



CARE LEAVERS AUSTRALASIA NETWORK

CLAN is a National, Independent, Peak Membership Body which supports, represents and advocates for people who were raised in Australian Orphanages, Children's Homes, Foster Care & Other Institutions.

Tax Deductible Gift Recipient **Reform Opportunities**

CLAN is a support, advocacy, research and training organisation for the 500,000 plus people who grew up in Australia's 800 plus Orphanages, Children's Homes and Foster Care. Care Leavers still carry the burden of unresolved issues from their past – the loss of their parents, siblings and extended family, loss of identity, the shame and stigma, and feeling like an outsider in society. Many left the 'Care' system with little preparation for adulthood or parenthood and the severe scars of physical, sexual and emotional abuse.

CLAN's Mission

- To listen, hear, believe and acknowledge Care Leaver experiences.
- To raise awareness about the abuse, neglect and trauma they suffered and the ongoing past of their treatment.
- To advocate and campaign for justice and redress for all Care Leavers.
- To advocate for an independent redress scheme that all implicated churches, charities and governments must contribute to.
- To support all Care Leavers and their families through free face to face or telephone counselling.
- To provide assistance in obtaining records, and immediate or ongoing services where needed.
- To document and preserve the history and personal stories of Care Leavers through a National Orphanage Museum.

**Redress for ALL Forms of Abuse, Neglect and Child Labour in
Laundries, Farms & Orphanages.**

To Whom It May Concern,

CLAN – Care Leavers Australasia Network, would like to thank you for the opportunity to provide a submission to this important topic regarding Tax Deductible Gift Recipient Reforms.

CLAN currently works very closely with the Royal Commission into Institutional Responses to Childhood Sexual Abuse. CLAN provides support, counselling and casework to Care Leavers who are involved with the Royal Commission who were abused in church, charity and government Homes and Institutions. Many of these past providers who have viciously and callously abused some of the most vulnerable members of our society in all ways possible including physically, sexually and emotionally, are the very same ones who are registered as charities and who have DGR status.

Whilst Tax issues may not be our forte CLAN do believe that Care Leavers need to be represented in this important issue. One of CLAN's main functions is also to advocate and raise awareness about the issues that Care Leavers face. As you may or may not be aware, the Royal Commission recommended that the Australian Government establish a National Redress Scheme for those who have been sexually abused as children in Institutional contexts. The Australian Government has accepted the recommendation and is in the process of establishing the formal workings and functioning of the Redress Scheme.

At this point in time, no religious or charitable past provider of 'care' has formally committed to providing funds to the National Redress Scheme. These are organisations who are funded predominantly by the government and are provided tax concessions by the Australian Taxation Office (ATO) which they can also pass on to their donors. These organisations have broken the trust of the community and the government and are still yet to contribute to reparations or redress for the people they have failed in their duty of care.

In your paper, it is mentioned that the "DGR status encourages donations to organisations and encourages the delivery of goods and services that are of public benefit." CLAN have to question how the treatment and abuse of innocent and vulnerable children is of a benefit to the community? In fact the cost of this abuse on our medical, allied health, and social and community services would far outweigh any potential public benefit the government can foresee. The community and government need to trust these organisations to do the job they are funded to do without exploiting and abusing the power they are given against innocent, helpless, and powerless children.

CLAN's concern is that these organisations have not learnt from the past and as witnessed from the Royal Commission abuse is still occurring and is still current. How can the government continue to fund these churches and charities and provide them and their donors with tax concessions? Tax payers are funding these organisations and they need to make themselves accountable to the public.

First and foremost, they need to make reparations for the past and understand the consequences of their actions. By contributing to the National Redress Scheme these churches and charities will show not only that they take responsibility and are accountable for the actions of the past, but by being monetarily responsible for their actions it is an incentive for these organisations to prevent this behaviour in the future.

CLAN firmly believe that these churches and charities need to have their funding revoked as well as their tax concessions if they do not contribute to National Redress and hold themselves accountable for their abusive and neglectful actions. The government cannot be complicit in providing these

churches and charities with the funds and concessions to enable their abusive behaviour without encouraging them to provide reparations to those who have been abused and traumatised.

Perhaps there needs to be added standards within the ACNC guidelines for organisations to be registered as a charity. Making charities accountable for criminal behaviour as well as civil breaches of duty of care in the past needs to be put under the consideration of the ACNC. Having these past providers contribute to the National Redress Scheme is also something that needs to be placed on the ACNC's guidelines before being able to register as a charity and therefore be able to receive tax concessions and DGR concessions.

CLAN hopes that you are able to take our position under review and understand the importance of implementing changes so that these past providers and current 'charities' are held accountable for the actions of the past and that the government is not complicit in their criminal and abusive behaviour either.