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## **ROYAL COMMISSION INTO INSTITUTIONAL RESPONSES TO CHILD SEXUAL ABUSE**

### **Child Safe Institutions – Issues Paper 3**

#### **SUBMISSION**

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The Diocese of Brisbane has engaged in a decade-long process of developing, implementing, reviewing and revising policies, protocols and procedures covering the handling of complaints and child protection matters to ensure that it is a 'Child Safe Institution'. To support this aim, mandatory reporting by the Diocese to the Queensland Police Service of all allegations of child sexual abuse has been in place since 2002.

We believe that the following actions taken by the Diocese of Brisbane will contribute to a Child Safe Institution.

There are core strategies which must be present –

- a) rigorous screening and selection processes;
- b) a code of conduct to which all clergy and paid and unpaid lay Church workers accept and adhere to;
- c) policies which specifically proscribe the nature of adult: child interactions;
- d) a complaint and disciplinary process which is documented and publicised; and
- e) a policy which requires that all allegations of child sexual abuse are reported to the police.

There needs to be a 'child safe' culture in the organisation where child safety and protection is seen as an essential commitment to be made by all persons in the organisation.

Some of the evidence which underpins the creation and maintenance of a child safe organisation is drawn from criminology. The theory of 'situational crime prevention' argues that at the heart of every crime is a rational decision by the offender which is designed to weigh the risks and benefits for the offender; and, in the absence of effective controls, the offender will then focus on a suitable target. To some extent, situational crime prevention includes 'routine activity theory' which relies on the occurrence of three key characteristics for a crime to be committed: a motivated offender, a suitable victim, and a lack of control. Prevention techniques are thus aimed at decreasing the number of

suitable victims and increasing the presence of control at all times. In practical terms and when applied to a church context, the controls include rigorous screening and selection procedures, a code of conduct, policies which articulate appropriate interactions with children, complaint and disciplinary procedures – and a culture in which child safety is of paramount importance.

Specific actions taken in the Diocese of Brisbane include:

1. **A risk management strategy is in place** which collates all the child protection policies and procedures and includes them in an on-going auditing of parishes covering urban, provincial and rural locations across some 500000 square kilometres. Created to assist full compliance by parishes, the audit program has been in place since 2006 and requires evidence of compliance with the relevant policies and procedures. This ensures that there is no slippage of effort over time in relation to those policies. The ongoing audit also supports the culture of child protection in the Diocese and ensures that it is maintained.
2. **Similarly, an ongoing audit to ensure compliance** with relevant state legislation and Diocesan policy exists within Anglican schools. All 20 Anglican schools in the Diocese – which educate approximately 22000 children from preschool to year 12 – in single-sex and co-educational settings – are signatories to the Diocesan policy concerning the protection from harm of students in the schools. The need for compliance is strongly promoted as a core responsibility of school leaders. Additional layers of support and review are added at the Diocesan level – including the Anglican Schools Commission headed by a permanent Executive Director and by the office of child protection known as the Office of Professional Standards.

Again, the audit ensures that protection is foremost in the schools and they are and continue to be compliant with the policy. An essential element of the policy is making known to students and their parents how and to whom they can approach regarding any concerns they may have. The policy goes on to describe in detail the actions required to be taken by Heads when a concern of any kind is identified to them. Mandatory reporting to the police or child protection authorities has been in place in the Diocese since 2002. Since the beginning of 2013, the Diocese has also mandated that school staff report all cases of suspected sexual abuse in accordance with statutory requirements.

3. **Screening is essential** – not only for persons who are or will be working in children's ministries but also for those who will be in positions of authority, positions related to policy matters and those related to disciplinary proceedings. Full utilization of the existing national register should be made. The Brisbane Diocese has actively sought a national Church approach to child protection policies and contributed resources and staff to assist with the development.

Diocesan screening processes include monitoring lay and ordained Church workers to ensure compliance with Queensland's working with children check [the blue card system]. The Diocese also participates in a common central register operated by the

General Synod Office to which adverse information of sexual misconduct and other specific misconduct by clergy and certain lay workers must be notified.

4. **There is a need for clear role descriptions**, lines of accountability, limits on the extent of a person's responsibility, ongoing supervision and performance management. It is essential to have a complaints process which is clearly articulated and promoted. All these arrangements should be extended to volunteers as well.
5. **Training in professional ethics** is an essential requirement for ordinands and clergy. It is obligatory for ordinands to have completed this training prior to ordination and all clergy are encouraged to participate in the training at least every three years. Regular opportunities for such training must be made available to clergy.

In a similar way, training relevant to children's ministries should be provided to all lay people in those ministries. A comprehensive and ongoing training program is in place in this Diocese which targets all lay people. More than 4000 Diocesan workers [paid and voluntary] across the Diocese have been trained in child safety strategies and child safety awareness. Parish communities receive training and education in the Diocese's child protection policies and procedures. Strategies which enhance ready access to the training by all relevant people should be implemented.

6. **Churches face the question of how to deal with convicted offenders** who have served sentences imposed by the courts and wish to be part of the church community. While the Church recognises that offenders, and accused persons, may wish to attend worship, the protection of children and vulnerable people is the parish community's first obligation. Brisbane Diocese's policy is that known offenders do not attend worship or otherwise actively engage in parish life without agreements being put in place which proscribe constraints on the movement, roles and contacts that these persons may have in a parish. This is an area where clergy must be aware of their obligation to inform the Director of Professional Standards of the presence of a convicted offender or accused person so that the Director can implement the policy and implement an agreement. The active participation of the Director indicates that it is a diocesan responsibility to ensure that all parishes are child safe.

As secrecy is at the heart of child sexual abuse, it is important that, when known offenders are worshipping, certain key people in the parish are informed who can monitor the offender and ensure that he is accountable to the agreement. The extent to which information is provided to the congregation generally is determined by the level of risk the offender may pose. High risks require high levels of knowledge.

7. **All allegations of child sexual abuse** are reported to the police. It is acknowledged that some victims may not want to initiate a police investigation, but in those cases they are able to inform the police accordingly and decline to make a statement. In any case, reports made by the Diocese strongly indicate that child sexual abuse is a serious criminal offence and must be treated as such.

8. It is essential that there is a unit or specific person who is charged with **a level of responsibility** for coordination of all child safe policies, procedures and actions. The task of coordination is too important to be left to individual groups taking responsibility as inconsistencies may develop.
9. There needs to be an **expressed commitment to a child safe organisation** which is reflected in policies and communications with all paid and voluntary Church workers. There needs to be strong leadership with the capacity to implement appropriate policies even where there may be some reluctance. Knowledge of the dynamics of child sexual abuse and the nature of offenders is essential. Safety can and should be expressed as a positive aspect of the culture and not as a punitive approach when there is harm caused.
10. The Commission for Children and Young People in Queensland requires organisations to have a **risk management strategy** in place which meets the criteria as established by the Commission. This may be subject to compliance audits.

Enforceable requirements should include:

- strategies to create a positive and proactive environment – not simply one which reacts to complaints when they are made
  - a logical sequence of steps from screening and selection of personnel who work with or have contact with children through to ongoing performance management
  - information to children to inform them that adults in the organisation care about them, will listen to them, and will respond appropriately to their concerns
  - information for children so that they know whom they approach when they have a concern and confidence that they will be responded to appropriately
  - policies which address issues of reporting to the relevant authorities
  - commitment to identify and address past matters so that the organisation can work towards a child safe organisation in the future.
11. The Diocese does not undertake **internal investigations** and/or disciplinary proceedings unless and until the Queensland Police Service gives permission to do so. This approach properly acknowledges that the police are the appropriate body to investigate allegations of child sexual abuse.

**We ask the Royal Commission to examine:**

- a) how survivors of child sexual abuse can be best supported as they await resolution of their complaints by police and statutory authorities;
- b) what, if any, options are open to institutions to assist victims while the police investigation is undertaken. Such investigations can extend over a number of years and police may be reluctant to provide the names of complainants;
- c) instances where police have specifically requested that the Diocese does not contact a particular victim, meaning the professional support and counselling required under the Brisbane Protocol cannot be offered;

- e) best-practice where the police decline to act, for example, in historical matters or where evidence is not available. Is it open for the Church to investigate and pursue disciplinary proceedings in these circumstances?