

Question 1. Should there be a national WWCC?

We question whether such an arrangement would be the appropriate arrangement for protecting children in Australian. We believe that child protection will always be best-served when mechanisms such as WWCC are as close to the “coal face” as possible. It then becomes a question of the responsible level of government taking it seriously, providing adequate resources and being accountable.

We believe that moving to a national WWCC could then create a commonwealth/state interface where serious tensions might develop with functions like state police forces and state education authorities.

Instead we believe that current arrangements should continue with the following provisos:

- Having uniform arrangements and definitions across the jurisdictions.
- Extending the range of persons to be required to be checked.
- Extending the range of person who are included in mandatory reporting arrangements.
- Requiring annual reporting by the jurisdictions to a commonwealth statutory office - possibly a Children’s Commissioner.
- Giving this Office necessary powers to receive complaints and initiate investigations.

Question 4. Length of clearance.

An individual’s clearance should not be given for more than two years. The actual process should move towards the individual being required to hold a Working with Children Certificate which would then be maintained. It could operate in the same way as the Practising Certificate that nurses are required to maintain.

Question 5. Certification and employment.

The activities of the person who will be working with children should not be sanctioned if the person does not have a current certificate. This matter of WWCC needs to be taken seriously.

Questions 6 & 7. Definitions relating to child-related work and child-related sectors.

We think that there is an important matter that may have been overlooked here. It is the link between WWCC and mandatory reporting requirements in the jurisdictions. This is a very important issue and has particular currency in respect of inquiries in NSW and Victoria where testimony and evidence has been given by various members of the Catholic Church in particular.

Over the years Broken Rites has been contacted by some thousands of people making allegations about their having been sexually abused by Catholic priests, religious teachers and some lay teachers and

other church employees. Some complainants have described how they had, at an earlier time, taken their complaint to a more senior person within the Church (Parish Priest, Bishop, School Principal).

With reported priests, the church response was often to maintain secrecy, not inform any parishioners, not inform police, and then move the offender to another parish, another state and even to another country. Some alleged offenders were moved numerous times and sometimes over decades. This appalling practice enabled the alleged offender to continue his predation upon children. Sometimes offending teachers have remained at the respective school or they have been able to gain employment at another Catholic school.

We believe that these practices have been substantiated during the two inquiries that are referred to.

There appears to have been systemic failure in some dioceses and on the part some Catholic Education Offices. Current policies, procedures and reporting arrangements need to be examined. Also, there is a need to determine whether the extent of policy compliance in schools as well as an examination of the mechanisms used verify this compliance.

Question 8. Exemptions.

There should be no exemption in the case of persons caring for children in out of home care. This is a particularly important matter given the fact that the Premier of NSW has publicly said that his government intends to contract out (privatise) this function! If one jurisdiction goes this way, others may decide to do the same. It will be a "clarion call" to pedophiles.

Prepared for Broken Rites by

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