause ongoing problems to Care Leavers in proving their identity. A degree of flexibility is required. At the same time service providers must be satisfied that the person is who they say they are.

All Records Holders will have practices around verifying identity, but these are often different for different services. Generally it is accepted that enquiring into identity should be only undertaken to the extent necessary to establish the person's identity.¹⁶

The general principle is that 'agencies should only seek the minimum amount of personal information required to establish the person's identity'.¹⁷ The onus of proof should not be as high as for claiming benefits or addressing legal issues, that is, following the common 100 point system is not necessary.

The preferred form of identity verification is:

- Some form of photo identity with a signature (drivers licence, passport etc.); and
- Where a person's name has changed (for example, through marriage), some form of verification of that (for example, marriage certificate).

Where this is not available, alternatives should be considered:

- An entitlement for service card issued by the Australian Government or by the relevant state/territory: such as a Medicare card, Health Care Card, Seniors Card; and
- Where a person's name has changed (for example, through marriage) some form of verification of that change (for example, marriage certificate).

¹⁶ Office of the Australian Information Commissioner, [Guide to the Freedom of Information Act 1982](#), November 2011

Where no formal documentation has been issued, service providers should accept:

- A signed and dated declaration of identity: A statement verifying identity from a person holding a respected community position such as a Justice of the Peace, doctor, pharmacist, teacher, local councillor or lawyer. Such a person should be able to attest that they have known the person for more than 2 years under the identity being verified.

3.5.1 Verifying multiple times

Care Leavers report distress at being asked to continuously verify their identity, particularly when this involves needing to explain their life history to account for problems providing 'common' identity documents.

Requirements to identify a person are needed, but should be sympathetically handled. Care Leavers should only be required to verify their identity once.

Where a Care Leaver uses a support service to act on their behalf, the provider must verify a Care Leaver's identity. Records Holders, contacted by the support service should accept that the provider has conducted appropriate verification.

Once a Care Leaver has had their identity verified by a support service, the provider should issue a written statement to that effect and give it to the Care Leaver for further similar use.

3.5.2 Authorising a third party to act on an individual Care Leaver's behalf

Where a contracted and known support service, or any other third party, is submitting an application for access to records on behalf of a Care Leaver, the application must be accompanied by a dated and signed authorisation letter / signed form from the Care Leaver.

See further:

[3.6 Who can make a request](#)

3.6 Who can make a request?

Anyone can make a request for records under FOI/Right to Information legislation to government agencies. In general, personal information will not be released to third parties for an extended period of time (different times apply for different jurisdictions, but some are 100 years from birth before records relating to personal information of a third person can be released).

These Guidelines, however, apply to Forgotten Australians and Former Child Migrants.

There is growing acknowledgement that the experience of out-of-home care can have intergenerational impact. To address this, the applications of immediate descendants should be processed according to the practices outlined in this Guideline, not dealt with as simply genealogical enquiries.

For this reason, the Guidelines are proposed to enable liberalised access to two generations (that is children, grandchildren) of descendants of Care Leavers. The liberalised access would provide those eligible with the same rights of access provided in these Guidelines to the Care Leavers themselves. Two generations have been identified as covering those that may have personal memories of an individual during their own lifetime.

The following conditions should apply:

- The Care Leaver has applied no expressed wishes for limitation upon access (see section 4.9)
- Where the Care Leaver is alive, authorisation for children/grandchildren to access personal records must be supplied from the Care Leaver
- Such requests may be accorded a lower priority than applications from Care Leavers themselves.

Case study: Intergenerational impact¹⁸

...I'm sure I'm not the only first generation child enduring the continuing problems of ascertaining information on behalf of deceased parents. Please be mindful that there is a new generation of secondary effected people coming up and need assistance also.

See further:

[3.4 Can we prioritise requests from Care Leavers?](#)

[4.9 What rights do Care Leavers have over the records](#)

3.7 Costs for access to records by Care Leavers

Access to records of their time in care should be provided to Care Leavers (and descendants of Care Leavers as identified in [3.6 Who can make a request?](#)) without cost. This should apply regardless of the mechanism used to apply for the records – that is, whether the access is sought under Freedom of Information/Right to Information, or legislative provisions in child protection type legislation, or under these Guidelines.

Costs may apply to obtaining records from other agencies, for example, the offices that supply Births, Death or Marriage Certificates, or entries on the Electoral Roll. Such agencies are not covered by these Guidelines, although

¹⁸ Lost Innocents, p167

efforts are being made in States and Territories to advocate for free access by Care Leavers. Some support services may be able to pay fees applicable by Care Leavers. This differs from jurisdiction to jurisdiction.

**SECTION 4:
PROVIDING
INFORMATION TO
CARE LEAVERS**

4.1 Helping Care Leavers make requests

Records Holders should provide templates for requesting records of care. Such templates should:

- Explain that the request is to be processed under these Guidelines (thus making it clear what set of rules should be applied).
- Be in plain English.
- Explain options, for example a Care Leaver may receive a quicker interim response if they request information on why they went into care, or identification of family in the first instance, reserving their right to seek additional information held about them at a later time.
- Identify any criteria that may make the request eligible for priority treatment.
- Enable a Care Leaver to select whether they would prefer a speedy interim response with potentially partial records within the nominated 30-45 days, or the possibility of more information but potentially take more than the nominated 30-45 days.
- Be available in multiple formats, and when placed on the internet, be easily accessible.

The phrasing of the request for access can determine whether the application is dealt with as a request for personal information, or whether seeking more general information and therefore under which set of legislative rules the request is processed. Wherever possible, the most generous interpretation of the request should be assumed. Information about time in care is deeply personal even though it may not be deemed immediately obvious personal information. Where a request has been phrased to limit the information provided to personal information, guidance and assistance should be provided to assist in either rephrasing the request to enable more information to be released, or to assist an applicant in making a subsequent request for information that may not be specifically categorised as personal information.

See further:

[2.1 Maximum access](#)

[1.2 What makes access to records so important for Care Leavers?](#)

[3.4 Can we prioritise requests for access from Care Leavers?](#)

4.2 Statement of services

All Records Holders and support services assisting in providing access to records should have a clear statement of their services available in a range of forms.

This could include web pages, brochures or other promotional materials. Attention should be given to how easy it is to find information on the internet. If Records Holders are part of large organisations, it is possible that the section relevant to records access may be very difficult to find.

A good example of the information and plain English style for information about services is found in fact sheet, [‘Are you a former ward’](#)

4.3 Promoting services for access to records

Maintaining connections with service providers, and support groups representing the Forgotten Australians and Former Child Migrants is highly desirable. These groups assist Care Leavers access their records and are particularly important for Care Leavers who may have poor literacy skills, or problems contacting people in institutions that represent the site of childhood trauma.

Records Holders are encouraged to continue to contribute to the [Find and Connect](#) web resource. This website, funded as part of the Find and Connect Service by the Department of Social Services, provides a centralised service documenting organisations that provided out-of-home care in the twentieth century, details of records maintained by organisations and some guidance on what other sources of information may assist in locating further information about family.

Every applicant should be informed of the availability of support services, and encouraged to use the supported access process.

See further:

[Section 5 Providing access services to Care Leavers](#)

[Section 5.3 Referral to other services or other potential places to find records](#)

4.4 Explain the process

4.4.1 Acknowledging receipt

All requests for access should be acknowledged as soon as practical after their receipt. The material that accompanies an acknowledgement should provide:

- Information about the process.
- Time frames for response.
- What records will be kept about the process.
- What services to support access are available to Care Leavers.
- Background information about the organisation creating the records, and the type of records which potentially contain information of relevance.

See further:

[3.2 How long should processing of requests for records take?](#)

[4.4.2 Records kept](#)

[Section 5 Providing access services to Care Leavers](#)

[4.6 Know and explain the background of records creation and records that remain](#)

4.4.2 Records kept

The process of administering access to information in itself creates records. These records may commonly include the various application forms, records of monitoring of progress and often scanned copies of records retrieved relating to the application. If a Care Leaver has used a support service to assist in making applications, there will be records created at both the support service and at the Records Holder organisations.

Many support services and Records Holders keep copies of records provided to Care Leavers for a period of time. Experience shows that a number of Care Leavers make repeated requests for records, and this is a way of making repeat requests easier to process.

These records should be available for a Care Leaver to view should they require it, and Care Leavers should be informed of this.

4.5 Mechanisms for review, complaint and compliments

All Records Holders and support services should have documented procedures in place, and available on request, for Care Leavers to:

- Seek a review of decisions on withholding records from access. In government organisations this mechanism is provided through the FOI/Right to Information and Privacy legislation.
- A mechanism to submit a written or oral complaint about the service received.
- A mechanism to obtain any compliments on services provided by Records Holders or those providing access services.

4.6 Know and explain the background of the records creation and records that remain.

4.6.1 Organisational history

The history of organisations responsible for records of Care Leavers can be complex. Names change over time, and responsibility for management may change within an organisation. The administrative history of an organisation may help to explain where the records may be found and how to look for them. The [Find and Connect](http://www.findandconnect.gov.au) web resource (www.findandconnect.gov.au) provides basic information on many organisations that created records relating to Care Leavers.

An example of a guide that provides both organisational history and details of the records held is [*Missing Pieces: Information to assist former residents of children's institutions to access records*](#). Department of Families, State of Queensland, 2001

4.6.2 Understand the records

Records of the past can be complex. They are often an interconnected set of records. To be able to find a particular file it may be necessary to investigate indexes, registers and supplementary finding aids that direct searchers to files. Files can change their numbering over time as different people and systems are introduced. This change of numbering can make the older index and register entries invalid.

Often there is no such thing as 'my file'. The records available relating to an individual may be extracts brought together from a range of different types of records – admission registers, punishment books, discharge registers. Only in some organisations were files maintained on individuals.

It may require considerable knowledge of the organisational context of the records to be able to work out where records may have ended up, if the originating organisation is no longer in existence. Sometimes Records Holders have done the archival investigative and descriptive work to know these things. Sometimes this work is still to be done, but known about, and sometimes in the absence of knowledge of the records, there is little to no organisational knowledge of where record relating to Care Leavers may be found.

Records of the Victorian Department of Human Services¹⁹

Locating adoption or former ward records requires use of very old manual registers and cross checking of indexes to verify and locate a file. An initial search may reveal a single or multiple records however in some instances consultation with the client or evidence within the file may reveal additional records in existence that were unable to be discovered in the first search. This may result in an additional request and more search time to try and locate other possible records.

¹⁹ Victorian Ombudsman, [*Investigation into the storage and management of ward records by Department of Human Services*](#), March, p 25

4.6.3 Dealing with legacies

Many Records Holders are struggling with the legacy of past inadequate practices relating to records. Some of the problems that are encountered are:

- Incomplete records created.
- Inappropriate or judgemental comments in records.
- Records created covering many people, not just one person.
- Fragmented records.
- Previous destruction of records.
- Records abandoned in a big mess.
- Records unlisted and boxed in large quantities making it impossible to find individual files.
- Unknown location of records.

In addition, recordkeeping of the past was a bureaucratic process, designed to serve the needs of the organisation or institution, not the people documented in the records. Records creators would not have had any appreciation of the fact that the people that they were writing about would be able to look at these records. Records of the past tended to record the exceptions not the normal behaviour, so it is possible that a Care Leaver may be dismayed to find only negative comments not balanced with any positive comments in any records that survive.

Victorian Department of Human Services²⁰:

[has a] legacy of 150 years of records, across 100 different institutions, during a time which for the most part, there was virtually no guidance or standards in terms of how records should be maintained. This is particularly relevant in terms of the written content of records and the variation in the amount and type of information recorded across the various institutions. Most people interviewed by my investigators who have viewed examples of these records told of wording (for example, in relation to a child's perceived mental capacity) that would be considered insensitive by today's standards.

See further:

[2.6 Informing Care Leavers that further records may be available in time](#)

²⁰ Victorian Ombudsman 2012, p26

4.7 Explaining the context to Care Leavers

To help Care Leavers understand records better, all Records Holders should produce a summary sheet about what records exist currently and the circumstances in which they were created and kept.

A short summary statement (one page if possible) of the organisational history, the records which may hold information and the state of knowledge about the records should be made available to those seeking records. This statement should be written in plain English. It should be given to Care Leavers to help them understand the records and what they may receive.

In all circumstances it is best to be as honest as possible about the problems that Records Holders are encountering providing access to records. Do not pretend that there are no problems finding records if the reality is different. The intent of such statements should be explanatory, not for making excuses for the practices of the past.

Reference to the Find and Connect resource '[What to Expect when Accessing Records about You](#)' is recommended.

See further:

[2.5 Providing supporting material](#)

[4.4 Explain the process](#)

4.8 When to give the summary of records context to Care Leavers

Records Holders should consider the best time to provide the context of records to those seeking records.

At the time the records are available for access, a Care Leaver may well be focussed on the content of the records themselves, not explanatory material.

It may be preferable to provide the summary material about the records held and what to expect as a part of the acknowledgement of receipt of the application for access. Inform Care Leavers that the records they may obtain may not be what they hope to find, if this is a likely outcome.

See further:

[2.5 Providing supporting material](#)

[4.4 Explain the process](#)

4.9 What rights do Care Leavers have over the records?

Care Leavers often assume that the records about them, belong to them. Unfortunately this is not the case.

However, individual Care Leavers can annotate or add to their records, or otherwise alert a Record Holder, of their wish to express their wishes about limiting access to their records, particularly by family members. Such expressions of Care Leaver wishes should be respected by Records Holders as far as possible during the lifetime of the Care Leaver. Records Holders should ensure that such alerts to Care Leaver's wishes are always apparent to all staff retrieving records for access.

Case: Martin

The circumstances of Martin's placement into care involved external judgement arising from his sexual experimentation in his early youth. Martin has accessed his records, and experienced severe distress at the way his experimentation has been documented, and the character attributed to him. He is horrified at the thought that his family members particularly his children, may be able to access this version of his character and this episode in his life. This is causing him significant on-going stress. For these reasons, he expressed his wish that the Record Holder does not allow access by his family to these records during his lifetime.

Access to records where no express wishes have been indicated by the Care Leaver will be normally governed by public access rights under Archival legislation.

Records Holders will put in place procedures that respect any such Care Leaver expressions relating to access. The wishes of the Care Leaver in relation to access will continue to apply regardless of the location of the records. However, this is not a guarantee that access will be restricted, depending on the circumstances of the future enquiry. For example, it may be that a child requests access to determine medical history, which affects their own life, and it is likely that the seriousness of the concern may, at the discretion of the Record Holder, over-ride the wishes of the Care Leaver. Records Holders should develop formal assessment criteria that assist them to make decisions to over-ride express wishes of the Care Leaver. Any such decisions should be very carefully considered and justified in writing by the Record Holder.

Similarly, Care Leavers are able to place an alternative version of events onto their records. (see section 2.5)

These rights should be clearly explained to Care Leavers when they receive their records.

See further:

[2.5 Annotating records](#)

[2.6 Providing supporting material](#)

[3.6 Who can make a request](#)

**SECTION 5:
PROVIDING SUPPORT
SERVICES TO CARE
LEAVERS ACCESSING
RECORDS**

5.1 Providing access services to Care Leavers

Many Care Leavers carry an ongoing legacy from their childhood experiences. In the same way that accessing records may be a positive experience, equally, it may be an experience that causes events from childhood to be relived, thus becoming a re-traumatising experience.

Where records of this potentially harmful kind are held, Records Holders often work with support services specialising in assisting with access to records wherever possible. Such support services act as intermediaries between the Records Holders and the Care Leaver. This type of access is known as 'supported access', where the Care Leaver is assisted in the process of making the application, and not expected to deal directly with Records Holders. In addition, and most importantly, support services can explain the records received as a result of the application. This is particularly important if the support service is notified or aware of any potentially damaging material on the records released. Support services can also explain the context of records creation, the 'norms' of recordkeeping at the time, and why certain information is redacted.

Some support services are currently contracted under the Find and Connect Service for each State and Territory, and by some State Government Departments.

Care Leavers are not required to use third party support services and may approach the Records Holders directly. Where no support service is assisting the Care Leaver, then Records Holders themselves must be aware of the potential for further damage and efforts made to minimise such damage.

Some Care Leavers may choose not to use support services. Alternatives may include having another Care Leaver who has experience with records to support them. Some Care Leavers may choose to be supported by family members. Some caution should be exercised in using family members as support as there are known instances where the family member selected as support themselves appear in the records and the circumstances of their involvement at the time of the events in the records may not be known to the Care Leaver. This has been known to cause significant distress to both parties at the time of accessing the records.

Basic things to avoid are:

- Patronising the Care Leaver, and making a person feel humiliated for skill level or knowledge.
- Arranging visits, appointments or receipt of records at or around significant dates, such as a Care Leaver's birthday, anniversary of time entering or leaving care, Mother's Day, Father's Day, Christmas or other traditionally family oriented celebrations.
- An intimidating environment if the Care Leaver is expected to visit a Record Holder or support service in person.
- Intimidating forms.
- Bureaucratic language or unnecessarily complex language.

See further:

[4.6 Know and explain the background of the records creation and records that remain](#)

[4.1 Helping Care Leavers make requests](#)

[2.4 Providing copies](#)

5.2 Training to provide access to records

5.2.1 Knowing the organisation and the records

Staff working with records build up considerable knowledge of how to navigate complex systems and the relationship of different records. They use this knowledge in locating and retrieving records for requests for access.

Many Records Holders do not have processes in place to formalise this accumulated knowledge and it is passed on from one staff member to another by word of mouth.

Creating a more formal method of continuously documenting the state of knowledge about the organisation's responsibilities at various times in the past, and knowledge of where and how to locate relevant records is desirable. Regular briefing sessions for relevant staff using highly knowledgeable staff may also be a technique to ensure that this deep organisational knowledge is available for all who work to locate and retrieve records for Care Leavers.

Case study: Knowledge of records²¹

"You're kind of gathering information from here, there, everywhere, and sometimes it can just be you know, even on gut instinct, in terms of workers that have worked there for a long time, and kind of realised where some of these records come, and might just remember, 'Oh I actually remember getting one of these records out using this method.' So a lot of it sort of depends on how good the operator is with their system, which is a real pity...."

See further:

[4.6 Know and explain the background of the records creation and records that remain](#)

5.2.2 Skills and knowledge for those providing access

Experience has shown that those with training in counselling or in the practices of social work are best placed to assist Care Leavers with support services facilitating access to records.

Care Leavers are not required to use third party support services and may approach the Records Holders directly. Where no support service is assisting the Care Leaver, then Records Holders themselves must be aware of the potential for further damage and efforts made to minimise such damage.

Providing access to Care Leavers should never be given to junior staff, but always to someone specialising in access services, someone with deep expertise, or a long serving staff member who knows the area well. Empathy and listening skills are key competencies.

²¹ Victorian Ombudsman 2012, p25

A period of training and/or mentoring is recommended before staff are assigned to providing access to records for Care Leavers.

At a minimum training should include:

- Thorough knowledge of the Records Holder's organisational context.
- Knowledge of the records themselves, including how to read files.
- Knowledge of the processes followed to provide access to records for Care Leavers.
- Understanding of the legislative environment and relevant rights to information and privacy.
- Thorough knowledge of the Reports and Recommendations from past Inquiries into Care Leavers, particularly relating to the State or Territory the Records Holder or support service operates in. A listing of major reports is available from the Resources prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse: [*Inquiries and Reports Relevant to the Royal Commission into Institutional Responses to Child Sexual Abuse*](#), 2013, and more recently, Swain, S. 2014. [*History of inquiries reviewing institutions providing care for children*](#). Royal Commission into Institutional Responses to Child Sexual Abuse. Sydney.
- Briefing from community groups which provide support services to Forgotten Australians and Former Child Migrants. Such briefings should be attended/conducted regularly for all staff to alert them to issues, or concerns in the community.
- Training in supporting victims of trauma. This may be through professional training, or through attendance of periodic short courses. One example of such training is available from [*Adults Surviving Child Abuse*](#). This site also has online resources available.

As individuals who are experienced in dealing with the impact records can have on Care Leavers, staff familiar with records have a significant contribution to make to current practices in documenting current case work. Current case workers may need periodic reminding that the records can be made available to the people receiving services. As such continuing attention to appropriate record-keeping, and care to make appropriate case notes is an ongoing issue for all organisations.

5.3 Referral to other services or other potential places to find records

In many cases a person may have experienced many forms of care during their childhood. It is quite likely that they will need to approach a number of organisations to obtain as complete a record about their childhood as they can.

Facilitated services, such as Find and Connect Services or other support services, can coordinate requests across many organisations. However, other individuals can undertake this exercise using other assistance (for example, using support groups such as CLAN) or independently. Wherever possible assistance for Care Leavers in identifying further places to search for records should be provided.

See further:

[2.5 Providing supporting material](#)

[4.2 Statement of services](#)

[4.3 Promoting services for access to records](#)

In the matter of the *Inquiries Act 2014***Yoorrook Justice Commission****CERTIFICATE IDENTIFYING EXHIBIT OR EXHIBITS**

Date of Document: 11 January 2023

Solicitors Code: [REDACTED]

Filed on behalf of: [REDACTED]

DX: 494, Melbourne

Prepared by: [REDACTED]

Telephone: (03) [REDACTED]

Ref: 300317-01076

Email: [REDACTED]

This is the exhibit marked "**CO-2**" now produced and shown to Catherine O'Neill at the time of affirming the person's affidavit on 11 January 2023:

[REDACTED]

[Signature of deponent]

[REDACTED]

[Signature of person taking affidavit]

Exhibit "CO-2"

Email to [REDACTED] from [REDACTED] dated 11 May 2015

From: [REDACTED]
To: [REDACTED]
Subject: Fwd: UAM Archives - seeking to make contact with [REDACTED]
Date: Monday, 11 May 2015 2:27:12 PM

Hi all

Please find attached an email from [REDACTED] of the United Aborigines Mission!!!!!! He is not dead! Yay! As you will see below I have responded to him and a trying to get him to be willing to have a meeting with me and [REDACTED], the Team Manager from Link-Up. At that time I can try and get some kind of more up to date contact details.

For the time being it would be good to change the information on the contact details page to provide his current email [REDACTED] and to get rid of the Doncaster East address as this is no longer valid. I have asked him for a contact phone number and will wait and see if I get one. I will also try to get a current mailing address. Anyway it is really good news that he lives and the records are safe. Yay!!!!

[REDACTED]

----- Forwarded message -----

From: [REDACTED]
Date: Mon, May 11, 2015 at 12:26 PM
Subject: Re: UAM Archives - seeking to make contact with [REDACTED]
[REDACTED]

Hi [REDACTED]

It is great to hear from you and to know that the valuable UAM records are in safe storage. As the records are so important and access to information held within them is often critical to assisting clients of Link-Up to reconnect with family or to understand their stories, I would like to start working with you and UAM Ministries to work out how this can be achieved.

Would it be possible for me to come to Melbourne along with the Team Manager of Link-Up, [REDACTED], to meet with you and other concerned UAM staff or council members to talk about possibilities? I well understand the desire to not split up the records and agree that this is important. I also understand the lack of staff and space resources that you are struggling with. There may be ways that we can work around this and it would be good to sit down and discuss ideas and look at possible funding that could be secured to assist. It would be great to reach an agreement and develop an MOU with the UAM around confidential records access. We are currently working with another former Mission organisation around the same issues.

Could you let me know whether you'd be available to catch up with us during May or June to have a meeting in Melbourne? My number at Link-Up is [REDACTED] or mobile [REDACTED] if you'd like to call. Can you please provide me with your best contact number.

thanks so much for responding to me. Its made my day :)

Kind regards and looking forward to working together with you,

[REDACTED]

On Mon, May 11, 2015 at 12:06 PM, [REDACTED]
[REDACTED]
[REDACTED]

I must apologise for the delay in responding to your email as I have been both interstate and overseas in the past three months.

In 2009 the council of UAM Ministries closed the records of the United Aborigines Mission to public access and subsequently the Doncaster property was sold in 2011. The records have been placed in storage and are not readily accessible. UAM does not have facilities other than a tiny office.

The council would not agree to split up these records as they are the history of the life of UAM and its ministry covering WA, VIC, NSW and SA since 1894.

Regards

[REDACTED]

On 4 May 2015, at 3:04 pm, [REDACTED]

[REDACTED]

My name is [REDACTED] and we have met on a couple of occasions when I was working on a guide to records of children's homes, Finding your own way and when I was Research Historian with the Children in State Care Commission of Inquiry in South Australia. On both occasions you were extremely helpful.

I am now working as Research Historian with Link-Up SA and I am keen to get in touch with you for a number of reasons including:

- 1) The contact phone number that I have from the Find & Connect web resource: [REDACTED] is disconnected and I have tried ringing the number listed on the UAM Ministries web page. That number goes to an answering machine but I have not yet received a call back. I'd like to confirm the correct contact details for the Archives so they can be updated on the Find & Connect site.
- 2) I am renewing and developing Memoranda of Understanding between Link-Up SA and record holders and it would be great to work on establishing a formal arrangement with the UAM Archives. This might include allowing confidential access to Link-Up caseworkers or to myself to locate information related to clients as I am aware that staff resources to do searching is very limited for you.
- 3) I am becoming concerned that you are no longer in charge of the Archives and/or that it is still located in Doncaster East and wonder about the future of the unique and valuable collection of records that you hold.

Thank you for responding to my email as soon as you can and I look forward to meeting with you again in the near future,

Kind regards

[REDACTED]

--

[REDACTED]

[Redacted text block]

[Redacted text block]

In the matter of the *Inquiries Act 2014*

Yoorrook Justice Commission

CERTIFICATE IDENTIFYING EXHIBIT OR EXHIBITS

Date of Document: 11 January 2023

Solicitors Code: [REDACTED]

Filed on behalf of: [REDACTED]

DX: 494, Melbourne

Prepared by: [REDACTED]

Telephone: (03) [REDACTED]

Ref: 300317-01076

Email: [REDACTED]

This is the exhibit marked "CO-3" now produced and shown to Catherine O'Neill at the time of affirming the person's affidavit on 11 January 2023:

[REDACTED]

[Signature of deponent]

[REDACTED]

[Signature of person taking affidavit]

Exhibit "CO-3"

Email to [REDACTED] from [REDACTED] dated 2 December 2015

From: [REDACTED]
To: [REDACTED]
Subject: United Aborigines Mission records
Date: Thursday, 3 December 2015 1:43:23 PM

Dear all

As you may be aware I have been beating my head against the brick wall of the UAM for a long time. I have been trying to email [REDACTED] who is their Archivist about an MOU with Link-Up SA. Today I received the below response which I regard as absolutely appalling.

Any suggestions as to a next step, gratefully received.

[REDACTED]

-----Original Message-----

From: [REDACTED]
Sent: Wednesday, 2 December 2015 2:57 PM
To: [REDACTED]
Subject: MOU Link-Up SA

Dear [REDACTED]

I have again canvassed the members of the UAM council regarding your request to open up the records of UAM to facilitate your research request.

They will not contemplate entering into discussions aimed at establishing an MOU with Link-Up SA, and they will not authorise access to their records.

There are several other points:

The council does not accept that the records they hold contain the level or amount of information claimed in the paper, "Importance of the records of the UAM..." Missionaries kept very few if any records in the course of their work;

The UAM has no resources, financial or people, to spend on this type of project.

[REDACTED]

[REDACTED]

[REDACTED]

In the matter of the *Inquiries Act 2014***Yoorrook Justice Commission****CERTIFICATE IDENTIFYING EXHIBIT OR EXHIBITS**

Date of Document: 11 January 2023

Solicitors Code: [REDACTED]

Filed on behalf of: [REDACTED]

DX: 494, Melbourne

Prepared by: [REDACTED]

Telephone: (03) [REDACTED]

Ref: 300317-01076

Email: [REDACTED]

These are the exhibits marked "**CO-4**" now produced and shown to Catherine O'Neill at the time of affirming the person's affidavit on 11 January 2023:

[REDACTED]

[Signature of deponent]

[REDACTED]

[Signature of person taking affidavit]

Exhibit "CO-4"

Email sent to Barbara Reed by [REDACTED] dated 8 December 2015

Email attachment - access form provided to [REDACTED] by UAM

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: Issue relating to records for potential inclusion in Royal Commission Issues paper
Date: Tuesday, 8 December 2015 3:02:59 PM
Attachments: [MOU Link-Up SA.msg](#)
[Importance of United Aborigines Mission Records to Stolen Generations 100615.docx](#)
[Request for details UAM \(1\).pdf](#)

Hi [REDACTED]

Cate O'Neill provided your email address to me. We were colleagues during the Find & Connect web resource project. I was one of the State-based historians for SA & NT. I am now working two days per week as Research Historian at Link-Up SA. One of the roles I have here is establishing and renewing our Memoranda of Understanding with record holding agencies. I wanted to write to you because I am having a big issue with the United Aborigines Mission [UAM] and access to their records, currently held in Melbourne.

I have been working in this area for some time. Prior to 2005 I accessed records held by the UAM. At that time [REDACTED], the Honorary Archivist had the records in the back area of his home. I was allowed to view the records in order to list them for the Finding Your Own Way guide to records of children's homes in SA. During the South Australian Children in State Care Inquiry [CISC], as Research Historian, I was again allowed access to the records in Melbourne and during the Inquiry, the majority were actually sent over to Adelaide so we could research them for information about people who attended the Inquiry. Correspondence files were a rich source of information about children coming and going and happenings at the various missions. The records were sent back after the Inquiry.

During the 2011-2014 Find & Connect project, I had great difficulty even being able to make contact with [REDACTED] (who is the spokesperson and Archivist and only named member of the UAM). This has continued through 2015 – most emails and phone calls have remained unanswered. Finally I was sent a new access form (attached) and the below email which basically says they will not help at all and blatantly lies, saying that missionaries created few, if any records. The records are now in an inaccessible storage facility.

Anyway – I wanted to bring this situation to the attention of the Royal Commission. I am happy to write up a full submission on this at a later date if that is useful. It is a tragic situation because there are many Link-Up clients still waiting for records after many years and a number have died without ever getting them. I am not certain why the UAM and [REDACTED] have become so closed and unhelpful. They assisted with the CISC Inquiry and had no negative impact as a result of it that I am aware of.

If you would like to know more about this records situation or have any advice as to how we might be able to work with the Royal Commission on this issue, please let me know. I am attaching the UAM access form, an explanation that I wrote up for Link-Up about the importance of records to members of Stolen Generations and the email I received barring any access at all.

Thanks very much

[REDACTED]



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Any views expressed in this message are those of the individual sender, and not the organisation, except where that sender specifically states them to be the views of Nunkuwarrin Yunti.

Please think about the environment before printing this email.

Request for details of personal information held by United Aborigines Mission

This form is for the use of a person who wishes to inquire about personal records which may be in the custody of UAM. Please supply as much of the following detail as possible to assist us in identifying the relevant information from our records:

Full name at birth:

Current name:

Date of birth:

Name of UAM Home:

Date of admission:

Date of discharge:

Names and birth dates of other family members who were in the UAM Home:

Any other information:

Terms Of Search

UAM agrees to search its records for this information at no cost to you subject to your agreement to the following provisions:

1. that UAM has no obligation to ensure that any information which it has in its records is found;
2. that you release UAM from any action, suit, claim or demand in respect of any act or omission of UAM and its servants and agents in respect of the subject of your inquiry.

I agree to these terms.

Signed: Dated:/...../.....

PTO .../2

To be completed if you use an agent to collect this information for you:

I,, hereby authorise UAM to release personal information about me to.....who is acting on my behalf.

Signed: **Dated:**/.../....

Address to which information is to be sent:

.....
.....
.....
.....

Completed forms should be sent to:

**“Archives”
UAM**



In the matter of the *Inquiries Act 2014***Yoorrook Justice Commission****CERTIFICATE IDENTIFYING EXHIBIT OR EXHIBITS**

Date of Document: 11 January 2023

Solicitors Code: [REDACTED]

Filed on behalf of: [REDACTED]

DX: 494, Melbourne

Prepared by: [REDACTED]

Telephone: (03) [REDACTED]

Ref: 300317-01076

Email: [REDACTED]

This is the exhibit marked "**CO-5**" now produced and shown to Catherine O'Neill at the time of affirming the person's affidavit on 11 January 2023:

[REDACTED]
[Signature of deponent]

[REDACTED]
[Signature of person taking affidavit]

Exhibit "CO-5"

National Link-Up News edition 31, *Gatekeepers: changing the narrative for restrictive private record holders*, page 5

National Link-Up News

National Link Up News Edition 31

edition >31

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 With thanks to Link-Up teams and other organisations for their editorial contributions. This newsletter may contain photographs of people who have passed away.



□ Kerry Bodle Reunion **Story page 12**

South Australia

Letter from Link-Up SA

Hello to national Link-Ups and our readership! Welcome to the 31st edition of the Link-Up national newsletter – an archive of stories and photographs that give a snapshot into the fantastic work of Link-Ups nationwide over the last six months.

As another Sorry Day passes, we are reminded of how important it is to take the journey of healing together. Just yesterday, an SBS article captured this beautifully, it said –

“In order to achieve reconciliation we must heal together – reconciliation is everyone’s responsibility”.

These last months at Link-Up, we have certainly embodied togetherness. Together, we sat and remembered Former Prime Minister Kevin Rudd’s momentous apology to Aboriginal and Torres Strait Islander peoples. Together, we have organised reunions, seen family’s reunited, honoured relatives who have passed and learned more about culture and history. Together, we are slowly putting puzzle pieces back where they belong.

We feel very honoured by the opportunity we have had to collate and edit the individual stories you will find in this edition and thank all of you for your contributions. We want to remind the Link-Ups involved of the critical importance of the work they do, not only for our clients, but for Australia. We are in a process of reconciliation and that process is made possible by the work of Link-Ups across our nation. And to our clients, thank you for trusting us with your stories. Your strength and courage in seeking reconnection with family is what makes our work possible.

If you have any questions, complaints or comments, please do not hesitate to contact us on the details below. Please enjoy this issue of Link-Up in June, 2019.

All the best,

The Link-Up SA team
emmah@nunku.org.au
(08) 8169 7285



The Link-Up team - From right - Rick (Manager), Joel (Case Worker), Karen (Historian) and Cherie (Case Worker)



Apology Day, February, 2019

A candlelight vigil to honour survivors of the Stolen Generations, at the Apology Day Breakfast, February 2019

THE APOLOGY DAY BREAKFAST

On 13 February, the 11th Anniversary to Kevin Rudd's Apology to Stolen Generations Survivors was marked on Kurna Country in South Australia by two powerful events. The first was a breakfast held at the Adelaide Convention Centre. Swathes of people braved the rain and cold to attend, with roughly 10,000 people filling the Adelaide Convention Centre event space, one of the largest turnouts in the country.

The breakfast began with a welcome to Country by Kurna Elder, Suzanne Russell, and a very moving candlelight vigil to honour survivors of the Stolen Generations, during which Vonda Last from the Ngaantjatjara nation played a beautiful piano piece called Remembrance. "The thing that got me was seeing the candles", said Second Stolen Generation Survivor Ron Miller. "It still hurts", he said.

The overarching theme of this year's Apology Day commemorations spoke to us – forced us to question, what does Remembrance really mean? How can we action it in our daily lives and to those around us? How can Remembrance bring change where it is needed most?

Keynote speakers included the Honourable John Hill and Doctor Jenni Caruso, who discussed the Stolen Generation's Individual Reparation Scheme, and some of the harrowing stories they had heard. But despite the suffering, the enduring survival, hope and forgiveness these stories featured were truly a testament to the strength of Stolen Generations Survivors. "There is much for government and society, in general, to reflect on and learn in relation to the policies and practices that produced the Stolen Generations - the Apology, the Bringing Them Home Report and the establishment of the Stolen Generations Reparations Scheme were all important steps; but they are but small steps on the road to Reconciliation", said the Hon John Hill.



Uncle Jack Charles is interviewed by Professor Peter Buckskin at the The Apology Day Breakfast

South Australia



The Apology Day Breakfast at the Adelaide Convention Centre

A presentation by the Honourable Steven Marshall, Minister responsible for Aboriginal Affairs and Reconciliation, also paid his respects. "The apology to the Stolen Generations eleven years ago was a long overdue recognition that some past policies and past actions of governments and other institutions were very destructive and damaging to many Aboriginal families and people across Australia. At the same time, the apology symbolised a willingness of government and Australians to listen to Aboriginal people who had for so many years tried to speak out and share their own and their families' stories", he said.

To end the breakfast, Uncle Jack Charles, a renowned musician, actor and speaker, was interviewed by Professor Peter Buckskin. Uncle Jack's story is bittersweet - he was removed from his mother at Cummeragunja Mission on the Murray River when he was still an infant, and raised in the Salvation Army Boys' home, where he suffered sexual abuse. Despite this, Uncle Jack eventually left the home and became a successful dramaturg, starting the first Aboriginal theatre troupe in Melbourne. Later in life, the pain of his past resurged and he found himself a homeless heroin addict, who stole to support his habit. His self-directed documentary, *Bastardy*, tracks his life on the streets, his experiences in prison and his road to redemption. Today, Uncle Jack is clean and has become a mentor for many young Aboriginal men who are incarcerated. "When the boys I visit are close to being released from prison, I ask them 'Who are you now and what are you going to become? What road are you going choose boy?'" , says Uncle Jack.

THE APOLOGY DAY COMMUNITY EVENT

Following the Apology Day Breakfast, attendees were invited to a community event at Veale Gardens. Stalls from different Aboriginal organisations had a presence at the event, including the well-known Tauondi coffee and tea truck, the Link Up and Tobacco Teams of Nunkuwarrin Yunti, local Aboriginal artists, including Auntie Alice's jewellery, and performances by a variety of local Aboriginal

musicians. A smoking ceremony to begin the event also welcomed visitors to walk through the cleansing smoke before entering the event. They were also invited to place a stone in some water, to symbolise leaving their mark on earth and Country.

The event was primarily a chance for Aboriginal community members to learn about, and get in contact, with some of the services available to them. Many meaningful discussions were had between staff and community members, especially between Link-Up SA staff.

"Apology Day was a very special day, where I could go back and reflect... Tell dad I'm sorry he had to go through all that", says Mr. Miller. "I'm still writing my story but you'd be proud dad... I've found your brother and sisters and your mother".

Thank you to Bryce Cawte and Patrick Ferguson for their photographs



Daniel Sumner, Oscar Abdulla (Tobacco Team) and Joel Stewart (Link-Up SA Case Worker) at the Apology Day community event in Veale Gardens



Link-Up SA Stall at the Apology Day community event in Veale Gardens

Australia Gatekeepers:

CHANGING THE NARRATIVE FOR RESTRICTIVE PRIVATE RECORDS HOLDERS

In June 2018 the Healing Foundation held a Knowledge Circle in Canberra to discuss records access for survivors of the Stolen Generations. The Knowledge Circle brought together representatives from Link-Ups nationwide and from the Australian Institute of Aboriginal and Torres Strait Islander Studies in Canberra. These representatives were joined by staff from a number of record-holding organisations and service providers. The group discussed the challenges to engaging with private record holders and brainstormed different strategies for improving access. A number of these ideas are currently being pursued.

There remain overarching questions in relation to the issue of restricting records. What motivates gatekeepers to keep the gates so firmly closed? What risk assessment are they responding to? How can we encourage and inspire them to try a new way, to write a different story?

By way of case study, the United Aborigines Mission (UAM) was founded in 1895 in New South Wales. It operated at least 20 missions across three states; South Australia, Western Australia and New South Wales. Thousands of Aboriginal children over many decades lived under the control of UAM missionaries.

This following disclaimer comes from the current 'Request for details of personal information held by United Aborigines Mission' form used by the organisation's archival department.

The UAM agrees to search its records for this information at no cost to you subject to your agreement to the following provisions:

1. That UAM has no obligation to ensure that any information which it has in its records is found;
2. That you release UAM from any action, suit, claim or demand in respect of any act or omission of UAM and its servants and agents in respect of the subject of your inquiry.

These conditions mean that anyone requesting a search for records must agree that the UAM is under no obligation to find anything for them.

The Find & Connect web resource outlines some of the many records held by the organisation. These records include children's details, health cards, admission and discharge registers, correspondence records, child endowment listings and photographs. The surviving records from all missions were consolidated many years ago and stored under the control of a single archives officer.

The UAM is an independent religious organisation and does not sit under a larger religious order. There is no umbrella organisation through which to approach UAM, no phone number for the archives or the organisation. The organisation appears to still exist as a charity called the United Aborigines' Mission (identified from an ABN name search). It previously had a one-page website under the name United Aboriginal Ministries but that site has since been removed. The only way to contact them is via email. These various "locks on the gate" make accessing records near impossible.

In the past, the UAM was more open and collaborative, allowing South Australian records to be surveyed and listed for the Finding Your Own Way Guide to Records of Children's Homes in South Australia (Nunkuwarrin Yunti of SA Inc. 2005). They also complied with a request for access by the South Australian Children in State Care Commission of Inquiry, also known as the Mullighan Inquiry, which ran from 2004 to 2008.

Over the last decade, records access has become much more restricted. Occasionally, a researcher is provided with very minimal information, such as dates of admission and discharge, whereas the Gerard Mission dormitory in South Australia, for example, has 10 folders of detailed correspondence and reports sent between the mission and the Secretary of the UAM. These documents provide insights into the operation of the home over many years, often mentioning children, families and staff members by name.

When the UAM opened up their records to the researcher who wrote the Finding your own way guide, and for historians from the Mullighan Inquiry, to our knowledge there were no adverse consequences for the UAM. This has also been the case when members of the Stolen Generations have been provided with information about themselves or their family members. Each time a record holder searches and finds records, helps, shares and supports applicants or apologises in cases where records have not survived, good things happen. Stolen Generation survivors are assisted to find out about themselves and their family. They begin to understand what happened, to find some form of closure. Although distressed by the language and content of records, survivors are often thankful that things were written down, that the photographs were taken and that records were not destroyed because without them, there would be no answers.

How does Link-Up and other organisations that support survivors of the Stolen Generations let these gatekeepers know that there is a more positive way to operate? Resisting access and holding the gates shut can be exhausting. Another private custodian of independent mission records recently stated that she was tired of feeling guilty when she turned people away and refused to search records, but felt she had no other choice because of pressures from others.

We invite gate keepers to engage collaboratively. Expert assistance, resources and sources of funding are always available to preserve, store, list and index records. Opening the gates and allowing access can be achieved while retaining control of the institution's records. Listing and indexing takes pressure off organisations with limited staff by making searches quicker and easier. Link Up SA has been proactive in negotiating Memorandums of Understanding with a range of records holding institutions and has finalised renewal of several MOUs during 2019. The signing of such MOUs can be a celebration of collaboration, good will and partnership in facilitating the healing process for members of the Stolen Generations and their descendants. The UAM, and peer agencies, are invited to join in this partnership.

An aspirational suggestion for a new application form might then read something like this:

The UAM agrees to search its records for this information at no cost to you because it understands how important this information is for you. The UAM will use the indexes and other finding aids it has developed to locate and copy all relevant information which it has in its records for you. You are also welcome to contact the archivist or visit the repository for further assistance.

With this kind of approach, survivors of the Stolen Generations and researchers who work on their behalf, could redefine the UAM and other restrictive private record holders as their valued colleagues and these record holders could set an example to others of how openness, transparency and generosity can change lives.

Karen George
Historian Researcher, Link-Up SA

South Australia

THE SOUTH AUSTRALIA MUSEUM'S LAUNCH OF THE ABORIGINAL FAMILY HISTORY DATABASE

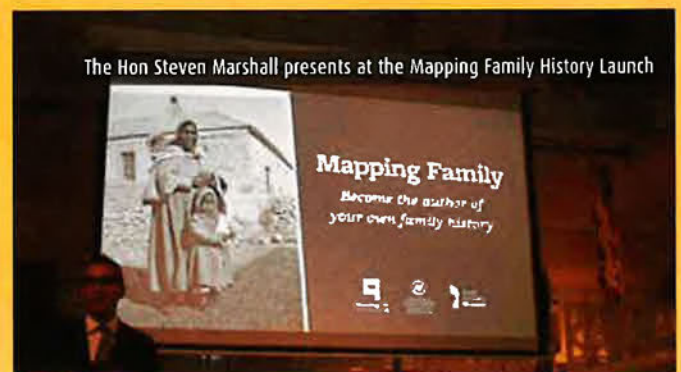
On February 19, a mixed crowd of historians, academics, archiving specialists, politicians and representatives from various government bodies and, most importantly, survivors of the Stolen Generations, walked through the cleansing smoke of Elder Uncle Moogy and into the iconic South Australia Museum's Aboriginal Family History Unit.

The event launched the museum's new electronic database, whereby Aboriginal people can access their own family history. The launch of such a programme signified the importance of records and genealogy access for Aboriginal people, especially where family breakdown or removal has occurred. "The Family History Unit works with Aboriginal people including many members of the Stolen Generation, with the aim of furthering their connections to family, country and culture," said Kurna, Ngarrindjeri man and Family and Community History Consultant, Mr Abdullah-Highfold.

Unlike previous record-keeping techniques, the Family History Unit's new database is more user-friendly and accessible, especially for those who are unfamiliar with research techniques, record-tracing or do not know the full names of those family members they are trying to trace.

The database is also available via a free Smartphone App, making it more accessible than ever. "Prior to the release of this new resource, community members had to spend many hours with us, researching handwritten family genealogies... Now, by using this resource, people can find the name of a family member and contact us, we can then help people explore their genealogies and family history more readily," said Mr Abdullah-Highfold.

The Family History Unit has a wonderful collection of photographs, genealogies, drawings, cultural information and individual stories that can be accessed through the database. These records enclose poignant memories and powerful histories that are significant to living Aboriginal community members today. "Imagine holding a crayon drawing that your great-grandmother created when she was a child or seeing a photo of her for the first time" said Mr Abdullah-Highfold. "With the launch of this new resource we not only aim to make it easier for Aboriginal people to engage with family and community, we also see it as a way for Aboriginal people to document and build on their own family genealogies for generations to come," said Mr Abdullah-Highfold.



Australia



NUNKUWARRIN YUNTI COMMUNITY-BASED REDRESS SUPPORT SERVICE

The National Redress Scheme was created to support survivors of Child Sexual Abuse, implemented through the Royal Commission findings into Institutional Responses to Child Sexual Abuse.

Nunkuwarrin Yunti are proud to announce that we have specific Social Health Specialist case workers to support individuals choosing to engage in the Redress Scheme. We provide culturally competent support to Aboriginal and Torres Strait Islander communities across South Australia through the National Redress Scheme.

How can we assist you?

To ensure your Cultural Wellbeing and Connectedness through National Redress scheme is a safe pathway we aim to provide:

- Holistic case management
- Help drafting Redress Scheme applications
- Information and advocacy as requested

- Access to informed Legal Advice services relating to National Redress Scheme
- Record request services (child file, from Freedom of Information, if need be)
- Access to narrative counsellors
- Access to culturally informed psychologists
- Access to Ngankaḏi at request
- Access to Redress support groups
- Connection to community events
- Financial counselling services

If you think that Redress applies to you, or you would like to know more, please contact Nunkuwarrin Yunti on (08) 8406 1600 or 8254 5300 and ask to speak to a Redress worker.

Alternatively, you can contact us via email:

emmas@nunku.org.au, elizah@nunku.org.au
or nicolec@nunku.org.au

Or pop in for a yarn at Nunkuwarrin Yunti at our Wakefield Street and Brady Street locations: 182-190 Wakefield Street, Adelaide SA 5000 or 28-30 Brady Street, Elizabeth Downs, Adelaide SA, 5113.

1 to 5 - Family History Workshop, Nunkuwarrin Yunti SA

6 - Crowds begin filing in for the official launch, South Australia Museum

7 - Cherie Rolfe, a longtime Link-Up SA Case Worker, points to Yuin Country where her father is from

8 - Karen George, Link-Up SA Researcher and Historian leading the class

New South Wales

Healing Weekend

PORT STEPHENS



Elder Uncle Leigh Ridgeway on Worimi Country

Link-Up NSW hosted a Healing Weekend at beautiful Port Stephens on Worimi Country from February 15 – 18. The Retreat at the Port Stephens venue allowed our clients to connect with those with similar experiences, those who we have assisted on their journeys home and those still on the journey home.

The weekend away also gave people an opportunity to have a cultural experience with Elder Uncle Leigh Ridgeway and his family. They welcomed us on to their Country and performed a smoking ceremony. Several activities were on offer for our clients to experience, both on and off site, including a dolphin watch cruise, fishing, water sports, bingo, trivia, beading, cultural arts and a healing circle.

Link-up were fortunate to have been able to provide an opportunity for the clients to attend a cruise on the waters of Port Stephens in search for dolphins. It was an opportunity for our clients to enjoy the beautiful Worimi Nation, to relax and enjoy old and new friendships at a lovely venue with great food. "It was the best weekend ever", said one client.

THERE IS HELP

To my brothers and sisters who have lived through the trauma and pain of being stolen from family –

*did you ever wonder if we would survive?
Or where we would end up?*

Those who did not survive will be in our hearts and minds forever. We are living another nightmare and learning to adapt once again. We are learning how to interact and show our true emotions and feelings to those people we once belonged to.

We are trying to connect and understand our young ones who in turn are trying to understand us.

We have lost so much – our culture, language, knowledge and belonging.

*The one thing that is not broken is our spirit,
which keeps us alive.*

*The unfortunate part is that the pain will always be there,
it will never go away.*

*But we can make sure it will not happen to our children
and future generations to come.*

*We are a proud race of unique people, our land is our
mother, a place where we belong. Now, we must move
forward.*

**- For the Stolen Generation, by Uncle Dennis Dunn
Former Stolen Generation Reunification Counsellor for
Link-Up NSW**

Wales

Kerrison Reunion

On Wednesday 13 March, Link-Up NSW reunited Melanie with her two sisters Debbie and Joanne, accompanied by Link-Up Caseworker Jo-Ann Bird, Counsellor Mary-Ann Frail, Disability Link Caseworker Viviann and Melanie's Foster mother Maxine.

It was a very special day for Melanie, she met her sisters for the first time in over 40 years and the fact that it was her 47th Birthday made the day very significant. They all met up at the Digger's Club in Newcastle NSW and celebrated

Melanie's birthday with a lunch, followed by a very special birthday cake which the sisters, Debbie and Joanne, took part in decorating.

After lunch they all gathered around and laughed as they took photos. "This is the best birthday ever!" Melanie stated. "I am going to miss my sisters when I leave, now we are connected we can stay in contact".



Elder Uncle Leigh Ridgeway and his family perform a smoking ceremony to welcome us on to Worimi Country

Queensland

Kerry Bodle Reunion



From left - Lindsey Bligh, Jessie Cobbo, Kylee Fitzpatrick and Kerry Bodle at the cemetery

My Grandmother, Merle (Moola) Conbar, was born at Thargomindah in 1898. Her parents are recorded as unknown on departmental records. This is her story.

From the age of two, my Grandmother lived with a man named William Geddes and his family. Geddes had a special permit that allowed him to employ Moola as a ward. As her guardian, Geddes had the authority to move Moola with his own family to any part of the colony he wanted to. No records could be found to show why Moola was removed from her family and why she was allowed to be William Geddes' ward.

In 1929, when she became pregnant with my mother Margaret (Maggie) Milkin nee Conbar, Moola was sent to Cherbourg, where she would spend the rest of her years. In 1932, Moola married James Fisher at Murgon. She passed away in 1934, her gravesite is labelled unknown in the old cemetery. It is not clear if Moola and James Fisher had any children together.

At four-years-old, my mother Maggie was taken from Moola in Cherbourg and sent to the Salvation Army Home in Yeronga. She left when she was sixteen years of age. My mother had a child when she was about twenty and then married my father and had another four

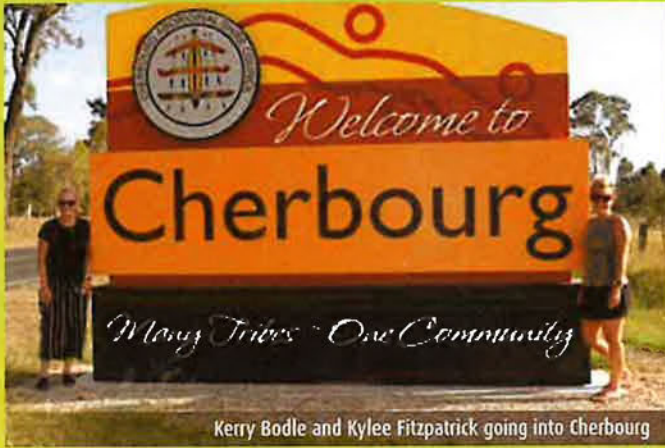
children. When I was five, whilst living at Smithfield NSW, my mother left us. I was sent to a Salvation Army Home in Canowindra NSW. My mother came to visit me at the home when I was eight. I left the home at age sixteen and I saw my mother more regularly after that.

At the age of sixteen, I fell pregnant. I have been married twice and now have three more children. I started studying at Griffith University when my twin boys were two. I have been working at the university for twenty years and now have a PhD.



Kerry Bodle leaving a note and flowers at the Cherbourg Ration Shed Museum

Link-Up



Kerry Bodle and Kylee Fitzpatrick going into Cherbourg

In 1997, my mother sent an intake request to Link-Up Qld to find her family. I made a similar request in 2004 while working at Gumurrii Student Support Unit at Griffith University. The journey has been long and life circumstances have taken precedence at certain times. When I heard about the death of my mother, I decided to complete this journey for her.

When I first received my research from Link-Up Qld, I felt like a missing piece of the puzzle was finally found. The reunion took me back to a place of significance. I felt a mixture of feeling, I was quite anxious heading off to Cherbourg and I did not know if anyone would remember my Grandmother, Moola Conbar or James Fisher.

On the other hand, I was really excited to see the country where my mother was born. My daughter Kylee Fitzpatrick accompanied me on this journey as well.



Kerry Bodle at Cherbourg Cemetery

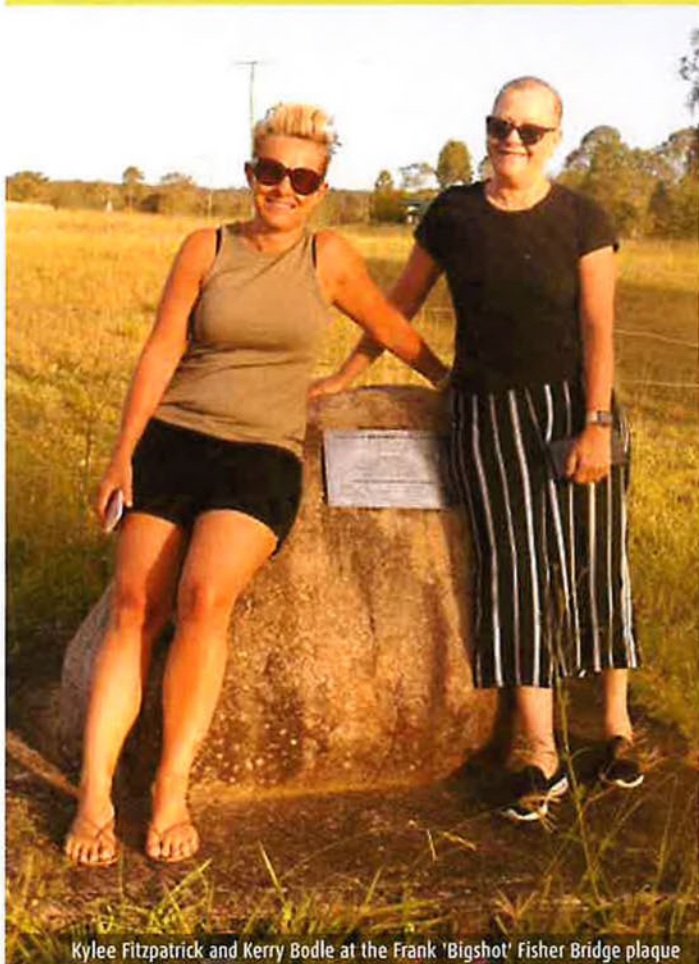


From left - Christine Reeves, Jessie Cobbo, Kerry Bodle and Kylee Fitzpatrick

Queensland



Kerry Bodle, Aunty Ada Simpson and Kylee Fitzpatrick at the Kerry Bodle Reunion



Kylee Fitzpatrick and Kerry Bodle at the Frank 'Bigshot' Fisher Bridge plaque

The first few days were spent visiting the landmarks – the old and new cemetery, the hospital where my mother was born, the Ration Shed and other Cherbourg sites. We did not meet any family from the Fisher clan until the last day. We had decided to leave flowers with a message on the card at the Ration Shed, instead of the old Cemetery, because we wanted to see if we could possibly trigger someone's memory about Moola Conbar or James Fisher. We met with two Elders at the Ration Shed that morning. When I met Aunty Lilian Gray, I felt like I had another piece of the puzzle. I have yet to meet again with Aunty Lilian Gray, but I hope that we can see each other again, so she can help me complete the story of my Grandmother's life in Cherbourg.

I had mixed feelings after the reunion. Knowing what my Grandmother and Mother had to endure made me feel very emotional and sad, but as time went on I felt more peaceful. I want to go back to Cherbourg after I make connections with Aunty Lilian Gray and see it all from a new perspective.

I want to thank Christine Reeves and Jessie Cobbo from Link-Up Qld for taking time to make the reunion possible and thanks to Link-Up Qld for the great work that they do. I want to thank Lindsay Bligh for taking us around the cemetery.

11th National Apology Day at The Edge, State Library of Queensland

Link-Up QLD held National Apology Day at The Edge Auditorium, State Library of Queensland. Many Elders were amongst the 180 guests, who enjoyed the varied program. Link-Up QLD showcased two films, *Remembering the Apology*, featuring Stolen Generation clients, and Jennifer and Steven Hart's story, *Searching for Sasha: Access Denied*. A film about the challenges and barriers faced by the Research Unit and their over eight years of searching for Sasha.

Link-Up

Deirdre Slater Reunion - Currawillinghi

Link-Up QLD recently organised a reunion so I could meet my last remaining living cousin, Sandra Leonard... or so I thought. It turned out that Sandra's brothers were still very much alive. Although they were briefly mentioned in earlier information I'd been given, their names didn't appear on any copies of the family tree I was working with. Needless to say, I was happy to know that I had more living cousins than I thought!

The reunion was a memorable experience, filled with surprises. Along the way, I learned much about our family and its long history.

During our childhood, my two siblings and I were told that our father was Spanish, but for some unknown reason we intuitively knew otherwise. We had often wondered but it wasn't until I was 35 that the long journey to find my father's true heritage began.

Almost twenty years passed. Then, with the help of Find and Connect, a government initiative to help Forgotten Australians reconnect with their family, the necessary searches began.

These searches were followed up with long hours of hard work by the Link-Up QLD research team, who provided far greater details of my closest relatives. Thus, my family tree is now complete - all ten generations. Starting with my great-grandson, right up to my Great Grandmother Jeannie, four generations back.

Unfortunately, my father passed away nine years ago. He preferred to keep his true heritage hidden, right up to the very end. He would have had his reasons and though it was disappointing for us not to know why, since his passing we can only wonder what those reasons might have been. The irony of all this? It wasn't until after my father, Harley Smith/Morris had passed away that certain information from official files was then able to be released.

On the first day of the reunion, we commenced the first part of our long journey, stopping overnight in Goondiwindi. It had been a very hot day, and the evenings weren't that much cooler.

The next day we began the second leg of our journey, stopping overnight at Dirranbandi.

We decided that late afternoon would be the best time to visit the Dirranbandi cemetery, to pay our respects. It's not a large cemetery, so it didn't take long to find our family. While standing at my Great Grandmother Jeannie's graveside, I spoke few words. What I felt in my heart said all that I needed to. I know so very little of Sandra's life journey, but what I do know is that it would have taken a very courageous person to have survived the terribly harsh times that far too many Indigenous men, women, and children had to live through.

On the third day, we headed straight for our destination - Currawillinghi Station. It was here that a huge thank you went to Michael Eckford, and to his good friend Ray Tubby, for having taken the time to share their extensive knowledge of the history of so many past families at Currawillinghi Station, and elsewhere. Between them they have so much knowledge, it was impossible for us to take it all in. After showing us around the land, its historical buildings and other significant structures, we had morning tea in the huge shearing shed.

Thank you to all the Link-Up staff who helped organise our reunion and, once again, thank you to all of those hardworking researchers. After all of their crosschecking had been done, nobody could have been more surprised than I was. There were so many names on our family tree! From my Grandmother, Ruby May Smith/Leonard - her mother, Eva Chapman/Smith - her mother, Sarah Eckford/White - her mother, Louisa Nicholls, and last (but by no means least), her mother - my Great Grandmother Jeannie, who would have been born well before those two words 'Botany Bay' came into existence.

Finally, a special thank you must go to Jessie Cobbo and Christine Reeves. They looked after Sandra and myself so well. In fact, the only thing that Sandra and I had to be concerned about, was all of those very sharp, thong-loving, hard to remove, on country deadly prickles..!

Western Australia - KSGAC

Buddy Morrison Reunion



Verna Ishiguchi and Buddy Morrison at the Buddy Morrison Gravesite Reunion

The Kimberley Stolen Generation Aboriginal Corporation recently assisted member Mr Errol Buddy Morrison, with a week-long journey of healing activities, including back to Country, community, mission, graveside and face-to-face family reunions, which stretched from the Kimberley and across to the South West of Western Australia.

Mr. Morrison, known by his middle name Buddy, grew up with family around Woodnelling, Narrogin and Albany. His mother was Wadjuri from Carnarvon and his father, Noongar from Katanning. At the age of 10-years-old, Buddy was sent to the Roelands Mission in the hills near the Collie River.

Buddy said he felt mixed emotions about the reunions. "I felt a bit of happiness and sadness. It was very good to go down to the mission where I spent most of my childhood. When we went to Roelands, I could still hear the children's voices echoing".

"On the trip I met up with my oldest sister-in-law, Maisy Western. Maisy is 92-years-old, and she has a lot of knowledge. Maisy was talking about the good old days. She was married to my older brother and watched us kids grow up. There were a lot of things she knew about the Morrison family. I also met up with my brother, sister and family at Tomato Lake. It was a very good day and I met with family in other places too".

KSGAC staff saw Mr Morrison gaining strength from these healing experiences. KSGAC Senior Counsellor David Cox said Buddy's reunions occurred in many places with family and friends, which was very important. "We travelled to a number of destinations to meet with family and friends. We also went to Roelands Mission where he had grown up with friends. One of his old friends was Carlton Legend, Syd Jackson. This meeting was so meaningful because of the stories they shared during the reunion. Shared experiences and coming together is a way of mending. It was really good listening to everyone sharing their stories. Buddy's journey continues and we are here for him", said Cox.



The Buddy Morrison Reunion, 2019

Australia

KSGAC Link-Up Team Leader Pauline McKenzie said it was a privilege to assist. "Buddy has such a strong sense of belonging and his connections to his people and Country can't be broken. It was an honour for our team; to be with him, see his Country, meet his people and hear his stories".

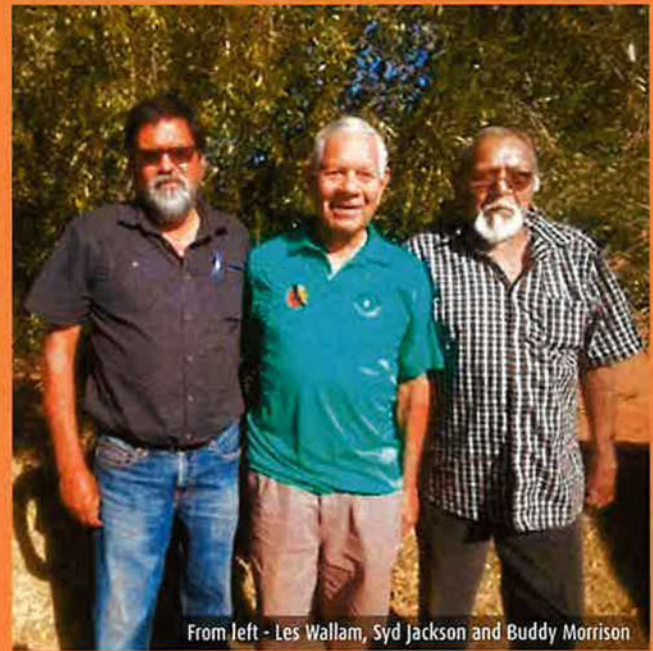
KSGAC Link-Up Caseworker Pól Bannon was absolutely privileged and honoured to work alongside Mr Morrison. "To share in the story of his life has been undeniably one of the most amazing experiences. To see the happiness and joy unfold will forever be remembered".

KSGAC staff worked hard to organise the trip and would like to thank the Yorgum team, the Broome Aboriginal Medical Services and SEWB Worker, Patrick Cox, for supporting the reunion process.

For Mr Morrison, being reunited with family and friends, sharing old stories and creating new memories was very healing. "The stories we shared, the younger generations who came to be together gave me joy. To see the older and younger generation in my family come together was great".



The Whole Group at the Buddy Morrison Reunion



From left - Les Wallam, Syd Jackson and Buddy Morrison



Buddy Morrison and Maisy Western in Perth



The Morrison Family and KSGAC staff at the Buddy Morrison Reunion

Western Australia - KSGAC

Women's Retreat

During a recent KSGAC Women's Retreat, Stolen Generation survivors, Link-Up and Redress Clients and other women working in various support services, came together to participate in a host of healing activities. The Retreat brought together 17 Stolen Generation women and descendants and Redress Clients, offering Social and Emotional Wellbeing support. The Retreat included education sessions by local organisations such as Helping Minds, Kimberley Mental Health, Drug Service's Broome Recovery Centre, and BRAMS Social and Emotional Wellbeing Unit.

During the two day retreat, the women partook in activities for self-care, such as meditation, circles of praise, art and swim therapy, bush walking and story-telling. The natural setting provided an opportunity to get away from life's pressures and gave the ladies a safe, quiet space to recharge. Many of the women also shared their knowledge of bush plants and natural bush medicines.

Allowing the women to share their life stories was vital, they yarned well into the night and during a trauma trails session on inter-generational trauma. They shared stories about life together as young children who had been forcibly removed from their families and relocated to places like Moola Bulla Station and Beagle Bay Mission.

The incredible bond of the Kimberley women shows their strength and capacity to care for one another throughout life's trials. Each individual story shared helped the ladies and the staff to see the strengths and resilience of each individual woman, as well as their continued efforts to maintain culture and pass on knowledge to the next generation. These remarkable women's strengths was highlighted not just through their stories, but also in the way they held the space for each other and remembered their loved ones.



KSGAC Women's retreat Yarning Circles

Kimberley Stolen Generation Aboriginal Corporation joins in National Closing the Gap activities

The National Closing the Gap event in Broome organized by Boab Health saw more than 60 people turn up at Broome's Sam Male Oval, many of whom visited the KSGAC stall to find out about the essential Link-Up Service and Redress Scheme.

Getting the team involved in significant events gives our community members more opportunities to approach the KSGAC staff and share their family stories including stories about the Stolen Generations and Stolen Generation Survivors.

"It was a humbling experience", says Team Leader Pauline McKenzie. "It shows the level of trust in our service".



Australia



KSGAC staff members Lena Cox, Maggie Taylor and Team Leader, Pauline Mckenzie at Closing the Gap



A Helping Minds arts activity at Closing the Gap

Fremantle Dockers visit the Kimberley Stolen Generation Aboriginal Corporation

On a recent visit to Broome, the Kimberley Stolen Generation Aboriginal Corporation staff, members and their families met with the Fremantle Dockers Indigenous and Multicultural Liaison Officer, Michael Johnson and Multicultural Liaison Officer, Graham Mills.

The Fremantle Dockers maintain a strong relationship with the KSGAC and help to promote awareness of the Kimberley Stolen Generation people. The National Sorry Day flower is often worn on the team's Guernsey. During the mid-year Indigenous round, the KSGAC's National Sorry Day flower will be prominently displayed on the front of the Guernsey.

KSGAC Chairperson, Dr Mark Bin Bakar said the club's relationship

with our members means a lot to those effected by the Stolen Generations.

"The relationship breaks through age, race and other barriers. It promotes strengths as Australian's come together as a whole community", said Dr Bin Bakar. "The visit by the Fremantle Dockers was well received and meant a lot to our members and their families. Part of healing is about support – forming and maintaining friendships and the Fremantle Dockers demonstrate that", he said.

"In turn, we show our support of their efforts on the field and beyond, in helping Indigenous people with opportunities to achieve. We were very happy they came to spend time supporting the schools and our talented Broome youth. The Fremantle Dockers, like all other AFL teams, do wonderful work in the community, especially with school based activities and working with youth... In turn, [The Fremantle Dockers] increase their presence in the community and spend more quality time working with young people and people at risk," said Dr Bin Bakar.



Fremantle Dockers, Michael Johnson and Graham Mills, visit KSGAC staff members

Western Australia - KSGAC

Kimberley Community Spirit on Apology Day

People from all walks of life attended the Kimberley Apology Day Event on 13 February.

An incredible turnout for the 11th Anniversary of the Apology to the Kimberley Stolen Generation saw 250 people attend the event in Broome, organised by the Kimberley Stolen Generation Aboriginal Corporation.

During the event, people from throughout the community of the Kimberley showed their respect and understanding of the impact on Stolen Generation Survivors and families. Services came to offer their assistance, many of which work with people effected by inter-generational trauma.

Chairperson for the Kimberley Stolen Generation Aboriginal Corporation, Dr Mark Bin Bakar, gave thanks for the Apology. He stated the importance of keeping justice for Stolen Generation survivors at the forefront of the national agenda in Australia.

"The [11 Anniversary of Apology Day] is an important date to acknowledge, because the effects of past policies on Aboriginal and/or Torres Strait Islander families and communities has been profound and continues today".

Dr Bin Bakar said Australia needs to own its history in order to help Aboriginal people to heal. "We still have a way to go... but the change is coming, ever so slowly and probably not in my life time but we must continue our united front to ensure the crimes and criminal activity that built this nation are exposed, shared and future generations are educated, so they can have an informed opinion of this country as opposed to the old guard who are in denial about ancestral peoples' role... and past treatment of Aboriginal people. They just want to cover it all up, shove it under the carpet and tell us to move on, stop living in the past. Well that's all fine when one is not the victim".



Staff at the Mary Ross centre for the Apology Day Service

Western Australia

A Back to Country Ceremony at the Lionel Pearce Reunion



Christine Pip (left) at the Lionel Pearce Reunion

From 2-8 March, a family Reunion and Back to Country Ceremony was held for the Pearce family, which took them from Adelaide to Stuart Creek in the South Australian outback.

Christine Pip, who is a granddaughter to Ruby Pearce and a cousin to Lionel Pearce, was taken back to South Australia through a joint collaboration between Link-Up Western Australia and Link-Up South Australia. She was supported by her husband, Harry Bardwell, and Link-Up WA worker, Colleen Wheelock.

Lionel and Christine's grandmother was removed from Stuart Creek at an early age and sent to Edward Industrial School, an old receiving home for state children in Adelaide. Ruby was never to be reunited with her family.

Her children, grandchildren and great grandchildren were unaware of their grandmother's heritage until she passed away. This led the family to find out more about Ruby's early life.

Before going on the reunion, Christine said that she wanted to learn more about her grandmother and the life she led before and



The Pearce Reunion, the family hold hands and has a minute silence to remember Ruby and feel connection to Country

after she was removed. Going back to her grandmother's Country gave Christine some understanding of what Ruby's life as a young child growing up on the station might have been like before she was taken away.

Christine was able to visit the station that her grandmother came from. She was able to strengthen her cultural understanding of the Kuyuni people and began to feel a connection to her grandmother's Country.

The journey itself was at times an emotional one, "it was a confrontation of the real impact of the devastation resulting from taking young children", says Christine. "Finding out where my grandmother was taken from Stuart Creek, I felt the peace of knowing that she would have had a happy, rich and embracing environment. The visit alleviated the pain and secrecy I felt after discovering my grandmother was stolen as a child. The trip allowed me to know more about her original family and how her resilience was built on her integrated life before being stolen".



The Lionel Pearce Reunion, the whole family



The Ruby Pearce Reunion

Western Australia - Yorgum

Stolen Generation Morning Tea

To commemorate the Anniversary of the National Apology, Yorgum Link Up held a Morning Tea on 13 February 2019 for Stolen Generations Survivors at our East Perth and South Hedland Offices.

23 clients attended in total, along with nine staff and three visitors from the Indigenous Land and Sea Corporation (ILSC).

The informal, relaxed gathering was an opportunity for our Stolen Generations to gather, share stories, meet up with "Mission brothers and sisters" and remember those who have since passed.

For some clients, a long time has passed. Never the less, the smiles and greetings shared amongst one another was a pleasure for the Link Up Team members to watch.

Staff members from the ILSC and Link Up mingled and chatted with clients who shared their individual stories of healing, involving Reunions and Back To Country Events which have been supported by the Link Up team. In turn, one of the staff members from ILSC shared and provided information about their service, which generated discussion and questions from the Stolen Generations clients.

The morning tea event was a nice way of saying thank you to clients, to acknowledge them and their resilience.

In addition, this was an important time for the Link Up staff to reconnect with past Stolen Generations clients and for new staff to meet and share information with this group about their own personal connections.

Food and refreshments, including a delicious cake, were shared by everyone, whilst music played in the background. How amazing and important is the sharing of food in bringing people together!

Photographs and feedback were gathered by the Link Up workers and included the following:

"Enjoyed the morning tea. Good to bring people together to connect and build relationships"

"Thank you, I received a warm welcome from Link Up Staff"

"I would recommend this service to others in the Community"



Lindsay and Kim, Both Stolen Generation Survivors catching up and and reminiscing about old times



Marie and Clint, Stolen Generation Survivors and ILSC staff member, Marie shares her reunion story

Port Hedland Family History Day

On Wednesday 10 April, the Yorgum Link Up Research Team travelled to Port Hedland in the Pilbara Region of Western Australia to hold a Family History Day in the South Hedland office. Holding these events in regional and outer-metropolitan areas in Perth is an important part of community engagement. It informs the Aboriginal community of the services available to members of the Stolen Generation. Knowing and being aware of one's cultural connections to family and Country is so important in the healing process.

In attendance were 14 Elders of the community who expressed a desire to learn more about what information the family history service can provide and to talk about how Yorgum's Link Up program can help in their healing journey.

The day itself was full of yarning, making family connections and laughter. The Elders enjoyed the Research Team coming to visit and sharing their knowledge. In addition, the Elders expressed a need for further family history days as they feel that community members still wish to know more information about their family history.

Northern Territory - NTSGAC

Link-Up CC Update

On Friday 22 February, Link-Up Northern Territory celebrated Aboriginal and Torres Strait Islander culture, language and history at our second Cultural Day held at the Italian Sports and Social Club, Marrara. This event is likely to become an annual one, due to its success and popularity within the community. The event was sponsored largely by the Northern Territory Government with support from Minister Eva Lawler, Minister Natasha Fyles and Member for Karama Ngaree Ah Kit. The event ensures that Australia Day is meaningfully acknowledged, recognized and celebrated in the context of Aboriginal culture and Aboriginal people's contribution to Australian national identity.

The event attracted Stolen Generation Survivors, Darwin school students and teachers, politicians, Government and non-Government organisations and the general community. The event featured traditional and local foods which attendees could taste, all while enjoying performances by Jennifer Baker, the Miligimbi ladies, Olley Davou and the Torres Strait Islander dancers, as well as entertainment provided by William Rotumah, Yvonne Bradley and Les Huddleston. The event showcased the best of Aboriginal and Torres Strait Islander art and craft, bush medicine, businesses and services.

Our heartfelt appreciation and thanks are extended to our sponsors and all the stallholders.

On International Women's Day, some of ladies enjoyed the Women's Network of the Northern Territory's breakfast at the Double Tree by Hilton Hotel and listened to a very inspiring talk by the Northern Territory Children's Commissioner, Colleen Gwynne.

We held our first Elders Aged Care and Information session at Australian Red Cross' conference room on Tuesday 23 April, where speakers from Centrelink, Carers Northern Territory, Darwin Community Legal Services, Northern Territory Housing, and Concessions provided information to approximately 30 Northern Territory Stolen Generation Elders, followed by a light luncheon. We intend to hold further such sessions in the near future.

Thank you to our guest speakers and the Australian Red Cross.

Plans are underway for NAIDOC celebrations in July.



Aged Care Information Session



Mr Eatts, a survivor of the Stolen Generations with his wife, daughter and grandson, soaking up the atmosphere

Northern Territory - NTSGAC



Rosetta, a Link-Up
NT Counsellor



Joyce and Frances -
Stolen Generation Survivors



Steven Hayes, Evelyn Perkins, Raelene Rosas and Daira Croker



Tyron, Yvonne and Maisie



Charles Darwin University Medical talks

NTSGAC Update

We have started this year off with family tracing, reunions, training of staff and case reviews of our current clients. In the case review, some files needed to be closed. Overall, the case review is a great way to sort out the current case files and follow up on work carried out for each client.

Our Case Team are preparing for reunions both in the Northern Territory and interstate. These reunions include gravesite reunions for family members and Return-To-Country, which enables clients to reconnect and have some closure for themselves and other family members.

We are working with other Link-Up services to assist with family tracing and reunion management. We also have events coming up which staff members will attend, such as the Barunga Festival, Sorry Day and NAIDOC. Staff of Link-Up and NTSGAC attend these events to let the community know what our Link-Up service does and where the NTSGAC is at.

Our core role is to work with clients of the Stolen Generations who were forcibly removed under past government policies and practices. Our Link-Up Team, with the assistance of NTSGAC staff, strive to assist clients on their healing journey of reunification and to make it as stress-free as possible for all of the clients that participate in our reunions. We encourage the community and clients to give us feedback, both positive and negative, so we can improve our service in the future.

Please do not hesitate to contact our Link-Up Case Team at the NTSGAC office if we can be of assistance.

Territory

Congress Link Up Service

THOMPSON, SHANNON, WAUCHOPE FAMILY REUNION

Darwin 10-14 December, 2018

In December, the Congress Link-Up Service held a collaborative reunion with the Northern Territory Stolen Generations Aboriginal Corporation of Darwin. The reunion involved families from Central Australia and Darwin, with the reunion held at South Alligator River in the Kakadu National Park. Such a journey would not have been possible without the collaboration of the Link-Up team who coordinated logistics, made arrangements and developed relationships between staff and local families, thus bringing family members together from various locations for a successful reunion.

The reunion was held over five days. There was much travel, a family BBQ gathering and solemn moments of reflection at the Kahlin Compound memorial and the site of the former Retta Dixon home. Strong emotions, tears and laughter amongst families and Link-Up staff were had. Family members also took time to reflect on the past and share their stories. The successful and joyous reunion reconnected families and developed relationships with families exchanging photos and maintaining ongoing contact.



The Thompson Family Reunion, Kakadu



The Thompson Family Reunion, South Alligator River, Kakadu National Park

Northern Territory

NATIONAL LINK UP LEADERSHIP GROUP MEETING

Alice Springs, 6–7 March, 2019

The Congress Link Up Service hosted the National Link Up Leadership Group Meeting on Mparntwe Country, Alice Springs, on 6 and 7 March, 2019. The meeting had a strong representation from Link Up Services. Congress staff were proud to host our fellow brothers and sisters on Mparntwe Country, home of the Arrernte people.

Aunty Doris Stuart Kngwarreye, senior Mparntwe Custodian, welcomed all visitors to Mparntwe Country and was very proud to showcase her Country through a cultural tour. She showed us significant sections of her Country that depicted a storyline of Mparntwe, sharing history of family that came before us and her struggles and determination to protect areas of significance including sacred sites belonging to her family and ancestors. Our visitors were given a rare and raw insight in to the plight of the Arrernte people over the last 150 years. Members of the leadership group shared that the cultural tour was the highlight of their visit to Mparntwe, they could relate to the feeling of connection Aunty has and the pain she continues to endure in her determined fight to protect her ancestral land.

The family of Stolen Generation Survivor, the late Mr F. Byrne, shared with the leadership group the struggle, pain and determination of their father and grandfather to reconnect with the Country he was removed from. This determination inspired Mr Byrne to write a memoir of his life, his personal trauma and his love for family. He passed away in 2017. Mr Byrne's granddaughter read an excerpt from his memoir and other family members spoke with pride about the man he had become, despite the significant injustice he experienced being a member of the Stolen Generations.

The meeting also included presentations from Kathleen Stacey and Associates, with discussions on the National Link Up Evaluation. The Australian Institute of Aboriginal and Torres Strait Islanders Studies and the Department of Prime Minister and Cabinet, updated the group on Link Up work that has been progressing since the last Leadership Group Meeting, and Northern Territory Archives shared details on a unique collection of medical history cards for Aboriginal people in Central Australia between the years 1952 and 1997. Congress took the opportunity to share our model of care that is embedded in our comprehensive primary health care service. The presentation explained how the Congress Link Up service is appropriately integrated in the Social and Emotional Wellbeing team and enables coordinated supports and services to optimise health and wellbeing outcomes for Stolen Generation Survivors and the families effected by past Government policies. This model also provides Link Up Staff with expanded peer support. Congress also shared the assessment tools used across the three streams of care in our Social and Emotional Wellbeing service. Link Up QLD also presented their impressive service model.

The March National Link Up Leadership Group meeting was another insightful and productive gathering. Congress acknowledges the diligent efforts and planning of Link Up Team Leader, Fiona Haddon and her team in enabling the Congress Link Up Service to host a successful gathering. We thank all our brothers and sisters that travelled from near and far to attend the meeting.

We look forward to the next Leadership Group Meeting later in the year in Adelaide.



the National Link Up Leadership Group Meeting on Mparntwe Country, Alice Springs

Victoria

Anniversary of the National Apology to the Stolen Generations

In Victoria it is heartening to note the growing number of both community and mainstream events held across the state to mark the Anniversary of the National Apology to the Stolen Generations. Link-Up Victoria once again partnered with the City of Darebin and Connecting Home to hold a very meaningful and caring event in the Town Hall where we heard from different speakers and listened to some very deadly performances. A special ceremony was held around the Stolen Generations marker located outside and the event was capped off with a very strong call for justice for Victorian Stolen Generations who have yet to be compensated for their grief, loss and trauma.



Eva Jo Edwards emceed our event



Stolen Generations marker



Lining up to place flowers at the Stolen Generations marker



Brian Moreley entertained the crowd with his song 'It's Not About the Money'



Our healing justice and reparation banner

Victoria

National Sorry Day

National Sorry Day continues to grow as an important day of commemoration for Aboriginal and non-Aboriginal people alike and each year the number of people who attend our event increases. This year the main event we co-organised was particularly special because it was held at the Stolen Generations marker in the Atherton Gardens, Fitzroy and the intention will be to hold it there every year now. Held in partnership with the City of Yarra and Connecting Home, there were Stolen Generations speakers and entertainment, a roaring fire pit that kept us warm throughout a very cold Melbourne day and lots of hot food and drink. A wreath of white flowers in the shape of a heart was laid at the base of the marker by Stolen Generations who were present at the event in memory of those who have passed onto the dreaming. Another event we co-organised for National Sorry Day was a special church service conducted by Pastor Esme Bamblett at the Aborigines Advancement League which we believe was very fitting given that National Sorry Day fell on a Sunday and some of our mob like to attend church services.



Laying the Wreath at the National Sorry Day church service at the Aborigines Advancement League



Kay, a Stolen Generation Survivor, emphasizes the need for healing



Kylie, Talgium and Kim



Welcome to Country performed by Colin Hunter, Wurundjeri Elder



Gathering around the Stolen Generations marker

Aboriginal Family Research Guide

The Family Research Guide was developed by Link-Up Victoria as a resource tool for anyone interested in undertaking their own research into their Aboriginal family history has now been finalized and it will shortly be printed for circulation. The Guide took more time to complete than originally envisaged and we wanted to ensure that it would be relevant to Aboriginal people who already know their connections and those people who know very little about their Aboriginal heritage. Link-Up Victoria receives several queries about Aboriginal family research every week and the Guide, which is written in a very easy to understand language and includes various research tips that are based on our collective research expertise, will be a very handy tool for anyone who decides they want to embark on their own Aboriginal family research journey.

Our Deadly Team

Since the beginning of 2019 we have recruited three new staff to our team - Narelle Carter, Ricky Baxter and Terence Creek. Our deadly team now comprises:

Program Manager	Bev Murray
Team Leader	Angela Swindle
Records and Administration Officer	Jebrina Close
Reunions Officer	Angela North
Reunions Officer	Anita Singh
Client Support Officer	Ricky Baxter
Client Support Officer	Narelle Carter
Client Support Officer	Terence Creek

Supporting the Voice of the Stolen Generations

At Link-Up Victoria we are always looking for ways to promote and support the voice of the Stolen Generations. We have produced our own film that contains the stories of four Stolen Generations, we created a booklet that includes interviews of Stolen Generations and for all our main events we always provide a commemorative booklet that details the history of the Stolen Generations. Each year we undertake a number of presentations to a variety of audiences and wherever possible we encourage and support the Stolen Generation Survivors to tell their story. In the last month we commenced our Stolen Generations Photograph Project, which is about organising photographs of Stolen Generations that we can use in different ways to share their story.

Our Reunions

For the 2018/19 year we organised 13 reunions with most being held interstate in city, country and remote areas. All our reunions are unique, with no two ever being the same and based on feedback provided by our clients and their family, they all provide powerful healing for the client and their family. We have noticed that there seems to be more reunions that are falling over due to the sudden illness, hospitalisation of the client or one of their family. We have also noticed that reunions can sometimes happen out of nowhere, for example, a clients brother finally decided that they wanted to meet with our client here in Melbourne and we were able to pull that reunion together in a couple of days!

Victoria

Healing Program

As part of our healing program we organised a number of events during May that included support for Stolen Generations to attend our National Sorry Day commemorations, the Dreamtime at the G football event, a performance of the musical "The Sapphires" that was followed by a meet up with the writer and original director Tony Briggs and a Back to Fitzroy lunch time celebration that brought back very fond memories for a lot of community and provided the opportunity for others to learn about this important part of the history of Aboriginal Melbourne. The Back to Fitzroy event was also about celebrating the achievements of Link-Up Victoria and to hear from three clients whose film about their journey with our service was screened on the day.



Muriel Bamblett CEO VACCA and Di Kerr Wurundjeri Elder who performed the Welcome to Country



Lorraine and Shirley lucky winners of the raffle



Connecting Home staff and clients

2019/20 Year

Our service is now located at a new VACCA office in Preston that has meeting rooms on the ground floor with offices on the second floor. Our new office will enable us to run client workshops and other activities in a more culturally friendly space that has easier accessibility and includes a lovely outdoor area. As we move into the final year of our current 3-year funding agreement we look forward to another 12 months of working with our partner organisations, achieving our goals and doing our best for our community.



Djirri Djirri Dance Group who welcomed guests to Country

AIATSIS

Canberra

An Update from the Australian Institute for Aboriginal and Torres Strait Islander Studies Family History Unit in Canberra

The Family History Unit of the Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS) is on hand to provide support to all Link-Up services when they need assistance for research and getting access to archival material from national agencies or collections in Canberra, as part of their work for Stolen Generation Survivors and the families effected by past policies of the Australian Government.

We also provide support to Aboriginal and Torres Strait Islander people looking to do their own family history research. The Finding your Family website provides lots of help sheets to get people started on their journey.

AIATSIS also holds the world's largest collection of Aboriginal and Torres Strait Islander cultures and histories. You can search the Mura catalogue to check if there is any material relating to your Country, language groups and family, by going to collection.aiatsis.gov.au/. If you do find something in the AIATSIS Mura catalogue, send a request through and the helpful Access staff members will help you with the process.

Check out the Finding your Family webpage at aiatsis.gov.au/research/finding-your-family for help sheets and check out the Mura catalogue at collection.aiatsis.gov.au/ for material IN AIATSIS' collection.

AIATSIS' COLLECTION ITEM UPDATE:

In 2017, AIATSIS received the Tardun School student records.

This school was located in Tardun in Western Australia and run by the Pallottine Mission. The school records range from 1948 to 2004. The collection contains student files relating to their time at the Pallottine Mission School which changed its name numerous times – Pallottine Mission School, Tardun Government Primary School, Tardun Catholic Primary School, Wandalgu Catholic Primary School and Wandalgu Hostel. There was also the Tardun Agriculture School at the mission which operated from 1968 to 1980.

AIATSIS has created an index to the records. However, to ensure the privacy of the persons concerned, access to an individual's personal record is restricted but is available to the person themselves, or their nominated delegate/family member.

If you remember being at the Tardun school during that time, you can check if your student record is available by sending a request to collectionenquiry@aiatsis.gov.au or if Link-Up is doing research on your behalf they will be able to check with the Family History Unit at AIATSIS.

The records may be of help for those who trying to find information of themselves or family members or who are seeking information under the National Redress Scheme.



Fiona Blackburn, our Manuscript Archivist, packing items for donation to AIATSIS

OUR TEAM

Our team is small but we are currently recruiting for another Research officer and once we fill the vacancy we will have a full team.

Linda Renehan - Manager

I am an Arrente woman from Alice Springs and I have been working at AIATSIS for over three years. I have been in the family history unit for six months and am liking the change especially working with the Link Ups and meeting mob that come to AIATSIS looking for material on their family.

Sherilyn Dean - Research Coordinator

I am a proud Yamatji woman from the Pilbara/Gascoyne area of Western Australia. I have worked at AIATSIS for two years - working closely with the Collection and in the Family History Unit for the past 19 months. I love the variety and challenges my role brings in trying to find information and fill in the gaps for my people with their ancestral research.

PJ Williams - Research Officer

I am a proud Aboriginal man with ties to the Wiradjuri/Ngambri peoples. I have over 12 years' experience in family history research helping the community and Link-Up staff with research to reunite family members, and also helping my people when they visit AIATSIS by using our tools and worksheets when searching for family.

Jane Rankine - Indexer

I have been working as an indexer for 20 of my 30 years in libraries and I am grateful that my work helps people who are looking for their family. I have worked as the ABI indexer at AIATSIS for nearly three years. The work I do enables people to search for names in the Mura catalogue, which makes it easier and quicker to do family history research.

If you need help with your family history research, call us on telephone 1800 352 553 or email us at familyhistory@aiatsis.gov.au.



AIATSIS Staff, from Left - Sherilyn Dean, PJ Williams, Jane Rankine and Linda Renehan

Contacts & Resources

Nations

New South Wales

Link-Up (NSW) Aboriginal Corporation

4/2 Central Place, Ropes Crossing NSW 2760
 PO Box 185, St Marys NSW 2760
 Freecall: 1800 624 332
 Tel: (02) 9421 4700
 Email: linkup@nsw.link-up.org.au
www.linkupnsw.org.au

Northern Territory

Central Australian Aboriginal Congress Link-Up

14 Leichhardt Terrace,
 PO Box 1604,
 Alice Springs NT 0871
 Tel: (08) 8959 4750

Northern Territory Stolen Generations Aboriginal Corporation

2/3 Cascom Centre,
 13-17 Scaturchio Street, Casuarina NT 0810
 Tel: (08) 8947 9171
 Fax: (08) 8947 9173

Queensland

Link Up (QLD) Aboriginal Corporation

3-5 Reid Street, Woolloongabba QLD 4102
 PO Box 3229, South Brisbane QLD 4101
 Toll Free: 1800 200 855
 Tel: (07) 3638 0411
 Fax: (07) 3217 3458
 Email: contact@link-upqld.org.au

Link-Up (Qld) North Qld Regional Office

2/128 Spence Street, Cairns QLD 4870
 PO Box 298 Bungalow QLD 4870
 Tel: (07) 4041 7403

South Australia

Nunkuwarrin Yunti of South Australia Inc.

Link-Up SA

182-190 Wakefield Street, SA 5000
 PO Box 7202, Hutt Street, SA 5000
 Tel: (08) 8406 1600
www.nunku.org.au

Victoria/Tasmania

Link-Up Victoria

48 Mary Street, Preston VIC 3072
 Ph: 03 7002 3700
 Freecall 1800 687 662 (1800 OUR MOB)
 Postal Address: PO Box 191, Preston Post Office, High Street, Preston VIC 3072
 Email: linkup@vacca.org
 Website: www.linkupvictoria.org.au

Western Australia

Yorgum Aboriginal Corporation – Head Office

176 Wittenoom Street, East Perth WA 6004
 PO Box 236, Northbridge WA 6865
 Tel: (08) 9218 9477
 Fax: (08) 9221 0487
 Email: reception@yorgum.org.com
www.yorgum.org.au

Perth Link-Up

3 Brammal Street, East Perth WA 6722
 PO Box 236, Northbridge WA 6865
 Tel: (08) 9428 3700
 Fax: (08) 9227 0514

South Hedland – Link-Up

Suite 4, 3 Brand Street,
 South Hedland WA 6722
 Tel: (08) 9140 4029
 Fax: (08) 9140 4031

Kalgoorlie – Link-Up

34 Dugan Street, Kalgoorlie WA 6430
 Tel: (08) 9091 6359

Kimberley Stolen Generation Aboriginal Corporation

28 Barker Street (PO Box 2775),
 Broome WA 6725
 Freecall: 1800 830 338
 Tel: (08) 9193 6502
 Fax: (08) 9193 5693
 Email:
admin@kimberleystolengeneration.com.au
www.kimberleystolengeneration.com.au

National

AIATSIS Link-Up Research Resource Unit

GPO Box 553, Canberra ACT 2601
 Email: linkup@aiatsis.gov.au
www.aiatsis.gov.au

National Archives of Australia

National Archives of Australia,
 National Office, Canberra
 Old Parliament House
 18 King George Terrace,
 Parkes ACT 2600
 PO Box 4924, Kingston ACT 2604
 Tel: (02) 6212 3600
 Email: archives@naa.gov.au

National Library of Australia

Parkes Place, ACT 2600
 Tel: (02) 6262 1111
 Fax: (02) 6257 1703

National Stolen Generations Alliance

Connecting Home (NSGA Head Office)
 14 Gipps Street, Collingwood VIC 3066
 PO Box 1234, Collingwood VIC 3066
 Tel: (03) 8679 0777
 Fax: (03) 8679 0799
 Email: NSGA@connectinghome.org.au

In the matter of the *Inquiries Act 2014*

Yoorrook Justice Commission

CERTIFICATE IDENTIFYING EXHIBIT OR EXHIBITS

Date of Document: 11 January 2023

Solicitors Code: [REDACTED]

Filed on behalf of: [REDACTED]

DX: 494, Melbourne

Prepared by: [REDACTED]

Telephone: (03) [REDACTED]

Ref: 300317-01076

Email: [REDACTED]

This is the exhibit marked "**CO-6**" now produced and shown to Catherine O'Neill at the time of affirming the person's affidavit on 11 January 2023:

[REDACTED]

[Signature of deponent]

[REDACTED]

[Signature of person taking affidavit]

Exhibit "CO-6"

Email received by [REDACTED] from UAM dated 13 March 2019

From: [REDACTED]
To: [REDACTED]
Subject: Fw: Collaboration and funding for digitisation of UAM records - Proposed funding sought
Date: Thursday, 14 March 2019 12:43:46 PM

From: [REDACTED]
Sent: Wednesday, March 13, 2019 1:29 PM
To: [REDACTED]
Subject: Re: Collaboration and funding for digitisation of UAM records - Proposed funding sought

Dear [REDACTED]

[REDACTED] retired at the end of last year. He has not been replaced. Volunteers are attending to any UAM matters that arise.

UAM is making its own arrangements with other Christian bodies for its archival material and will not participate in your proposal.

UAM

On 05/03/2019, at 9:44 AM, [REDACTED] wrote:

Good morning [REDACTED] I hope this finds you well. There is a possibility that the Public Records of Victoria are keen to fund and support me to collaborate with you and the UAM on the digitisation of the UAM records.

Without revealing to them the impending litigation, I have encouraged them to fund the position rather than to provide funding directly to UAM as suggested by you as the better option under the circumstances.

I was hoping that you might be able to get back to me to further this discussion.

[REDACTED]
[REDACTED]

Kind regards,

[REDACTED]

In the matter of the *Inquiries Act 2014***Yoorrook Justice Commission****CERTIFICATE IDENTIFYING EXHIBIT OR EXHIBITS**

Date of Document: 11 January 2023

Solicitors Code: [REDACTED]

Filed on behalf of: [REDACTED]

DX: 494, Melbourne

Prepared by: [REDACTED]

Telephone: (03) [REDACTED]

Ref: 300317-01076

Email: [REDACTED]

These are the exhibit marked "**CO-7**" now produced and shown to Catherine O'Neill at the time of affirming the person's affidavit on 11 January 2023:

[REDACTED]
[Signature of deponent]

[REDACTED]
[Signature of person taking affidavit]

Exhibit "CO-7"

Email sent to Sharrock Pitman by Catherine O'Neill on 8 October 2019

Sharrock Pitman's reply email dated 17 October 2019

Cate O'Neill

From: [REDACTED] >
Sent: Friday, 18 October 2019 4:50 PM
To: Cate O'Neill
Cc: [REDACTED]
Subject: RE: Enquiry re UAM Ministries (SPL 025838)

Dear Dr O'Neill

I refer to our earlier conversation of today.

Please be advised that we are unable to assist you further with your enquiries. We advise that any and all documents held by our client entities are, and will continue to remain, property of our clients. Further, where any documents refer to third parties (such as former residents), the documents are private to such parties.

Under no circumstances will we be divulging any further information about our client entities or any documents associated with our client entities.

Again, we reiterate that both United Aborigines' Mission and UAM Ministries have effectively been non-operational for years and are now in the process of being wound up.

We thank you for your understanding.

Kind regards

[REDACTED]

Sharrock Pitman Legal Pty Ltd
[REDACTED]

[Web](#) | [Twitter](#) | [LinkedIn](#) | [Facebook](#)



LAW INSTITUTE OF VICTORIA VICTORIAN LEGAL AWARDS
2018 BOUTIQUE LAW
WINNER FIRM OF THE YEAR

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From: [REDACTED]
Sent: Thursday, 17 October 2019 11:53 AM
[REDACTED]
Subject: RE: Enquiry re UAM Ministries (SPL 025838)

Dear Dr O'Neill

We refer to your **below** email of 8 October 2019.

We note that you have requested information about UAM Ministries and its current activities.

We advise that both United Aborigines' Mission and UAM Ministries have effectively been non-operational for years and are now in the process of being wound up.

We regret not being able to be of greater assistance. We trust that this brings you up to date on the activities of both United Aborigines' Mission and UAM Ministries.

Kind regards

[REDACTED]
Trainee Lawyer

Sharrock Pitman Legal Pty Ltd
[REDACTED]

[Web](#) | [Twitter](#) | [LinkedIn](#) | [Facebook](#)

<image001.jpg>

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From: Cate O'Neill [REDACTED]
Sent: Tuesday, 8 October 2019 11:03 AM
To: [REDACTED]
Subject: Enquiry re UAM Ministries

Dear [REDACTED]

I understand that you represent UAM Ministries. I was hoping that you were able to help me – I work for the Find & Connect website, which provides information about the history of children's Homes in Australia, and helps people to locate information about their time in children's Homes.

In recent months, I have tried to contact UAM Ministries in relation to enquiries we have received from people who spent time in Homes run by UAM who are now looking for their records. Unfortunately I have received no reply to my last few emails, and I no longer have a phone number.

Our contact used to be [REDACTED] who I understand has now retired. I would be very grateful if you could provide me with another contact to whom I can speak about the historical records, or if you could provide me with any information about UAM Ministries and its current activities. I'm sure you appreciate that the historical records that survive are of great significance to many people.

Please feel free to contact me by email or by phone. Thank you very much

Kind regards,
Cate

Dr Cate O'Neill | National editor and research coordinator, Find & Connect web resource
eScholarship Research Centre | University Services
Level 2, Thomas Cherry Building
The University of Melbourne, Victoria 3010 Australia
[REDACTED]

I acknowledge the Traditional Owners of the land on which I work, and pay my respects to the Elders, past and present.

<image005.jpg>

CRICOS: 00116K

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In the matter of the *Inquiries Act 2014***Yoorrook Justice Commission****CERTIFICATE IDENTIFYING EXHIBIT OR EXHIBITS**

Date of Document: 11 January 2023

Solicitors Code: [REDACTED]

Filed on behalf of: [REDACTED]

DX: 494, Melbourne

Prepared by: [REDACTED]

Telephone: (03) [REDACTED]

Ref: 300317-01076

Email: [REDACTED]

This is the exhibit marked "**CO-8**" now produced and shown to Catherine O'Neill at the time of affirming the person's affidavit on 11 January 2023:

[REDACTED]

[Signature of deponent]

[REDACTED]

[Signature of person taking affidavit]

Exhibit "CO-8"

Email to Catherine O'Neill from [REDACTED] dated 18 October 2019

Cate O'Neill

From: [REDACTED] >
Sent: Friday, 18 October 2019 4:50 PM
To: Cate O'Neill
Cc: [REDACTED]
Subject: RE: Enquiry re UAM Ministries (SPL 025838)

Dear Dr O'Neill

I refer to our earlier conversation of today.

Please be advised that we are unable to assist you further with your enquiries. We advise that any and all documents held by our client entities are, and will continue to remain, property of our clients. Further, where any documents refer to third parties (such as former residents), the documents are private to such parties.

Under no circumstances will we be divulging any further information about our client entities or any documents associated with our client entities.

Again, we reiterate that both United Aborigines' Mission and UAM Ministries have effectively been non-operational for years and are now in the process of being wound up.

We thank you for your understanding.

Kind regards

[REDACTED]
Trainee Lawyer

Sharrock Pitman Legal Pty Ltd
[REDACTED]

[Web](#) | [Twitter](#) | [LinkedIn](#) | [Facebook](#)



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From: [REDACTED]
Sent: Thursday, 17 October 2019 11:53 AM
To: [REDACTED]
Subject: RE: Enquiry re UAM Ministries (SPL 025838)

Dear Dr O'Neill

In the matter of the *Inquiries Act 2014*

Yoorrook Justice Commission

CERTIFICATE IDENTIFYING EXHIBIT OR EXHIBITS

Date of Document: 11 January 2023

Solicitors Code: [REDACTED]

Filed on behalf of: [REDACTED]

DX: 494, Melbourne

Prepared by: [REDACTED]

Telephone: (03) [REDACTED]

Ref: 300317-01076

Email: [REDACTED]

This is the exhibit marked "**CO-9**" now produced and shown to Catherine O'Neill at the time of affirming the person's affidavit on 11 January 2023:

[REDACTED]
.....
[Signature of deponent]

[REDACTED]
.....
[Signature of person taking affidavit]

Exhibit "CO-9"

Email sent by Catherine O'Neill to [REDACTED] on 18 October 2019

From: Cate O'Neill
To: [REDACTED]
Subject: UAM Ministries
Date: Friday, 18 October 2019 4:46:49 PM
Attachments: [Outlook-10mvflva.png](#)
[Outlook-oljxul2l.png](#)
[Outlook-sdr44uio.png](#)
[Outlook-1qv2nix2.png](#)
[Outlook-g0vsd0dk.png](#)
[Outlook-lqxqlcar.png](#)

Dear [REDACTED]

You might recall we talked on the phone a month or two ago about the records of the Homes run by the UAM. You kindly gave me the details of the solicitor representing UAM Ministries.

I just wanted to update you on my latest contact with Sharrock Pittman legal. A 'trainee lawyer' responded today to my enquiries about the records and advised that:

- UAM Ministries is in the process of being wound up and has not been operational for years
- He wasn't able to tell me the name of the organisation looking after the winding up of UAM
- Apparently the UAM has no records except for 2 registers which are in the custody of Sharrock Pittman

I have requested that [REDACTED] ring me to discuss this further. I'm very concerned to hear about the records, as we know that a substantial amount of records were in the custody of UAM as recently as a year ago.

I am talking to people at the Stolen Generations Reparations Board in NSW, Public Record Office Victoria and a number of former residents about this issue and we hope we are gaining a bit of momentum. The goal is to locate these important records and ensure that information is made available to people who grew up in UAM institutions and their family members.

Kind regards,

Cate

Cate O'Neill | National editor and research co-ordinator

Find & Connect web resource | eScholarship Research Centre

[REDACTED]

In the matter of the *Inquiries Act 2014***Yoorrook Justice Commission****CERTIFICATE IDENTIFYING EXHIBIT OR EXHIBITS**

Date of Document: 11 January 2023

Solicitors Code: [REDACTED]

Filed on behalf of: [REDACTED]

DX: 494, Melbourne

Prepared by: [REDACTED]

Telephone: (03) [REDACTED]

Ref: 300317-01076

Email: [REDACTED]

These are the exhibits marked "**CO-10**" now produced and shown to Catherine O'Neill at the time of affirming the person's affidavit on 11 January 2023:

[REDACTED]

[Signature of deponent]

[REDACTED]

[Signature of person taking affidavit]

Exhibit "CO-10"

Email received from [REDACTED] and correspondence from the South Australian Attorney-General's office

[REDACTED]

From: [REDACTED]
Sent: Tuesday, 6 December 2022 3:55 PM
To: [REDACTED]
Subject: Re: Accessing UAM records [RK-RK_Legal.FID1449734]
Attachments: 21AGO1829 - Final Response - [REDACTED].pdf

From: [REDACTED] <[REDACTED]@healingfoundation.org.au>
Sent: Tuesday, 5 October 2021 10:56 AM
To: Cate O'Neill [REDACTED]
Subject: [EXT] Re: Accessing UAM records

External email: Please exercise caution

Thanks Cate.
It was good to catch up.

Here's the letter from SA Attorney General to [REDACTED], naming [REDACTED] as the contact at Sharrock Pitman. [REDACTED] gave us permission to share with Taskforce members, and I believe she has also shared it with [REDACTED] and Aunty [REDACTED]

Thanks for agreeing to be involved in any further discussions/efforts to make the records more readily available. We'll be in touch when we have a plan!

Good luck with lock down and the road map to 'normal'.

regards

[REDACTED]
Senior Policy Analyst | Strategy
[REDACTED]
[REDACTED]

MAKE HEALING HAPPEN
IT'S TIME TO ACT

Aboriginal and Torres Strait Islander Healing Found
Unit 11 (Level 2), 11 National Circuit Barton ACT 2600
PO Box 4363 Kingston ACT 2604
Ngunnawal country
healingfoundation.org.au

Healing Found
Strong Spirit - Strong Culture



The Healing Foundation acknowledges the Traditional Owners of the lands on which we live and work. We also pay our respects to the Elders and Stolen Generations survivors. We recognise the intergenerational trauma that remains and our commitment to build an Australia that can heal.

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On 5 Oct 2021, at 9:41 am, Cate O'Neill [REDACTED]

<2019-10-18 Email from Sharrock Pitman.pdf>

The Hon Vickie Chapman MP

21AGO1829

20 July 2021

Ms [REDACTED]
 Historian Researcher
 Nunkuwarn Yunti of South Australia Incorporated
 182-190 Wakefield Street
 ADELAIDE SA 5000

By email: [REDACTED]



**Government
 of South Australia**

Deputy Premier

Attorney-General

Minister for Planning
 and Local Government

GPO Exchange
 10 Franklin Street
 Adelaide SA 5000

GPO Box 464
 Adelaide SA 5001
 DX 336

Tel 08 8207 1723
 Fax 08 8207 1736

Dear [REDACTED]

Access to records of the United Aborigines' Mission

I write in response to your email of 16 June 2021 to my advisor, Ms [REDACTED], in which you request that I write to Victorian law firm, Sharrock Pitman Legal, to encourage them to make available the records they hold with respect to United Aborigines' Mission institutions.

The Attorney-General's Department has made enquiries with Sharrock Pitman Legal and has confirmed that the firm holds a small collection of historical records of the United Aborigines' Mission. However, as the United Aborigines' Mission operated in other jurisdictions, it is possible that these records are unrelated to the institutions that were operated in South Australia, and that they are unrelated to the clients of your organisation.

An employee of that firm, Ms [REDACTED], has indicated that copies of relevant records they hold can be provided to survivors if a formal request is made to her in writing. Nevertheless, I have written to Ms [REDACTED] to strongly encourage her to contact you to discuss how she will make these records available to [REDACTED] clients as well as other former residents of United Aborigines' Mission institutions.

I am also pleased to confirm that I have agreed to the State of South Australia being listed as the Funder of Last Resort for Umeewarra Mission Children's Home, Umeewarra Mission proper and all United Aborigines' Mission institutions that were operated in South Australia. This is an important step towards ensuring that survivors who were subject to abuse in defunct institutions are able to access redress.

Yours sincerely

[REDACTED]

ATTORNEY-GENERAL

In the matter of the *Inquiries Act 2014*

Yoorrook Justice Commission

CERTIFICATE IDENTIFYING EXHIBIT OR EXHIBITS

Date of Document: 11 January 2023

Solicitors Code: [REDACTED]

Filed on behalf of: [REDACTED]

DX: 494, Melbourne

Prepared by: [REDACTED]

Telephone: (03) [REDACTED]

Ref: 300317-01076

Email: [REDACTED]

This is the exhibit marked "CO-11" now produced and shown to Catherine O'Neill at the time of affirming the person's affidavit on 11 January 2023:

[REDACTED]

[Signature of deponent]

[REDACTED]

[Signature of person taking affidavit]

Exhibit "CO-11"

Email from [REDACTED] dated 12 October 2022 forwarded to Catherine O'Neill by [REDACTED] on 12 October 2022

From: [REDACTED]
Sent: Wednesday, 11 January 2023 2:13 PM
To: [REDACTED]
Subject: FW: Bomaderry [RK-RK_Legal.FID1495549]

From: [REDACTED] <[REDACTED]>
Sent: Wednesday, October 12, 2022 1:00 PM
To: [REDACTED]
Subject: [EXT] Bomaderry

External email: Please exercise caution

Hello,

I hope you are all well. I sent a request recently to Sharrock Pitman lawyers about the Bomaderry records – it is listed as a contact for UAM on the Find and Connect site. I received the email below from the lawyers who say they no longer hold any records. You may therefore want to update the Bomaderry entry. I wonder what happened to the records – they don't seem to mention that in the email.

I hope this helps,

[REDACTED]

Relationships Australia
 NEW SOUTH WALES



We acknowledge the Aboriginal and Torres Strait Islander peoples, the Traditional Custodians of the unceded land on which we live and work. We pay our respects to Elders past and present, and commit our endeavours to creating a just society and sector, which celebrates the ongoing resilience and self-determination of Aboriginal and Torres Strait Islander peoples and communities.

[REDACTED]
 Records Management Officer
 Wattle Place

[REDACTED]



We've been named an Inclusive Employer in the Diversity Council of Australia's Inclusion@Work Index 2021-2022.

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From: [REDACTED] <[REDACTED]>
Sent: Wednesday, 12 October 2022 12:52 PM
To: [REDACTED] <[REDACTED]>
Subject: Request for Documents - Your Ref. FC163524 (SPL 025838)

Dear [REDACTED]

I refer to your recent letter requesting documents regarding the Bomaderry Children's Home.

Unfortunately we are not able to assist as we no longer act for UAM Ministries we and no longer hold any admission records or similar.

We have previously requested that the Find and Connect database be updated to remove our law firm as the contact point for Bomaderry and UAM Ministries, and we again request that this be updated to avoid any further confusion.

Thank you.

Kind regards

[REDACTED]
 Managing Principal
 Accredited Specialist (Commercial Law)

Sharrock Pitman Legal Pty Ltd
 [REDACTED]

[Web](#) | [Twitter](#) | [LinkedIn](#) | [Facebook](#)



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Date of Document: 11 January 2023

Solicitors Code: [REDACTED]

Filed on behalf of: [REDACTED]

DX: 494, Melbourne

Prepared by: [REDACTED]

Telephone: (03) [REDACTED]

Ref: 300317-01076

Email: [REDACTED]

These are the exhibits marked “**CO-12**” now produced and shown to Catherine O’Neill at the time of affirming the person’s affidavit on 11 January 2023:

[REDACTED]

[Signature of deponent]

[REDACTED]

[Signature of person taking affidavit]

Exhibit “CO-12”

Emails between [REDACTED] and [REDACTED] on 21 October 2022

From: [REDACTED]
To: [Find-Connect](#)
Cc: [REDACTED]
Subject: [EXT] RE: UAM records update request
Date: Friday, 21 October 2022 4:28:07 PM
Attachments: [image001.png](#)

External email: Please exercise caution

Dear [REDACTED]

Thank you for your email.

We are authorised to advise that any future correspondence can be directed to PO Box 172 Vermont 3133.

Kind regards

[REDACTED]
*Managing Principal
 Accredited Specialist (Commercial Law)*

Sharrock Pitman Legal Pty Ltd
 [REDACTED]

[Web](#) | [Twitter](#) | [LinkedIn](#) | [Facebook](#)



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From: Find-Connect [REDACTED]
Sent: Friday, 21 October 2022 12:00 PM
To: [REDACTED]
Subject: UAM records update request

Dear [REDACTED]

I refer to your email to [REDACTED] dated 12/10/22, copied below.

Find & Connect policy is to provide record holders' contact details alongside any information regarding records. Where records have been moved or transferred, we invite record holders to provide us with the current record holder's contact details, and we update the site after verifying that information is correct.

We note that you mention holding UAM records, and will update the information on Find & Connect in accordance with our policy when you provide us with the contact details of the organisation/s you provided them to.

We have no record of any previous contact from Sharrock Pitman.

Kind Regards

[REDACTED] | **Program Manager**
Find & Connect web resource | Faculty of Arts
Level 3, Digital Studio, Arts West Building
The University of Melbourne, Victoria 3010 Australia

[REDACTED]
[REDACTED]
P: she/her

Dear [REDACTED]

I refer to your recent letter requesting documents regarding the Bomaderry Children's Home.

Unfortunately we are not able to assist as we no longer act for UAM Ministries we and no longer hold any admission records or similar.

We have previously requested that the Find and Connect database be updated to remove our law firm as the contact point for Bomaderry and UAM Ministries, and we again request that this be updated to avoid any further confusion.

From: [REDACTED]
To: [Find-Connect](#)
Cc: [REDACTED]
Subject: [EXT] RE: UAM records update request
Date: Friday, 21 October 2022 4:28:07 PM
Attachments: [image001.png](#)

External email: Please exercise caution

Dear [REDACTED]

Thank you for your email.

We are authorised to advise that any future correspondence can be directed to [REDACTED]

Kind regards

[REDACTED]
Managing Principal
Accredited Specialist (Commercial Law)

Sharrock Pitman Legal Pty Ltd
[REDACTED]

[Web](#) | [Twitter](#) | [LinkedIn](#) | [Facebook](#)



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From: Find-Connect [REDACTED]
Sent: Friday, 21 October 2022 12:00 PM
To: [REDACTED]
Subject: UAM records update request

Dear [REDACTED]

I refer to your email to [REDACTED] dated 12/10/22, copied below.

Find & Connect policy is to provide record holders' contact details alongside any information regarding records. Where records have been moved or transferred, we invite record holders to provide us with the current record holder's contact details, and we update the site after verifying that information is correct.

We note that you mention holding UAM records, and will update the information on Find & Connect in accordance with our policy when you provide us with the contact details of the organisation/s you provided them to.

We have no record of any previous contact from Sharrock Pitman.

Kind Regards

[REDACTED] | **Program Manager**
Find & Connect web resource | Faculty of Arts
Level 3, Digital Studio, Arts West Building
The University of Melbourne, Victoria 3010 Australia

[REDACTED]
[REDACTED]
P: she/her

Dear [REDACTED]

I refer to your recent letter requesting documents regarding the Bomaderry Children's Home.

Unfortunately we are not able to assist as we no longer act for UAM Ministries we and no longer hold any admission records or similar.

We have previously requested that the Find and Connect database be updated to remove our law firm as the contact point for Bomaderry and UAM Ministries, and we again request that this be updated to avoid any further confusion.

In the matter of the *Inquiries Act 2014*

Yoorrook Justice Commission

CERTIFICATE IDENTIFYING EXHIBIT OR EXHIBITS

Date of Document: 11 January 2023

Solicitors Code: [REDACTED]

Filed on behalf of: [REDACTED]

DX: 494, Melbourne

Prepared by: [REDACTED]

Telephone: (03) [REDACTED]

Ref: 300317-01076

Email: [REDACTED]

These are the exhibits marked "**CO-13**" now produced and shown to Catherine O'Neill at the time of affirming the person's affidavit on 11 January 2023:

[REDACTED]

[Signature of deponent]

[REDACTED]

[Signature of person taking affidavit]

Exhibit "CO-13"

Emails between [REDACTED] and [REDACTED] on 26 October 2022

From: [REDACTED]
To: [Find-Connect](#)
Subject: [EXT] RE: UAM records update request
Date: Wednesday, 26 October 2022 3:55:00 PM
Attachments: [image004.png](#)
[image007.png](#)

External email: Please exercise caution

Dear [REDACTED]

Thank you for your reply.

Unfortunately, we simply do not have all that information. We were engaged as solicitors for UAM before it became defunct and we do not know how our details were added to the Find-Connect database. We simply need to be removed as a contact point, as we have no further association with UAM and we cannot assist with any enquiries from the public about UAM records.

Thank you for your assistance.

Kind regards

[REDACTED]
Managing Principal
Accredited Specialist (Commercial Law)

Sharrock Pitman Legal Pty Ltd
[REDACTED]

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From: Find-Connect [REDACTED]
Sent: Wednesday, 26 October 2022 3:45 PM
To: [REDACTED] <[REDACTED]>
Subject: Re: UAM records update request

Dear [REDACTED]

Please be advised that to update the website, we will need the following information:

- The name of the organisation that is holding the records
- Name of person and/or role title responsible for records access
- Email address of responsible person/role
- Phone number for person/role/organisation responsible for records access
- Postal address of organisation responsible for managing records requests
- Category of records transferred (admissions registers etc).

I note you have sent us a PO box with no email, phone number, or name attached. It will obviously take us some time to try and verify that the organisation/people using the PO box, so if you can provide us the details above we will be able to update our information in a more timely manner.

Kind regards

[REDACTED] | Program Manager
Find & Connect web resource | Faculty of Arts
Level 3, Digital Studio, Arts West Building
The University of Melbourne, Victoria 3010 Australia

3230 E: [REDACTED]

P: she/her

From: [REDACTED]

Date: Friday, 21 October 2022 at 4:28 pm

To: Find-Connect [REDACTED]

Subject: [EXT] RE: UAM records update request

External email: Please exercise caution

Dear [REDACTED]

Thank you for your email.

We are authorised to advise that any future correspondence can be directed to [REDACTED]

Kind regards

[REDACTED]
Managing Principal
Accredited Specialist (Commercial Law)

Sharrock Pitman Legal Pty Ltd

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From: Find-Connect [REDACTED]
Sent: Friday, 21 October 2022 12:00 PM
To: [REDACTED]
Subject: UAM records update request

Dear [REDACTED]

I refer to your email to [REDACTED] dated 12/10/22, copied below.

Find & Connect policy is to provide record holders' contact details alongside any information regarding records. Where records have been moved or transferred, we invite record holders to provide us with the current record holder's contact details, and we update the site after verifying that information is correct.

We note that you mention holding UAM records, and will update the information on Find & Connect in accordance with our policy when you provide us with the contact details of the organisation/s you provided them to.

We have no record of any previous contact from Sharrock Pitman.

Kind Regards

[REDACTED] | **Program Manager**
Find & Connect web resource | Faculty of Arts
Level 3, Digital Studio, Arts West Building
The University of Melbourne, Victoria 3010 Australia

3230 E: [REDACTED]

P: she/her

Dear [REDACTED]

I refer to your recent letter requesting documents regarding the Bomaderry Children's Home.

Unfortunately we are not able to assist as we no longer act for UAM Ministries we and no longer hold any admission records or similar.

We have previously requested that the Find and Connect database be updated to remove our law firm as the contact point for Bomaderry and UAM Ministries, and we again request that this be updated to avoid any further confusion.

In the matter of the *Inquiries Act 2014*

Yoorrook Justice Commission

CERTIFICATE IDENTIFYING EXHIBIT OR EXHIBITS

Date of Document: 11 January 2023

Solicitors Code: [REDACTED]

Filed on behalf of: [REDACTED]

DX: 494, Melbourne

Prepared by: [REDACTED]

Telephone: (03) [REDACTED]

Ref: 300317-01076

Email: [REDACTED]

This is the exhibit marked "CO-14" now produced and shown to Catherine O'Neill at the time of affirming the person's affidavit on 11 January 2023:

[REDACTED]

[Signature of deponent]

[REDACTED]

[Signature of person taking affidavit]

Exhibit "CO-14"

Correspondence sent by Find & Connect to the holder of the [REDACTED]

[REDACTED] on 8 November 2022



Find & Connect web resource
Faculty of Arts Level 3
Digital Studio Arts West Building
University of Melbourne 3010

8/11/22

[REDACTED]

To whom it may concern,

We have been informed by Sharrock Pitman Legal that you, or the organization you represent, are the holder of the United Aborigines Mission records.

Following requests for records from former residents, it is important that we update the information on our site (www.findandconnect.gov.au) to accurately reflect the correct holder of the records, contact information and basic information about the records held.

As such, please confirm the following information:

1. Name of organisation in possession of the records
2. Name of organisation responsible for authorising access to the records (if different from above)
3. Contact point through which Care Leavers, their representatives, or other parties may request access to records
4. Standard access conditions or restrictions
5. Key information about the records: who created the records, the dates they cover, quantity, formats and types of records
6. The homes or institutions the records relate to
7. Summary description of records, ie the purpose were they created for and type of information they hold.

In addition to this standard information, could you please provide us with an email address or phone number for any future correspondence.

Kind regards

[REDACTED]

Program Manager