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Nelleke Bakker

Memories of Harm in Institutions of Care: The Dutch Historiography of Institutional Child Abuse from a Comparative Perspective

Abstract: This chapter discusses the Dutch historiography of institutional child abuse from a comparative perspective. It does so by comparing the outcomes of three recent large-scale inquiries into child (sexual) abuse and neglect in state-sponsored out-of-home care, including foster care, and into child sexual abuse in Roman Catholic institutions with the findings of similar inquiries and truth commissions in other countries. While the first reports chose a quantitative approach, focusing primarily on survey and archival data, only the last report on child abuse in out-of-home care meets the requirements of the testimonial driven and victim-centered model of inquiry that was first developed in Australia and copied in English-speaking and northern-European countries. In this De Winter report victims' stories confirm data from archival sources. By using this approach, it has given care-leavers a voice and an opportunity to reconcile to their harmful memories and the wider public the knowledge a society needs to prevent abuse of children in the future.

Keywords: historical child abuse, historical child sexual abuse, inquiries and truth commissions, testimonial driven inquiries, victim-centered model of inquiry

Introduction

Since the mid-1990s across the West inquiries and truth commissions are established by national and provincial governments to investigate historical child abuse in out-of-home care. These activities provide an answer to towering public concern after media exposure of scandals concerning abuse and neglect in state-sponsored institutions for children.¹ Extensive reports have been published after years of

1 Johanna Sköld, "Historical Abuse – A Contemporary Issue: Compiling Inquiries into Abuse and Neglect of Children in Out-of-Home Care Worldwide," *Journal of Scandinavian Studies in*

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researching archives and collecting large numbers of oral and written testimonies of care-leavers. The stakes are high, not only because of public attention, but also because these commissions' terms of reference often include recommendations for redress and financial compensation for past harm, aiming at reconciliation and healing of victims. In other words, they connect the past with the future. Sometimes, after an outburst of cases covered by the press, official apologies preceded the commissions, sometimes they followed in the wake of an unsettling report. While the focus and format of the reports vary, the majority share a commitment to listening to the testimonies of victims (often called "survivors") and to putting their experiences in the center of the model of inquiry.² Using this model the reports serve a public goal by documenting the past to reconcile survivors to their painful memories and help society to prevent future harm.

Among these inquiries two strands can be discerned: one concerning child abuse and neglect in state-sponsored out-of-home care, including foster care, and the other focusing on child sexual abuse in religious, mostly Roman Catholic, and other institutions. The first one started with the Australian report *Bringing them Home* (1997) presented by the Human Rights and Equal Opportunity's National Inquiry into the Separation of Indigenous and Torres Strait Islander Children from their Families, which was the first to adopt the testimonial-driven model. What became known as the Stolen Generations inquiry revealed the trauma of forced child removal and resulting familial and cultural dislocation. Subsequently, the campaigning of other Australian care-leaver groups, which formed in the wake of the Stolen Generations inquiry, transformed historical abuse in out-of-home care from an Indigenous issue into a wider and systematic problem. In 2001 another "very sorry chapter" in Australia's history was revealed by an inquiry into child migrants who had been shipped from English children's homes, the *Lost Innocents*, followed three years later by a report on all Australians who had experienced out-of-home care, the *Forgotten Australians*.³ The victim-centered model of inquiry was copied in many countries and regions, primarily English speaking, but also in Scandinavia and Germany.⁴

Criminology and Crime Prevention 14 (2013): 5–23; Johanna Sköld, "The Truth about Abuse? A Comparative Approach to Inquiry Narratives on Historical Institutional Child Abuse," *History of Education* 45 (2016): 492–509.

2 Johanna Sköld and Shurlee Swain, eds., *Apologies and the Legacies of Abuse of Children in 'Care'* (Basingstoke/New York: Palgrave Macmillan, 2015).

3 Katie Wright and Shurlee Swain, "Speaking the Unspeakable: The Royal Commission into Institutional Responses to Child Sexual Abuse," *Journal of Australian Studies* 42 (2018): 139–152.

4 Sköld, "Historical Abuse".

It took almost ten years, until 2013, before the Australian government established a Royal Commission into Institutional Responses to Child Sexual Abuse, that reported in 2017.⁵ The Australian historian Shurlee Swain conceives of this late emergence of child sexual abuse as cause of national concern as an expression of it being considered the most harmful of all kinds of abuse and therefore the most difficult to come forward with in the public or confidential hearings that are part of the victim-centered approach. This argument can likewise be applied to England and Wales, where the national Independent Inquiry into Child Sexual Abuse was not commissioned until after Wales and Northern Ireland had launched investigations into abuse in general.⁶

Nevertheless, this second strand of inquiries focusing on child sexual abuse in, first of all Roman Catholic, institutions has its roots in the 1980s, when the concept of child sexual abuse was first used and its harmful reality in the lives of the most vulnerable human beings was finally recognized. This long-hidden evil was first addressed in the United States in 2002, where groups of male survivors of pedophile priests in boarding schools and homes run by religious orders successfully caught media attention and started to bring to court perpetrators who had not been prosecuted in the past. At the time Church authorities had at best transferred a perpetrator to another diocese. Justice seeking and financial compensation on an individual basis created the initial impetus behind investigations led by judges or public prosecutors, in which public naming and shaming became key elements. In its wake hundreds of accused priests and three bishops resigned, a few priests killed themselves and one victim killed his perpetrator.⁷

Some countries with a substantial Roman Catholic population, particularly Canada and Ireland, followed the example of the United States with inquiries into particular cases of perpetrators and bishops who had sustained a “culture of silence” by systematically looking away from predator priests’ sex offenses and simply transferring them to new posts.⁸ As these crimes were as a rule not liable to prosecution, because of a bar by limitation, the accused who were still in office only had to resign. This iconoclasm included highly ranked persons, such as the Belgian archbishop Godfried Danneels, who was first held responsible by the court for allowing prolonged sexual abuse by a parish priest from Brussels before

5 Wright and Swain, “Speaking the Unspeakable”.

6 Shurlee Swain, “Why Sexual Abuse? Why Now,” in *Apologies*, eds. Johanna Sköld and Shurlee Swain, 83–94; Adrian Bingham et al., “Historical Child Sexual Abuse in England and Wales,” *History of Education* 45 (2016): 411–429.

7 John T. McGreevy, *Catholicism and American Freedom: A History* (New York: Norton, 2003).

8 Joep Dohmen, *Vrome zondaars. Misbruik in de Rooms-Katholieke Kerk* (Amsterdam: NRCboeken, 2010), 52–70.

he had to step down in 2010 because of the accusation of having known all along about the Bruges' bishop Roger Vangheluwe's systematic sexual abuse of his nephew.⁹

Belgium is one of the few European countries with a Roman Catholic population¹⁰ that did not escape an exposure of a painful past. However, the Belgian inquiry into sexual abuse in the Roman Catholic Church never passed the stage of collecting oral testimonies and was published in 2010 only in an unfinished version, because the public prosecutor seized large parts of the research materials, as well as the archbishop's archive, on judicial grounds. He suspected the commission of covering up the responsibility of individual Church leaders.¹¹ Perhaps even more painful is the fact that in Flanders the commission (*Expertpanel*) charged with advising the government on the best way to recognize the harm done to victims of violence and abuse in institutions turned out to see no additional value in a large-scale inquiry.¹² Belgium's neighboring country, the Netherlands, is privileged to have four extensive national reports on historical child abuse, three focusing on sexual abuse and one on abuse and neglect. As these were published in Dutch, they have as yet drawn hardly any international attention.

This chapter reflects on the historiography of institutional child abuse as an example of public history: documenting the past for the sake of the public and enabling remembrance of traumatic experiences in order to help prevent new ones in the future.¹³ Studies into child abuse in out-of-home care aim, moreover, to serve a goal that is shared with both memory studies and oral history: making collective memories more inclusive by adding the memories of underprivileged

⁹ “Godfried Danneels,” accessed April 28, 2020. https://nl.wikipedia.org/wiki/Godfried_Danneels; “Roger Vangheluwe,” accessed April 28, 2020. https://nl.wikipedia.org/wiki/Roger_Vangheluwe.

¹⁰ Spain is an example of recent exposure of cases of predator priests in the press without a follow-up in terms of an inquiry and truth commission as yet. The newspaper *El País* covered many of these cases: accessed August 28, 2021. <https://english.elpais.com/society/2021-02-01/child-abuse-in-the-spanish-catholic-church-in-spain-no-one-does-anything.html>.

¹¹ Peter Adriaenssens, *Verslag activiteiten Commissie voor de behandeling van klachten wegens seksueel misbruik in een pastorale relatie* (S.l.: s.n., 2010).

¹² Carinda Jansen et al., “Onderzoek naar geweld in de jeugdzorg. Lessen uit andere landen,” in *Commissie Vooronderzoek naar Geweld in de Jeugdzorg: Bijlagen* (Den Haag: s.n., 2016), 373–408: 388.

¹³ Rachel Donaldson, “The Development and Growth of Public History,” in *Handbook of Historical Studies in Education*, ed. Tanya Fitzgerald (Singapore: Springer, 2020), 923–941.

groups, such as care-leavers, and moving marginalized populations and voices from the footnotes of history to the main story.¹⁴

Considering the many different designs and methodologies used by the inquiries and truth commissions, we may ask to what extent do their reports serve these goals? The article questions the three national Dutch research projects and their four reports, published between 2011 and 2019, from a comparative perspective and with a focus on the immediate causes, aims, methods, sources and results of the inquiries. To do so, firstly, the two reports on child sexual abuse in Dutch Roman Catholic institutions are compared with comparable inquiries in other countries. Next, the Dutch inquiries into child (sexual) abuse in out-of-home care are set against some other reports on abuse in state-sponsored institutions.

Sexual Abuse in Roman Catholic Institutions

In the first decade of the 21st century the American National Review Board, the Dutch Deetman Commission and the Belgian Adriaenssens Commission, the latter two named after their presidents, were each mandated to establish an official account of the sexual abuse in their national episcopates of the Roman Catholic Church as a response to growing outrage in the media. After no less than two decades of journalistic reporting the United States Conference of Catholic Bishops commissioned the John Jay College of Criminal Justice to conduct scientific research.¹⁵ The Dutch Conference of Bishops established the Deetman Commission in the wake of a rush of cases reported in the media early in 2010.¹⁶ The establishment of the Adriaenssens Commission, however, preceded the outburst of cases that followed the testimony of Vangheluwe's nephew. Immediately after this story came out, many victims sent complaints to the Commission, therewith

14 Angela M. Riotto, "Memories, Memory, and Memorial: Researching Remembering and the Methodology of Memory Studies," in *Handbook of Historical Studies in Education*, ed. Tanya Fitzgerald (Singapore: Springer, 2020), 877–891; Mirelsie Velázquez, "Lessons from the Past: Listening to Our Stories, Reading Our Lives: The Place of Oral Histories in Our Lives," in *Handbook of Historical Studies in Education*, ed. Tanya Fitzgerald (Singapore: Springer, 2020), 863–875.

15 Dohmen, *Vrome zondaars*, 42–57.

16 A series of journalistic articles by Joep Dohmen in the newspaper *NRC Handelsblad* covering the stories of male victims of predator priests and friars in Roman Catholic institutions goes back to as early as 2002. Some new articles by the same author that appeared early in 2010 in the same newspaper caused a media storm. The establishment of the Deetman Commission on 7 March 2010 was the Church's answer to the public indignation that was caused by this storm.

stimulating media interest.¹⁷ All three were commissioned to reveal the truth about the abuse, but each commission did so in a different way.

The American John Jay research team of criminologists consisted of experts in social sciences such as forensic psychology. They used reports made to Church authorities by victims or their parents as starting point. Their first report (2004) focuses on the nature and extent of sexual abuse of minors by Catholic priests since the 1950s, the second (2011) on the causes and context of this abuse. The team committed itself to the positivistic empirical research tradition, aiming to explain the phenomenon by factors that were included in the design beforehand, which left little room for specific historical contextual conditions. They used surveys with standard questions that each diocese and religious institute was asked to fill in. The collected information could be standardized, including items such as the number of reported cases, the age and gender of victims and the career of an accused priest. The surveys consisted of three parts that corresponded with three measurable research objects: the organization as social context in which the abuse took place, individual perpetrators and individual incidents, all with a set of standardized qualities. In this way the team could establish causal relations, their most remarkable finding being that the abuse, that had peaked in the late 1970s and early 1980s, was causally related to “social and cultural changes” in previous years.¹⁸ The motives of the perpetrators and subjective meanings of their behavior were irrelevant in this account. The abuse was conceived as the effect of organizational, situational and personality factors.

The Belgian Commission Adriaenssens, chaired by a professor of child psychiatry, used a completely different point of departure. Like a number of commissions in other countries,¹⁹ they chose the South African Truth and Reconciliation Commission (1995–2002) as inspiring example. This model prioritizes the interests of the survivors. Exposing the truth and creating conditions in which the suffering of the victims can be acknowledged are more important than prosecuting the perpetrators. It is based on realism as to the impossibility of bringing all perpetrators to court and the expectation that most of them will be willing to admit their guilt and make an apology to their victims and resign from their positions. Only those who refuse to cooperate will be brought to court. Public recognition of

¹⁷ Adriaenssens, *Verslag*, 114–124.

¹⁸ Karen J. Terry, *The Causes and Context of Sexual Abuse of Minors by Catholic Priests in the United States, 1950–2010* (New York: John Jay College of Criminal Justice, 2011), 2.

¹⁹ Most literally the Truth and Reconciliation Commission of Canada, that investigated the abuse in industrial schools: Johanna Sköld, “Apology Politics: Transnational Features,” in *Apologies*, eds. Johanna Sköld and Shurlee Swain, 13–26.

the victim's suffering is crucial. That is why public hearings, next to "therapeutic" story-telling in closed sessions, are key elements in the process of truth-seeking for reconciliation.²⁰ The unfinished report published in 2010 by the Adriaenssens Commission reflects the victim-centered approach. Half of it consists of the literal texts of the 488 victim testimonies received in the wake of the memory boom caused by the public statement of Vangheluwe's nephew and his uncle's resign. Two thirds of the stories came from male victims, the sexual abuse peaked in the 1960s and 1970s, the age of onset was – as in the United States – usually between ten and thirteen, and the abuse impacted very seriously in later life, particularly by undermining feelings of basic security and safety. Recommendations pointed at a change of attitude of the Church, that was advised to create a "solidarity fund" for victims to compensate for therapy costs.²¹

The Dutch Deetman Commission, chaired by a protestant ex-politician and staffed by representatives of both the humanities and social sciences, conceived of truth-seeking yet in another way. In 2011, in a voluminous report of more than 1,250 pages, they established the extent of the sexual abuse by priests and friars, using a survey among a representative sample of the Dutch population (covering almost 35,000 people) over forty years of age, of whom 31 percent was raised as a Catholic and three percent in a Catholic institution. This survey was the basis of the estimation that between 10,000 and 20,000 Dutch men and women experienced as children sexual abuse by a servant of the Church. It also made clear that institutional sexual abuse was not an exclusively Roman Catholic affair. The nature of the abuse was established on the basis of victims' reports made either to the Church from 1995, when a council was established to provide help and justice (*Hulp en Recht*) to victims coming forward with stories of abuse, or directly to the Commission itself. Almost 1,200 of these cases concern sexual abuse in post-Second World War decades, e.g. the 1950s and 1960s, 774 of which were considered detailed enough for an analysis. A questionnaire among those who reported their stories to the Church shows that most victims were male (85 percent), experienced moderately severe abuse (repeated touching, 85 percent) from school-age (six to fourteen, 81 percent), which most often occurred in boarding or day-schools (67 percent). Institutionalized children were victimized twice as often as children who lived with their parents. Interviews were done with more than hundred victims, perpetrators, former Church authorities and experts. Their stories do, however, not figure in the final report.²²

²⁰ Sköld, "Apology Politics."

²¹ Adriaenssens, *Ver slag*, 114–153.

²² Wim Deetman, et al., *Seksueel misbruik van minderjarigen in de Rooms-Katholieke Kerk. Uitgebreide versie* (2 vols). *Deel 1: Het onderzoek* (Amsterdam: Balans, 2011), 52–79.

Apart from the quantitative part on the extent and nature of the sexual abuse, the Deetman Commission focused on archival research into the policies of the bishops and leaders of the religious congregations in charge of Catholic schools and institutions that blossomed between 1945 and the early 1970s, when the Church's staff and flock shrank rapidly and Catholic institutions either disappeared or transformed into non-religious ones. Surprisingly, the documents show that Church authorities had been more open as regard to unacceptable sexual behavior in the first post-war decade than afterwards. Only from the late 1950s a "culture of silence" developed, that was actively promoted by activism from Rome aiming to silence the voices who wanted to discuss these things openly or criticized celibacy. Up to that time psychiatric involvement with *aberrant* priests ("sexual psychopaths") was the standard, as was their hospitalization in a special department of a Roman Catholic psychiatric clinic, which in rare cases provided castration as cure for these priests' "difficulties".²³

Traces of awareness of the danger of sexual abuse and attempts to prevent it by Catholic leaders abounded in documents that predate the suppression of this openness, the Deetman Commission reveals. Concrete cases of sexual abuse in the 1940s and 1950s, mostly in schools, caused priors to formulate new rules and standards of behavior for their congregations. These concerned primarily the admission of candidates, particularly requirements as to chastity, and punishments for sinners. The board of the Friars of Utrecht, who specialized in primary teaching of boys, discussed for example in 1954 the problems caused by "mentally weak members" of their congregation, meaning friars with a pedosexual orientation, and mentioned "homosexuality" explicitly as a counter-indication for entry. In 1949 the prior of the Salesian Congregation of Don Bosco, who taught mainly adolescent boys and later turned out to be responsible for one of the Dutch hot-spots of sexual abuse, listed the punishments for members of his congregation who violated the rules of chastity *cum victima* ('with a victim'). The sanction became more serious as the sinner ranked higher in the hierarchy: transferal to another convent for a novice, demotion to layman's status for a friar, and removal from the congregation for a priest.²⁴

Though not motivated by the interests of the child but by their congregation's reputation, priors of the teaching orders not only attempted to prevent sexual abuse, but were also keen on recidivism and the need for punishment. The Directorate of the Brothers of Maastricht – who rank second on the black list of reports of sexual abuse to the Deetman Commission – ruled against any

²³ Deetman et al., *Seksueel misbruik*, 118–127.

²⁴ Deetman et al., *Seksueel misbruik*, 106–107, 118–127.

one-to-one or physical contact with a boy. The many cases of sexual abuse of boys in which “weak” members of the congregation were involved, include three unconditional sentences to prison around 1960. These friars also lost their teaching license. The Friars of Tilburg, who figure on top of that list, were responsible for six out of 135 cases of withdrawal of a teaching license because of sexual abuse that occurred between 1947 and 1957. These cases were at the time studied by a criminologist on behalf of the Minister of Education. The psychiatric reports in the files shed light on the abuse, recidivism and measures taken by authorities. Soft sanctions prevailed. One friar was sentenced conditionally to one year in jail after having mutually masturbated with four 10–12 year-old boys. The order accommodated him with a job as editor of a youth journal, which did not prevent that he repeated the abuse in later years. The psychiatrist qualified him as a “manifest homosexual.” A 27-year old friar was sentenced conditionally to half a year in prison for touching an eight-year-old boy’s genitals. The prior advised him to leave the order, which the young friar refused. After five years in the convent’s kitchen, he tried in vain to regain his teaching license, his application being blocked by the prior himself. Court documents reveal clearly that child sexual abuse was known and, if brought in the open, punished in postwar years.²⁵

Comparing the present health condition of groups of (non-)victims of sexual abuse the Deetman Commission sees that victims of priests or friars who actively reported their experiences to the Church or the Commission suffer almost twice as often from mental health complaints than respondents reporting sexual abuse by a Catholic perpetrator in the survey and three times as often as respondents without these experiences. Survivors who actively reported their abuse also struggle harder with their memories and are more keen on redress and financial compensation. Their complaints include attempts at suicide. Of the complaints brought to the attention of the Catholic council for help and justice 42 percent of 286 cases was accepted and 49 percent was rejected, whereas only nine percent was deemed unsusceptible.²⁶ In subsequent years, 703 victims, including 146

²⁵ Deetman et al., *Seksueel misbruik*, 108–118, 395, 411, 426.

²⁶ Deetman et al., *Seksueel misbruik*, 428–502. 49% rejections are a bad score, compared to 6.6% in Ireland, 9.7% in Australia, 22% in Norway and 23% in Canada, and positive only compared to Sweden’s 58% rejections of applications for redress because of child abuse in residential settings: Sköld, Johanna, et al., “Historical Justice through Redress Schemes? The Practice of Interpreting the Law and Physical Child Abuse in Sweden,” *Scandinavian Journal of History* 45 (2020): 178–201.

survivors of rape, received 21,3 million euros of financial compensation from the Dutch episcopate, the amount being related to the severity of the abuse.²⁷

At the confidential hearing in 2011, where the voluminous Deetman report was presented to an audience of survivors, they expressed the will to learn more about girls as victims and about the physical and emotional abuse that had often accompanied the sexual abuse. That is why a second report was prepared and published in 2013. Female victims of abuse by servants of the Church were now specifically invited to come forward, which created a new database of about four hundred reports. Their personal stories about harsh and violent practices of nuns in boarding schools and children's homes do, however, not appear in this report either. Again, quantification of the victims' experiences and archival research make up the main body of the report. Compared to the men, women reported more often serious sexual abuse, such as rape, by adult male perpetrators, who often also threatened the girls. Half of the sexual abuse of girls went together with other kinds of abuse. Sisters could be violent and they often treated children in a loveless way, which was likewise noticed at the time and discussed by Church officials as the problem of "difficult sisters", archival documents show. Their mental condition was ascribed to personal mental health and sexual problems, as well as to convent life that was qualified in 1965 in an internal report as "of a neurotic structure".²⁸ As in the first Deetman report, victims' testimonies were not used to understand what it meant to be a defenseless child at the mercy of such "care" takers.

Sexual Abuse in Out-Of-Home Care

In 2010 press releases about sexual abuse in a Dutch Roman Catholic boys' home in the 1950s brought out-of-home care into the spotlight. Non-religious institutions for neglected and delinquent youth, next to foster care, were soon discovered as dangerous places as well. Reformatories for juvenile delinquents are run by the state, whereas state-sponsored private guardianship societies accommodate neglected or "difficult" children in homes and in foster care. Since

²⁷ These cases are published on the website of the *Stichting Beheer en Toezicht* that manages the financial compensations for the Roman Catholic Church. Another 342 victims chose for mediation. These cases remain undocumented, the victims are silenced, and the amounts of money paid remain unknown: Robert Chesal and Joep Dohmen, "Destijds moesten ze zwijgen, Nu weer," *NRC Handelsblad*, March 19/20, 2016.

²⁸ Wim Deetman, *Seksueel misbruik van en geweld tegen meisjes in de Rooms-Katholieke Kerk* (Amsterdam: Balans, 2013), 71–81.

the 1970s these societies are secularized and have grown into large organizations that run smaller and cozier homes with coeducation and more democratic relationships between educators and children, where professionals no longer live on the spot.²⁹

The investigation of sexual abuse in out-of-home children's care was commissioned by the Dutch government to a team of social scientists led by a former chief state prosecutor, Rieke Samson. Although the assignment of the Samson-Commission concerned a long period (1945–2010), their focus was pointed to the present. The published report (2012) is short, but much more accessible than the Deetman reports: a mere 160 pages summarize the research findings and give recommendations for the future. The research itself is relegated to appendices that cover more than 2,000 pages. Of these only a few chapters discuss historical sexual abuse, mostly in the last two decades.³⁰ The report's focus on the present is related to, first, a lack of surviving institutional archives – even the inspectorate at the Ministry of Justice kept few documents³¹ – and reinforced by many institutional moves to new buildings from the 1970s, as well as by a lack of historical interest within the children's care sector. Second, it relates to a lack of traces of abuse in the surviving papers and a tendency to cover up unpleasant things for outsiders, a practice that has extended into recent times, when child abuse was already exposed as extremely harmful. Third and most importantly, the Commission chose to learn about the nature of sexual abuse by means of a survey among (former) children's care professionals concerning their knowledge and suspicions about sexual abuse at the workplace. Unsurprisingly, the inquiry produced only information about roughly the last two decades and no “hard facts” as to prevalence.³²

Despite lip service paid to the interests of the child, the analysis of the cases that were actively reported by victims to the Commission is in the Samson report relegated to the appendices, as is the case with the very brief summary of no more than forty interviews with victims. It is emphasized that these were not

29 Jeroen J.H. Dekker, *Jeugdzorg in Nederland. Resultaten van deelonderzoek 1 van de Commissie-Samson: Historische schets van de institutionele ontwikkeling van de jeugdsector vanuit het perspectief van het kind en de aan hem/haar verleende zorg* (Groningen: Rijksuniversiteit, 2012, 2 vols.). Vol. 1 *Tekstgedeelte* (Appendix 1 of Commissie-Samson).

30 Commissie-Samson, *Omringd door zorg, toch niet veilig. Seksueel misbruik van door de overheid uit huis geplaatste kinderen, 1945 tot heden* (Amsterdam: Boom, 2012). Historical data is presented in only four out of 21 appendices.

31 Jeroen J.H. Dekker, *Overheid en gedwongen jeugdzorg: een nader onderzoek naar toezicht en inspectie in de periode na de Tweede Wereldoorlog tot midden jaren tachtig* (Groningen: Rijksuniversiteit, 2012) (Appendix 13 of Commissie-Samson).

32 Commissie-Samson, *Omringd*, 46–58.

representative and, therefore, deemed unworthy of a more serious discussion or even a quote. Of the 741 victim reports, only 498 provided sufficient information for a quantitative analysis. These cases reveal that the sexual abuse occurred frequently (weekly or more often in 52 percent of the cases) and often continued for a long time (for one year or longer in 65 percent of the cases). The abuse started during the child's schooling age and it concerns very often serious abuse (genital penetration in 47 percent of the cases). Almost all perpetrators were adult males, both professionals and foster fathers, while the victims were almost equally divided between the two genders, with a majority of males before 1980, when most abuse occurred.³³ The report does not present any qualitative analysis of victims' testimonies or make an attempt to put their experiences in the spotlight.

As regard the parts of the Samson report that describe the historical institutional children's care culture on the basis of official documents and professional journals,³⁴ one is struck by an unnoticed discrepancy between the high number of male survivors in the early years and an emphasis in the sources on sexually problematic or defying behavior by girls as a "threat" to male professionals. Another aspect of this culture provides, however, an explanation for the increasing importance of male peers as perpetrators of girls: from about 1970 more liberal sexual standards and openness about sexuality correspond with the shift toward mixed-gender groups. Referring to the international literature, we can draw the conclusion that as far as a culture of silence existed in Dutch out-of-home children's care, this concerned primarily homosexual relations before the 1970s and that, in the next decades, coeducation and liberal sexual standards created a poisonous mixture for girls in a sector that could not stand up to too many changes at a time.

Abuse in Out-Of-Home Care

In Australia and England and Wales research into abuse in general preceded research into sexual abuse in out-of-home care, the latter being "the ultimate sin against innocence" according to Swain.³⁵ Nonetheless, in the Netherland we see the inversed order, not only with regard to the Roman Catholic Church

³³ *Statistische analyse meldpunt*, in Commissie-Samson, *Omringd* (Appendix 16), 2042–2048.

³⁴ This concerns appendices 1 and 6: Dekker, *Jeugdzorg*; M.C. Timmerman et al., *Aard en omvang van seksueel misbruik in de residentiele jeugdzorg en reacties op signalen van dit misbruik (1945–2008)* (Groningen: Rijksuniversiteit, 2012) (Appendix 6 of Commissie-Samson).

³⁵ Swain, "Why Sexual Abuse," 85; Bingham et al, "Historical child Sexual Abuse."

but also with regard to out-of-home children's care. The Samson report confirmed findings of Irish and Scandinavian researchers that sexual abuse went as a rule hand in hand with physical and emotional abuse, such as violence, bullying and threats.³⁶

A victim-oriented approach to historical abuse ("violence") in state-sponsored out-of-home care with due attention to victims' testimonies, next to archival sources, was not chosen in the Netherlands until 2015, when the Commission De Winter was installed. It was, again, named after its chair, a professor of education, and staffed with experts of various backgrounds. The team was commissioned to investigate the history of abuse and neglect in all out-of-home care for children since 1945, including not only state-guided care for neglected and delinquent youth but also institutional care for children with disabilities or a mental illness. The total number of care-leavers who had spent time in one of these sectors was estimated to be around 200,000.³⁷ The government proceeded very carefully by commissioning at first only a preliminary inquiry into the possibilities to do research into this wide array of fields. Experts of all kinds wrote advice on the feasibility of research in each of these sectors and about possible archival sources for traces of abusive practices in those fields. Their preliminary reports were remarkably positive.³⁸ In their wake it was decided to continue the research into the extent and nature of the physical and emotional ("psychological") abuse and neglect of children in these institutions, the enabling conditions, the signs of abuse and neglect that reached the government and their responses, and the victims' experiences and long-term effects on their lives. Two years later a voluminous report was published in three parts (a summary, a series of sectorial and thematic studies and additional "source studies")³⁹ that received far less press coverage than the reports on sexual abuse had.

Despite warnings of international experts against estimations of the extent of historical abuse because they can never be exact,⁴⁰ like the Deetman Commission, De Winter and his team decided to use a large-scale survey among a sample of

36 Sköld, "The truth".

37 Christiaan Ruppert et al., *Onvoldoende beschermd. Geweld in de Nederlandse jeugdzorg van 1945 tot heden* (Den Haag: Commissie Onderzoek naar Geweld in de Jeugdzorg, 2019), 19.

38 *Commissie Vooronderzoek naar Geweld in de Jeugdzorg, Bijlagen* (Den Haag: s.n., 2016).

39 Ruppert et al., *Onvoldoende beschermd*; Commissie Onderzoek naar Geweld in de Jeugdzorg, *Sector- en themastudies* (Den Haag: s.n., 2019). The additional source studies (*bronstudies*) are published on the commission's website.

40 One of the major problems concerns the huge differences between the outcomes of surveys among professionals and those among children. The first tend to produce lower rates (about two in every 100 children) than those reported by children and youths themselves (up to 29 victims in every 100 children): Jansen et al., "Onderzoek."

the Dutch population to establish the extent of the abuse and neglect. Only a little more than one percent spent time in out-of-home care. Of these care-leavers (763) almost a quarter had no experience with abuse, but as many as sixty percent experienced emotional abuse by a member of the peer-group, whereas physical abuse by a professional or foster parent was experienced by no more than one third of the care-leavers in this survey. Abuse by adults and peers often coincided. Boys were more often beaten up by adults than girls and respondents who had lived in a children's home or a reformatory experienced more violence than former foster children, whereas care-leavers who had been placed by a juvenile judge had significantly more experience with all kinds of abuse than those who had been placed voluntarily.⁴¹

Again, most of the abuse reported in the survey occurred in the 1960s and 1970s. Older respondents reported more often physical abuse by a professional or foster parent, younger ones – who had left care more recently – reported more often emotional maltreatment by a member of the peer-group, whereas physical violence by peers occurred during the whole period under study.⁴² 414 victim reports to the Commission concerned experiences with abuse or neglect in one of the sectors under study. Though not representative, these stories confirm the results of the survey. Emotional abuse was reported most frequently, followed by physical abuse and emotional neglect, all of which occurred most often in residential institutions and between c. 1960 and 1980. Slightly more women (56 percent) reported abuse and most of the victims who came forward did so in order to help prevent this from happening in the future.⁴³

The first volume of the report summarizes the research findings of the many sectorial and thematic studies that make up the second volume. Both volumes use extensive quotations from more than 130 interviews with victims. The survivor stories support both the qualitative parts on the abuse and neglect in particular sectors of care and the quantitative parts on the survey outcomes and the victim reports. These stories also provided material for the parts on the way the victims' experiences have impacted their lives. They are detailed, moving and convincing and fill the reader with disgust: children being beaten up

⁴¹ Christiaan Ruppert et al., *Onvoldoende beschermd*, 49–52.

⁴² Christiaan Ruppert et al., *Onvoldoende beschermd*, 49–52; Joris Beijers and Janneke Wubs, “Analyses data bevolkingspanel Kantar Public,” in *Sector- en themastudies*, ed. Commissie Onderzoek naar Geweld in de Jeugdzorg, 451–468.

⁴³ Ilse Cijssouw, Joris Beijers and Janneke Wubs, “Analyse van meldingen bij het meldpunt van de Commissie Onderzoek naar Geweld in de Jeugdzorg,” in *Sector- en themastudies*, ed. Commissie Onderzoek naar Geweld in de Jeugdzorg, 417–449.

with a belt regularly or humiliated before a group with their wet underpants or sheets over their heads.

In spite of few available and accessible⁴⁴ archival sources and despite the fact that abuse was as a rule not documented, at least not before the 1990s, the sectorial research teams managed to gather enough data of all kinds to tell the story of the abuse in their respective fields and the factors that had enabled it. They concern residential institutions, reformatories, foster care, psychiatric hospitals, and institutions for mentally disabled, blind, and deaf children and asylum-seeking youth.

During the first two decades after the war the educational climate in the institutions was usually very repressive. Disciplining wayward youth was the core aim of the educators. Maltreatment occurred frequently and some abusive practices were at the time conceived as normal. Although advised against by progressive spirits, punishing a child severely was often considered a useful part of the necessary “re-education” of children in reformatories and other residential institutions. Children-in-care mostly had a background in what was called “anti-social” families and had often experienced abuse at home before they were subjected to an institutional regime. The abuse was manifold and varied. Deaf children were beaten on their fingers for using forbidden sign language, bed-wetters were publicly showered with cold water or their heads were kept under water, food refusers were forced to eat their own vomit, psychiatric patients were isolated, delinquent and foster children were subjected to forced labor, and rape was reported to have occurred regularly in reformatories and homes for disabled, especially deaf, children.

From the mid-1960s both the language and institutional practices changed. “Re-education” of neglected or delinquent children became “help”, professionals were more often trained for their jobs, psychologists and psychiatrists became involved and physical abuse by professionals in institutions decreased substantially as an effect of both professionalization and open discussion of its detrimental effects in professional journals, improvements for which foster and deaf children had to wait relatively long. However, with more freedom more violence between pupils also entered the institutions. At the same time, emotional abuse by professionals and peers was recognized easily, while institutions became even less safe places because of drug use and acts of violence by pupils. Looser morals and a new openness about sexuality made sexual relations on the one hand

⁴⁴ Some institutions did not want to cooperate, some archives were lost, personal files are as a rule destroyed after 15 years and the inspectorate did not give free access to their archives: Ruppert et al., *Onvoldoende beschermd*, 21.

more acceptable, but created on the other hand more room for rape and sexual assault, of which first of all girls became victims.

The mid-1980s brought a new matter-of-factness in children's care. Rules became stricter and pupils were called "clients". Complaints were officially registered, and violence had to be reported. Professional journals more often discussed aggression, maltreatment and sexual abuse. At the same time pupils exhibited more often serious behavioral and mental problems, as part of the pupils in residential settings seemed to belong rather in a psychiatric clinic or a home for mentally disabled children, which may explain the increasing physical violence between pupils and against educators. Next to isolation, psychiatric hospitals more often used forced medication, while sexual assault and intimidation were now reported in all settings.

After a series of fatal incidents in children's care in the early 2000s, public interest in child abuse and failures of helping professionals increased. This was answered by higher demands as to accountability. At the same time, the institutional climate became harder in response to more difficult and aggressive pupils and some institutions transformed from open into closed ones with fences and barbed wire, while physical disciplining was rehabilitated as part of a "method". Fixation and isolation had never disappeared from reformatories and psychiatric clinics, but forced registration of incidents and access to procedures for complaints provided some relief, as did the improved selection and tutoring of foster parents.⁴⁵

A complex web of societal, sectorial and personal factors is mentioned by the Commission as cause of the institutional violence, in which – despite professionalization – a high work load, large groups, and low salaries of educators in youth care are a constant factor. Another one is the negative social attitude toward children's care clients. Improvements, such as protective laws and procedures for complaints, were unable to keep children safe at a time when their profile became even worse, professionals felt more powerless and threatened by aggressive clients, and a multitude of theories and methods failed to provide them with adequate tools to handle these problems. Control and inspection have, moreover, continued to fail to protect children in care. Internal control was, up to the late 1980s, hardly organized and, as far as it took place, too infrequent and too little independent from the guardianship societies themselves. As in other countries, children were not listened to. External control by the government was fragmented and focused on materialities such as buildings and hygiene. From the late 1980s

⁴⁵ Ruppert et al., *Onvoldoende bescherming*, 49–61; *Sector en themastudies*, ed. Commissie Onderzoek naar Geweld in de Jeugdzorg.

the national Inspectorate of Youth Care provided control “at a distance”, leaving responsibilities with the care organizations. The Inspectorate of Health Care tended to overlook the whole sector of child psychiatry. What is more, unlike some guardianship societies, neither of the two inspectorates provided admission to their archives to the Commission.⁴⁶

On the basis of the survey, the victim reports and the interviews the Commission draws the conclusion that at the time of the abuse almost all children kept silent because they were afraid of not being believed and of being instead beaten up. In adult life anxiety and low self-esteem have in many cases brought about physical and mental ill-health for the victims, such as posttraumatic stress, nightmares and burnouts. Many care-leavers struggle, moreover, with relationships and many suffer from feelings of inferiority and loneliness. The impact of the abuse is lifelong.⁴⁷

After the publication of the Samson report in 2012 the national *Schadefonds Geweldsmisdrijven* (“Fund for Victims of Violence”) was assigned the task of taking care of financial compensation of justice-seeking victims of sexual abuse in state-sponsored out-of-home care. However, the victims had to present documented evidence of their abuse, which is very hard if not impossible to get. Amounts had been established at between € 1,000 and € 35,000, dependent of the severity of the abuse. This procedure was immediately and severely criticized for producing too many dismissals for want of “valid” proof. Therefore, it was decided in 2020 by the responsible ministers to set up a single redress scheme with € 5,000 for all victims of abuse in state-sponsored out-of-home care as recognition. Another kind of recognition of the victims’ suffering is perhaps even more important: upon the presentation of the De Winter report youth care and psychiatry and the responsible ministers of Justice and Health offered their excuses for the abuse, in the way the authorities of the Dutch Roman Catholic Church had done before. Victims’ stories will be kept for future generations on an official website and plans are currently made to create a material monument for all victims of abuse in out-of-home children’s care to support its prevention in the future.⁴⁸

46 Ruppert et al., *Onvoldoende beschermd*, 61–75; Jacques Dane et al, “Archiefstudie Sporen van geweld in de jeugdzorg na 1945,” in *Sector en themastudies*, ed. Commissie Onderzoek naar Geweld in de Jeugdzorg, 315–380.

47 Ruppert et al., *Onvoldoende beschermd*, 76–81.

48 Hugo de Jonge and Sander Dekker, *Beleidsreactie Cie. de Winter – Februaribrief* d.d. 21–02–2020.

Conclusion

The testimonial driven and victim-centered model of inquiry into historical child abuse and neglect, as developed in Australia and copied in English-speaking and northern-European countries, was not chosen by the first Dutch inquiries that focused on sexual abuse in the Roman Catholic Church and in state-guided out-of-home children's care. They chose surveys and archival research rather than victims' stories as sources of information. However, these commissions produced extensive reports that present well-documented and valuable information about the way children's interests were ignored by Catholic teaching orders and children's care authorities, who were incapable of protecting vulnerable children in a rapidly changing sector. The De Winter Commission chose, finally, the best from both sides: on the one hand they put the victims' stories in the center and on the other hand they produced valuable data about the extent and nature of physical and emotional abuse in out-of-home care based on both a survey and a wide range of archival sources. In their report the victims' stories confirm other data, which make it even more convincing. By using this mixed approach, the inquiry has given care-leavers a voice and an opportunity to reconcile to their harmful memories, while at the same time presenting solid information about the scale and seriousness of the abuse and the conditions under which it could occur and continue. To prevent abuse of children in the future a society needs both kinds of knowledge. In this way historical research into child abuse in out-of-home care serves the goal of public history: documenting the past for the sake of the present and the future.

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