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## **NETBALL AUSTRALIA STATEMENT TO THE ROYAL COMMISSION INTO INSTITUTIONAL RESPONSES TO CHILD SEXUAL ABUSE**

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### **1. Background**

As Australia's leading female sport, netball strives to deliver fair, safe, inclusive, respectful and supportive environments for all Australians, especially children.

Netball in Australia has a participant footprint of 1.2 million, with over 350,000 registered members, 254,000 under the aged of 18 years (73%). These registered participants are supported by a network of 5,273 clubs, 730 Associations and 8 State and State and Territory Member Organisations.

### **2. Governance Frameworks**

Netball Australia is committed to high standards of corporate governance. It meets the requirements under the Corporations Act 2001 and the Australian Accounting Standards, and applies the Australian Sports Commission mandatory and non-mandatory principles wherever practicable.

Netball Australia is recognised as a National Sporting Organisation by the Australian Sports Commission (NETA.0002.001.0001).

Netball Australia is a Company Limited by Guarantee and is the peak body for the administration of Netball in Australia. Netball Australia provides official recognition to one entity in each State/Territory as a Member Organisation and they shall administer Netball in that particular State/Territory in accordance with the objects of Netball Australia (NETA.0002.001.0007).

The Member Organisations are:

Australian Capital Territory Netball Association Inc

New South Wales Netball Association Limited

Northern Territory Netball Association Inc

Queensland Netball Association Inc

South Australian Netball Association Inc

Tasmanian Netball Association Inc

Victorian Netball Association Inc

WA Netball Inc



Letters outlining how each Member Organisation adopts the National Member Protection Policy are attached (NETA.0002.001.0184, NETA.0002.001.0185, NETA.0002.001.0186, NETA.0002.001.0187, NETA.0002.001.0188, NETA.0002.001.0189, NETA.0002.001.0190, and NETA.0002.001.0191.)

As defined in the Netball Australia Constitution:

- Netball Affiliates are a region, district, association or club, howsoever described, whether incorporated, unincorporated or otherwise, which is a member of a Member Organisation.
- Individual Members of Netball Affiliates and Member Organisations are a member for the time being of Netball Australia.

Netball Australia is a Full Member of the International Netball Federation (NETA.0002.001.0034). As a member, Netball Australia abides by all International Netball Federation policies (NETA.0002.001.0057).

### **3. Child Protection Policies and Procedures**

The Netball Australia Member Protection Policy (NETA.0002.001.0062) is the primary policy for managing all aspects of child protection including:

- a. The prevention of child sexual abuse, including screening of volunteers and employees: Member Protection Policy pages 5-6, Attachment A – Employment Screening/Working with Children Check Requirements, Attachment B4 – National Complaints Handling Regulation – Procedure for Handling Allegations of Child Abuse.
- b. Receiving and handling complaints of child sexual abuse: Attachment B4 – National Complaints Handling Regulation – Procedure for Handling Allegations of Child Abuse, Attachment C – National Reporting Documents/Forms
- c. Conduct of any internal investigations: Attachment B – National Complaints Handling Regulation
- d. Any reporting or referral of such matters to public agencies: Attachment B – National Complaints Handling Regulation
- e. Access to information, referral and support services offered to complainants of child sexual abuse, including adult complainants: Attachment B4 – National Complaints Handling Regulation – Procedure for Handling Allegations of Child Abuse.
- f. The dissemination of information between member organisations (including to State Member Organisations, netball affiliates and local netball clubs) concerning allegations, charges and/or convictions relating to child sexual abuse: Attachment B – National Complaints Handling Regulation
- g. Record keeping practices (including what records are made, in what detail, who has access to these and for how long they are retained).

Netball Australia has received legal advice in relation to the ongoing monitoring and review of the Member Protection Policy (NETA.0002.001.0110, NETA.0002.001.0109, and NETA.0002.001.0119).

Additional support documents include National Codes of Behaviour (NETA.0002.001.0124), Sample Policy Child Safe Statement (NETA.0002.001.0135), National Junior Policy (NETA.0002.001.0138), Fact Sheet – Volunteer Recruitment and Selection (NETA.0002.001.0166), and Fact Sheet Child Safe Associations/Clubs (NETA.0002.001.0168).

Netball Australia and the Member Organisations disseminate child protection policies and other relevant information to staff, volunteers and parents via their respective websites. There are ad hoc sessions conducted by Member Organisations and/or State/Territory Departments of Sport and Recreation in relation to member protection however there is limited education specifically focused on child protection.

Netball actively participates in many programs including Play by the Rules, Good Sports, Fair Go Sport, Our Watch and the National Anti-Racism Strategy to help make netball safe, fair and inclusive.

#### **4. Current Issues/Concerns**

Netball Australia is not aware of any allegations or complaints regarding child sexual abuse from participants involved in affiliated netball associations/clubs since the implementation of the National Member Protection Policy in 2009.

Netball in Australia operates under a federated model, with national, state, regional, association and club bodies conducting a range of competitions and programs for participants. Whilst Netball Australia and the Member Organisations have sound policies and procedures in place in relation to child protection, the practical application of these at the community level vary, depending on the capacity of the volunteer workforce and knowledge and understanding of what elements create a safe sporting environment for children.

Netball in Australia has a relatively low risk profile in the area of child sexual abuse based on the lack of allegations and complaints we have received from the membership as well as our limited involvement with vulnerable communities such as Indigenous Australians and the disabled. As such, this risk area is managed by national policies and procedures around the screening of people that are appointed to work with children as required by state legislation. Netball Australia acknowledges that there are limitations to this approach, especially the expectation that volunteers can manage issues of such a serious and complex nature without extensive support and training.

The current Royal Commission into Institutional Responses to Child Sexual Abuse, which has included investigations into sporting organisations led Netball Australia to exploring funding opportunities to assist with the education and training of personnel.

Netball Australia submitted a funding application to the Department of Social Services in July 2014 (NETA.0002.001.0169) to support the activation of the Member Protection Policy by providing practical education, tools and resources to empower volunteers to understand their responsibilities in relation to child protection in the community setting. A letter was sent to Senator the Hon Michaelia Cash (NETA.0002.001.0182) in her capacity as the Minister assisting the Prime Minister for women in relation

to this grant submission and the importance of this work to protect the safety of women and children in the netball community. Unfortunately the funding application was not successful.

Netball Australia would welcome additional funding and expertise in the area of child protection. Netball Australia believes that sport can be an effective vehicle for promoting child safety and wellbeing and is committed to providing children with a safe, welcoming and supportive environment.

## **5. Areas for Consideration**

### **(a) National Working with Children Checks**

There is no single national framework setting out the requirements for obtaining Working with Children Checks or Police Checks. Each state and territory has their own procedures and it is necessary to fulfil the requirements in the jurisdiction(s) in which the person is working. Organisations or individuals that work or volunteer with children across state or territory boundaries need to ensure that the appropriate clearance checks and screenings are obtained for each separate jurisdiction.

Greater national alignment around Working with Children Checks would ensure greater consistency and efficiency as well as allow agencies to develop national education and training to support the screening process.

### **(b) Working with Children Check Exemption for Parents**

At present, many jurisdictions provide parents who volunteer in an activity in which their child participates with an exemption to obtaining a Working with Children Check.

As the majority of people involved in junior netball are parents. With the parental exemption in place, many volunteers working at the community level have not been screened via obtaining a Working with Children Check. This presents a great risk to community organisations such as sporting clubs.

Netball Australia suggests that there is further consideration in relation to the exemption provided to parents, especially those that have unsupervised contact with children.

### **(c) Access to Expert Advice/Assistance**

At present, Australian Government funded sports are required to have an updated Member Protection Policy to receive Government funding. The Australian Sports Commission have developed the Member Protection Policy template that provides National Sporting Organisations with a framework to what should be included in their sport specific policy.

To support the policy implementation, the Play by the Rules website and Member Protection Information Officers training are available.

Unfortunately, due to the complex and personal nature of member protection complaints, the level of support provide is insufficient and there are limited staff within the Australian Sports Commission, Departments of Sport and Recreation or other peak bodies that have the expertise to assist sporting organisations effectively manage complaints.

The sporting sector requires greater support in relation to member protection and child protection. This includes the establishment of policies that meet the specific nature of the sport, the development of appropriate training for key personnel and the management of complaints. The support must be provided by personnel with specific expertise in harassment free, child safe environments and complaints handling.

**Submitted by:**



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