



Royal Commission
into Institutional Responses
to Child Sexual Abuse

2 September 2016

Mr David Maddocks
Perry Maddocks Trollope Lawyers
Level 8, 9 Yarra Street
South Yarra VIC 3141

By e-mail: davidm@pmtl.com.au

Dear Mr Maddocks,

Case Study 22

We note that you act for the Yeshivah Centre, Yeshivah-Beth Rivkah Colleges and associated institutions (**Yeshivah Melbourne**), which were examined in Case Study 22, in a public hearing held in Melbourne in February 2015.

The Royal Commission is seeking information from certain institutions which have been the subject of a previous case study. The Royal Commission wishes to examine actions taken by institutions, after the public hearing, to enhance the safety of children within their care, to improve the effectiveness of their responses to reports of child sexual abuse and to alleviate the impact of past and future child sexual abuse within those institutions.

It is acknowledged that the report of Case Study 22 is not yet published.

We request that Yeshivah Melbourne provide a written response to the matters broadly described above, and to the specific matters set out in Annexure A.

The Royal Commission will issue a notice requiring the production of your client's response, together with all supporting documents, returnable on 30 September 2016.

Please do not hesitate to contact me or Sifa Mtango on 02 8282 3941 or by email at sifa.mtango@childabuseroyalcommission.gov.au if you wish to discuss this matter further.

Yours sincerely,



Tony Giugni

Solicitor Assisting

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Annexure A – Yeshivah Melbourne – Case Study 22

Please respond to the specific matters set out below in respect of the following institutions, and associated institutions as relevant:

- The Yeshivah Centre;
- Yeshivah-Beth Rivkah Colleges; and
- Chabad Youth Victoria.

(collectively, 'Yeshivah Melbourne')

1. What action has Yeshivah Melbourne taken as a result of Case Study 22? In particular, any action in relation to:
 - a. organisational structure, governance and culture;
 - b. training and supervision of staff;
 - c. redress for survivors of child sexual abuse;
 - d. measures to encourage reporting or referral of child sexual abuse to secular authorities;
 - e. the prevention of child sexual abuse, including screening of volunteers and employees;
 - f. receiving and handling complaints of child sexual abuse;
 - g. conduct of any internal investigations;
 - h. access to information, referral and support services offered to complainants of child sexual abuse, including adult complainants;
 - i. follow-up care and support provided to complainants of child sexual abuse following incidents or allegations of child sexual abuse;
 - j. the dissemination of information between organisations concerning allegations, charges and/or convictions relating to child sexual abuse;
 - k. the dissemination of child protection policies to staff, volunteers and parents;
 - l. record keeping practices (including what records are made, in what detail, who has access to these and for how long they are retained);
 - m. the promotion of the key elements of a child-safe organisation' as identified in the Royal Commission publication *Creating Child Safe Institutions*, available at <http://www.childabuseroyalcommission.gov.au/getattachment/5d0dc659-68c2-46f9-847b-fafd52f58673/Creating-child-safe-institutions>.

2. What consultations were held, and what materials considered, in the formulation of these policies and procedures?

3. What impediments did, or does, Yeshivah Melbourne face in implementing these policies and procedures and any other reforms? What are the proposed measures to overcome these impediments?

4. Any disciplinary measures taken against any employee or volunteer of Yeshivah Melbourne following the public hearing in Case Study 22 relevant to any allegation, complaint or incident of child sexual abuse.

5. Any allegations, complaints or incidents of child sexual abuse received by Yeshivah Melbourne since 2 February 2015. In respect of each allegation, please record the following information in the enclosed Microsoft Excel format:
- a. Name of the perpetrator(s) and/or victim(s)
 - b. Nature of the alleged sexual abuse;
 - c. Date and period of the alleged sexual abuse;
 - d. Gender and age of alleged perpetrator(s) and victim(s);
 - e. The details of the internal assessment and investigation by Yeshivah Melbourne or any associated institution;
 - f. The details of any report(s) made to a government department, law enforcement agency, or oversight agency associated with Yeshivah Melbourne;
 - g. Whether the victim sought any form of redress;
 - h. The nature of any redress offered to the victim, including whether the provision of such redress was reliant on the signing of a deed of release (if so, please provide a copy of that release);
 - i. Whether a legal claim against Yeshivah Melbourne and/or its associated institutions has resulted from the alleged sexual abuse and, if so, the result of the claim;
 - j. What policies and procedures were followed in responding to the allegation;
 - k. Whether disciplinary actions were undertaken;
 - l. Feedback from survivors and families regarding the response of Yeshivah Melbourne and associated institutions.

In Annexure A, the key elements of a child-safe organisation are:

- a. Child safety is embedded in institutional leadership, governance and culture;
- b. Children participate in decisions affecting them and are taken seriously;
- c. Families and communities are informed and involved;
- d. Equity is promoted and diversity respected;
- e. People working with children are suitable and supported;
- f. Processes to respond to complaints of child sexual abuse are child focused;
- g. Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training;
- h. Physical and online environments minimise the opportunity for abuse to occur;
- i. Implementation of child safe standards is continuously reviewed and improved;
- j. Policies and procedures document how the institution is child safe.