

Royal Commission into Institutional Responses to Child Sexual Abuse
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11 October 2013

To Whom It May Concern,

Submission to the Royal Commission Issues Paper 3: Child Safe Institutions

The Australian Psychological Society (APS) welcomes the opportunity to make a submission to Issues Paper 3, relating to Child Safe Institutions, and whole heartedly supports the Royal Commission into institutional responses to child sexual abuse in Australia.

Optimal child development requires a safe and supportive physical, social and psychological environment. The APS contends that society has an obligation to protect children and young people from harm, and acknowledges that child safe institutions are fundamental for individual and community wellbeing. In efforts to prevent child sexual abuse, the APS supports a holistic approach which comprises prevention activities at multiple levels including the individual child, family and parent, perpetrator, institutional and environmental. For the purpose of this submission, we will focus on activities at the institutional level.

We approach this submission from a psychological viewpoint. While we acknowledge the great number of elements relevant to Issues Paper 3, due to the short time frame, we will focus this submission on the following key issues:

- Effective screening and recruitment
- Identification of situational risks and indicators
- Creating positive institutional cultures, in particular facilitating disclosure
- Raising community awareness.

This submission draws in particular on the work of Dr Darryl Higgins (AIFS) and Prof Jill Astbury, both APS members with key expertise in this area.

Our members understand the need to be scrutinised in order to address unacceptable levels of child sexual abuse. To support our members and promote community wellbeing more broadly during the inquiry period, the APS has embarked on a number of activities. These activities include the formation of a Reference Group to provide expert advice to the APS to facilitate an effective and appropriate response to the Royal Commission. Furthermore, the October 2013 edition of InPsych (the APS quarterly magazine) will also feature child abuse as its key topic, providing members with important information on relevant issues. This is in addition to the existing APS ethical guidelines for mandatory reporting of abuse to support the professional practice of our members.

The APS has made a commitment to support the work of the Commission and as such we would be happy to provide further comment about this Issues Paper specifically, or any other aspect of the Royal Commission more broadly should you require it; or for further information about our submission please contact me directly on 03 8662 3314.

Yours sincerely,

A handwritten signature in cursive script, appearing to read 'Louise Roufeil', written in a dark ink.

Louise Roufeil
Executive Manager Professional Practice (Policy)
Australian Psychological Society

APS Submission to the Royal Commission Issues Paper 3: Child Safe Institutions

Multi-faceted Strategies to Promote Child Safe Institutions

In principle the APS supports the strategies to promote child safe institutions highlighted in the example documents listed in the Issues paper, which include:

- Development of child safe policies and practices
- Existence and implementation of a code of conduct
- Ensuring that children (and adults) are able to express concerns about safety or disclose harm
- Effective complaints handling procedures (including procedures for handling disclosures and suspicions of harm)
- Policies for recruitment, screening, education, training and supervision of staff including volunteers
- Promotion of an institutional culture committed to child safety
- Enabling, valuing and promoting the participation of children
- Development and implementation of risk management strategies
- Communication and support of child safe policies.

Furthermore, the APS supports and endorses the Child Wise publication *12 Steps to Building Child Safe Organisations* (Child Wise, n.d.) which builds on these strategies.

The APS acknowledges that all of these strategies need be enacted in tandem as part of a multi-faceted approach. For example, while we acknowledge that Working With Children Checks are important and may deter people who may have a criminal record from applying for a position, the policy does have limitations (e.g. most child sex offenders do not have criminal records). Thus, strategies are best implemented in the context of a range of other strategies.

Considerations for Development of Strategies

In outlining the lessons from research about protecting children from abuse in organisational settings, Higgins and colleagues (Beyer et al, 2005; Higgins, 2013a; Irenyi et al, 2006) identify the importance of a whole-of-organisation approach comprising three key elements:

- Screening for known perpetrators
- Managing situational risks
- Creating positive organisational cultures.

We will build on these three elements, and other research evidence, to highlight several important aspects to consider in the development of more effective strategies to create child safe institutions.

Screening and recruitment

Police checks, Working with Children Checks and mandatory reporting are common strategies to prevent known perpetrators from working in institutions with children. There are other recruitment measures that would assist the process of screening for potential predators. Some issues to check for include whether someone has been involved in any acts showing an abuse of power. The people we are speaking of have a blatant disregard for the rights of another person.

One way to screen for abuse of power and put the rights of others, in this case children, squarely on the agenda, would be to put interviewees through a recruitment setting where they have to pass an examination. The examination could include vignettes which describe ethical conundrums regarding overlapping relationships, breaches of trust, keeping secrets, making decisions about the child without consultation, and intrusions into another's person space et cetera.

Situational risks and indicators: Perpetrators are opportunistic

Managing situational risks places the focus of attention on creating safe environments rather than safe individuals. Making institutions safe involves (Higgins, 2013b):

- Identifying organisational risk factors
- Changing risky environments where possible
- Closer monitoring of inherent risks.

Much of the research on the perpetration of child sexual abuse has focussed on the criminality and characteristics of the offender. However, the opportunity to perpetrate child sexual abuse without being caught is a critical determinant of its occurrence. In an Australian study of the Anglican Church, Parkinson and colleagues (2009) identified that having immediate and convenient access to minors were the defining characteristics that facilitated abuse. This study also underlined that abuse is less likely to occur if there are fewer opportunities for it to occur. Terry and Ackerman (2008) argue that even perpetrators who are strongly attracted to children can be prevented from sexually abusing them if certain situational constraints are present. These include, from the offender's perspective, when the opportunity to commit an offense poses too much risk, offers too little reward or requires too much effort.

An interesting example of the interplay between opportunity and abuse occurring is provided by Parkinson and colleagues (2010) who note that amongst clergy, there was an average 12.7 year time gap between ordination and the incident about which the complaint was made. This delay is also very similar to the onset of abuse reported in another study (John Jay College, 2004; 2006) where the first instance of reported abuse took place 11 years after ordination. Terry and Ackerman (2008) noted that this time delay correlates with the time when many priests move into the parish residence, have little supervision and have increased opportunities to perpetrate abuse without being caught.

This evidence calls for increased organisational awareness of situational indicators and patterns of institutional child abuse so that the opportunities they afford to perpetrators can be more effectively addressed in prevention strategies. For example, knowing that perpetrators are opportunistic should inform relevant risk management strategies. Thus, strategies that promote the recruitment and presence of 'experienced and qualified staff' (e.g. WA Department of Child Protection) are not sufficient to prevent an occurrence of child sexual abuse.

Grooming tactics are used by perpetrators

The evidence suggests the need for parents and their children to be made much more aware of the grooming tactics used by those who perpetrate child sexual abuse. The John Jay College study (2004, 2006) identified the strategies that allowed the perpetrators to become close to the child they subsequently abused including being friendly with the victims' families, giving gifts or other enticements such as taking them to sporting events or letting them drive cars and spending a lot of time with victims.

Similar strategies have been found in studies of child sexual abuse victims in the general population but in addition include verbal or physical coercion which also figure prominently in victims' accounts given to Broken Rites. Other grooming tactics which have been reported in the general community involve seduction, games, giving gifts, enticements (Pryor, 1996), drugs or alcohol, letting them stay over, letting them drive a car, emotional manipulation and socialising with the family of the victim (Kaufman, Mosher, Carter, & Estes, 2006).

This evidence calls for increased organisational awareness about the common grooming tactics used by perpetrators to commit institutional child abuse.

Creating positive institutional cultures: facilitating disclosure

Safe environments create positive institutional cultures. Strategies to promote safe environments include (Higgins, 2013b):

- Clarifying unacceptable behaviour
- Encouraging disclosure
- Involving police and child protection authorities

In tandem with a message from the respective institution that it has a zero tolerance for any sexual act by an employee (or any other person) towards a child, there needs to be a clear and trustworthy process in place, independent of the institution that encourages children to disclose child sexual abuse safely and confidentially. An independent process will enable stronger legal options for victims and the facilitation of immediate referral of all complaints directly to the police for investigation.

This process could be supplemented by the adoption by institutions of a common set of guidelines about the questioning and interviewing of children if they disclose an alleged abuse. These guidelines could include consideration of properly trained people to do the interviews/questioning, independent support for a child or young person in the process and where necessary, access for a young person to independent legal advice et cetera.

The development of a common protocol between respective state/territory governments and institutions about referral to police and child protection authorities, where appropriate of allegations of child abuse may also be effective.

Once abuse of a child is alleged, a clear and transparent process about what should be considered by an institution is required. Where the alleged perpetrator of the abuse is a person engaged or employed by the organisation, considerations need to address what should occur in relation to that person until allegations/proceedings/investigations are finalised. Further considerations are also required regarding how to ensure the immediate and ongoing safety of the child who has disclosed abuse and other children's immediate and ongoing safety once allegations of abuse are raised.

Increasing education and awareness

Educational programs in all schools beginning in primary school, delivered by local Centres Against Sexual Assault using experienced counsellors, might be one way to support children to disclose abuse if it occurs.

The reverence for members of the clergy has historically rendered them free from suspicion and seemingly incapable of committing child sexual abuse. The development of organisational education strategies that enable people to challenge commonly held perceptions and acceptance of institutional cultures and hierarchies may offer a way to reduce this occurrence.

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About the Australian Psychological Society

The APS is the premier professional association for psychologists in Australia, representing more than 21,000 members. Psychology is a discipline that systematically addresses the many facets of human experience and functioning at individual, family and societal levels. Psychology covers many highly specialised areas, but all psychologists share foundational training in human development and the constructs of healthy functioning. A key goal of the APS is to actively contribute psychological knowledge for the promotion and enhancement of community wellbeing.

This submission has been developed through the cross-collaboration of two teams at the APS; Professional Practice and Psychology in the Public Interest.

- The Professional Practice team develops guidelines and standards for practitioners, provides support to APS members, and liaises with community groups and other professional organisations whose work may impact upon the psychology profession.
- Psychology in the Public Interest is the section of the APS dedicated to the application and communication of psychological knowledge to enhance community wellbeing and promote equitable and just treatment of all segments of society.