

Royal Commission into Institutional Responses to Child Sexual Abuse

Case Study 45

Children with Problematic or Harmful Sexual Behaviours in Schools

**SUBMISSIONS OF THE UNITING CHURCH IN AUSTRALIA PROPERTY TRUST (Q.) FOR
SHALOM CHRISTIAN COLLEGE**

16 January 2017

Contents

Introduction.....	3
Relevant factual background.....	3
Shalom Christian College	3
CLF	4
Evidence of EAL and EAM.....	4
Criminal Offences committed against CLF and Criminal Proceedings.....	5
Response to Available Finding 16	5
Response to Available Finding 17	5
Mr Shirley’s records	9
Response to Available Finding 18	11
Response to Available Finding 19	11
Systems in place in early 2006.....	12
Health and Wellbeing Centre.....	13
CLF’s presentation to sick bay and disclosures	14
Response to Available Finding 20	16
Response to Available Finding 21	18
Response to Available Finding 22	19
The future.....	27
Additional Comments and Corrections.....	27
Initiatives following the Royal Commission hearing	27
Oral submissions	28

Introduction

1. These submissions are made on behalf of the following entities and persons:
 - The Uniting Church in Australia Property Trust (Q.) ARBN 142 498 780, the current owner and operator of the Shalom Christian College (**SCC**) in Townsville;
 - Mr Christopher Kelynge England, the Principal of SCC;
 - Ms Elaine Ethel Rae, the Chairperson of the Board of SCC;
 - Ms Cassandra (Sandy) Hindmarsh, the Deputy Principal of SCC;
 - Ms Amy Bridson (nee Benjamin), a Counsellor and the Clinical Services Co-Ordinator at SCC.

(collectively referred to in these submissions as the Uniting Church unless otherwise stated).
2. The public hearing concerning SCC focused on the institutional response to sexual assaults of a student CLF in February and March 2006.
3. After traversing some but not all of the evidence, Counsel Assisting submits seven findings are available concerning SCC and certain individuals.¹ The Uniting Church accepts the findings are available, subject to a few points of clarification and the manner in which the findings are expressed. These matters are addressed in the submissions that follow.
4. The Uniting Church does not propose to respond paragraph by paragraph to the CA Submissions. The following submissions:
 - address the factual background for the proposed findings; and
 - provide a context in which the evidence may be assessed.

Relevant factual background

Shalom Christian College

5. With respect to paragraphs 301 – 302 of the CA Submissions, the relevant history and background of the School should be described as follows.
6. The Uniting Church in Australia Property Trust (Q.) acquired SCC in September of 2013. Prior to September 2013, SCC was owned and operated by Congress Community Development Education Unit Limited (**CCDEU**), a company limited by guarantee that was established by the Uniting Aboriginal and Islander Christian Congress (**UAICC**).

¹ Submissions of Counsel Assisting the Royal Commission Case Study 45 ('the **CA Submissions**') page 113: Findings AF16 – AF22.

7. The UAICC is an indigenous Christian organisation that shares a covenantal relationship with the Uniting Church in Australia (nationally). Its regional council in Queensland is the Calvary Presbytery. The Calvary Presbytery were initially responsible for appointing the Board of Directors for CCDEU in 1989. CCDEU subsequently established Shalom Christian College in 1992.
8. In August of 2012, CCDEU entered into voluntary administration. During the period of administration the school operated under the instruction of Deloitte Touche Tohmatsu **(the Administrators)**.
9. The Uniting Church in Australia Property Trust (Q.), in pursuance of its mission imperatives, assumed responsibility for the College and its debt in 2013.

CLF

10. With respect to paragraphs 305 – 309, 311, 312 and 331 of the CA Submissions and the summary of the evidence of EAL and EAM, the Uniting Church notes inconsistencies regarding CLF's age, the date upon which she first attended SCC and her age at the time of the sexual assaults. By way of clarification, the Uniting Church refers to **Exhibit 45-050, Tab 10 (SCC.006.001.0002_R)** being CLF's enrolment form. It records CLF being enrolled in Year 9 in Term 4 of 2005. CLF was in Year 10 at the time of the sexual assaults in February and March 2006. Based on her date of birth, she was 14 years of age in March 2006.

Evidence of EAL and EAM

11. With respect to paragraph 310 of the CA Submissions and the reference to EAL and EAM's evidence being uncontested, there were aspects of the evidence that were contested. EAL was cross-examined by Counsel appearing for Mr Shirley (**T22662.10 – T22664.21**). Additionally, Ms Bridson also provided a statement in response to EAL and EAM's evidence (**Exhibit 45-049**). Ms Bridson confirmed her statement responding to EAL and EAM was true (**Transcript 22680.2**). This aspect of Ms Bridson's evidence was not challenged by Counsel Assisting or Counsel appearing for EAL and EAM (see **T 22716.23 – T22725.31**). Ms Bridson's evidence should be accepted as a reliable and truthful account of her involvement with CLF in March – April 2006, particularly where her evidence is supported by contemporaneous records and notes of her engagement with CLF, EAL and EAM.
12. Otherwise, the Uniting Church accepts it is open to the Royal Commission to accept the evidence of CLF's parents EAL and EAM as their recollection of the incidents involving CLF, some 10 years on.

13. The Uniting Church acknowledges EAL and EAM's courage in giving evidence in the public hearing about events which have had a profound impact on their family.

Criminal Offences committed against CLF and Criminal Proceedings

14. The criminal proceedings concerned the sexual assault on CLF on 23 March 2006.
15. Three students, DFK, DFL and DFM were charged with respect to the sexual assault on CLF. They were committed for trial separately throughout 2008 and 2009. A fourth student, DFJ, was committed to stand trial in the Children's Court on 22 July 2008 on one charge of "*carnal knowledge of children under 16 years*". However, a "*No True Bill*" was entered in relation to this charge on 6 October 2008 once it was established that DFJ had received a caution for the same conduct in 2006. The three other students were also cautioned in 2006 in relation to the conduct against CLF.²
16. A joint indictment was presented to the Townsville District Court on 10 March 2010. DFK and DFL were charged with one count of rape each; DFM was charged with two separate counts of rape. On 5 April 2011, the trial commenced in the Townsville District Court in relation to all three defendants.
17. On 13 April 2011, each defendant was acquitted of rape but was convicted of the alternative charge of indecent treatment of a child under 16. DFM was acquitted on the second charge of rape and the alternate charge of unlawful carnal knowledge. Each defendant was ordered to pay into a recognisance of \$500 and to be of good behaviour for an 18-month period. Convictions were not recorded.³

Response to Available Finding 16

18. Counsel Assisting submits the following finding is available:

By 1 March 2006, the principal of Shalom, Mr Shirley, knew of allegations by CLF that a male student at the school had sexually assaulted CLF on 23 February 2006.

19. The Uniting Church notes the evidence summarised at paragraphs 361 - 363 of the CA Submissions and makes no submission with respect to this proposed finding.

Response to Available Finding 17

20. Counsel Assisting submits the following finding is available:

² See Counsel Assisting's Opening Address, paragraph 124. See also **Exhibit 45-075** Statement of Michael Roderick Byrne QC, paragraphs 7 – 12.

³ See Counsel Assisting's Opening Address, paragraph 128.

Mr Shirley did not report the allegations made by CLF that she had been sexually assaulted on 23 February 2006 to the Child Safety Office or the police/Juvenile Aid Bureau.

21. With respect to this proposed finding, the Uniting Church refers to Mr Shirley's oral evidence. He referred to his usual practice of 'over' reporting and his belief that he reported the allegation about the treatment of CLF.⁴ Having regard to Mr Shirley's oral evidence, the Uniting Church submits that the finding may be expressed in the following terms:

There are no documents that record whether Mr Shirley reported the allegations made by CLF that she had been sexually assaulted on 23 February 2006 to the Child Safety Office or the police/Juvenile Aid Bureau.

22. In addition to the matters set out at paragraphs 364 -375 of the CA Submissions, the Uniting Church submits the following aspects of the evidence are relevant.
23. On 26 February 2006, CLF informed Ms Binsiar about an incident. The incident is described in a report prepared by Ms Binsiar at **Exhibit 45-050, Tab 12, SCC.006.001.0009_R**. The report has a handwritten note "forwarded to principal". The report records the incident as "sexual abuse".
24. The SCC Child Protection Register (**Exhibit 45-050, Tab 25, SCC.501.001.069**) shows SCC recorded the incident type as "inappropriate behaviour" not sexual abuse. There is no evidence to explain why the incident was not recorded as sexual abuse as identified in Ms Binsiar's report.
25. Ms Bridson was not informed about the February incident involving CLF. In her oral evidence, Ms Bridson said she first became aware of Ms Binsiar's report a week before the Royal Commission's public hearing (**T22690.25 - 45**). Ms Bridson also said she did not recall being told about the incident when she had a discussion with Mr Shirley on 28 March 2006 (**T22703.32 - 34**).
26. With respect to reporting obligations at the time, the relevant SCC Child Protection Policy (**SCC CPP**) (**Exhibit 45-050 Tab 1, p3**) provided:

Criminal Law

Where there are allegations of criminal misconduct, allegations should be referred to the Police...

27. The SCC CPP appears to contemplate criminal conduct by an adult towards a child, not between children.
28. Pages 8-10 of the SCC CPP sets out the reporting requirements by reference to the 'action required' for each of the following incident types:

⁴ See Transcript 22743.35 – 22745.32

- Self-harm
 - Inappropriate behaviour
 - Sexual abuse
29. Each of these categories in turn reflect the requirements of relevant Queensland legislation in force at the time. In particular, the *Education (General Provisions) Act 1989*, *Education (General Provisions) Regulation 2000* and *Education (Accreditation of non-State Schools) Regulation 2001*.

30. Section 146B of the *Education (General Provisions) Act* provided:

146B Obligation to report sexual abuse of student under 18 years attending non-State school

*(1) Subsection (2) applies if a staff member of a non-State school (the **first person**) becomes aware, or reasonably suspect that a student under 18 years attending the school has been sexually abused by someone else who is an employee of the school.*

(2) The first person must give a written report about the abuse, or suspected abuse, to the school's principal or a director of the school's governing body—

- (a) immediately; and*
- (b) if a regulation is in force under subsection (3), as provided under the regulation.*

Maximum penalty—20 penalty units.

(3) A regulation may prescribe the particulars the report must include.

(4) A non-State school's principal or a director of a non-State school's governing body must immediately give a copy of a report given to the principal or director under subsection (2) to a police officer.

Maximum penalty—20 penalty units.

(5) A person who makes a report under subsection (2), or gives a copy of a report under subsection (4), is not liable, civilly, criminally or under an administrative process, for giving the information contained in the report to someone else.

(6) Without limiting subsection (5)—

- (a) in a proceeding for defamation, the person has a defence of absolute privilege for publishing the information; and*
- (b) if the person would otherwise be required to maintain confidentiality about the given information under an Act, oath, rule of law or practice—the person does not contravene the requirement by giving the information.*

(7) In this section—

director, of a non-State school's governing body, means—

- (a) if the governing body is a company under the Corporations Act—a person appointed as a director of the governing body; or*
- (b) otherwise—a person who is, or is a member of, the executive or management entity, by whatever name called, of the governing body.*

31. The reporting obligation at the time did not extend to reporting child to child sexual abuse.
32. The *Education (General Provisions) Regulation 2000* provides:

76AA Report about sexual abuse—Act, ss 146A and 146B

A report under section 146A or 146B of the Act must include the following particulars—

- (a) the name of the person giving the report (the “**first person**”);
- (b) the student’s name and sex;
- (c) details of the basis for the first person becoming aware, or reasonably suspecting, that the student has been sexually abused by an employee of the school;
- (d) details of the abuse or suspected abuse;
- (e) any of the following information of which the first person is aware—
 - (i) the student’s age;
 - (ii) the identity of the employee who has abused, or is suspected to have abused, the student;
 - (iii) the identity of anyone else who may have information about the abuse or suspected abuse.

33. Again, this did not extend to child to child sexual abuse.
34. Regulation 10(5) of the *Education (Accreditation of Non-State Schools) Regulation 2001* provided:
- (a) a process for reporting sexual abuse or suspected sexual abuse in compliance with the *Education (General Provisions) Act 1989, section 146B*;
 - (b) a process for—
 - (i) the reporting by a staff member, to the school’s principal or another person nominated in the process, of harm that—
 - (A) the staff member is aware or reasonably suspects has been caused to a student who, when the harm was caused or is suspected to have been caused, was under 18 years; and
 - (B) is not harm to which the process mentioned in paragraph (a) applies; and
 - (ii) the reporting by the principal or other person, to a relevant State authority, of the harm or suspected harm if the principal or other person also is aware or reasonably suspects the harm has been caused.
35. In a report published by the Royal Commission *Mandatory reporting laws for child sexual abuse in Australia: A legislative history - Report for the Royal Commission into Institutional Responses to Child Sexual Abuse* (August 2014), the author Associate Professor Ben Mathews describes the Queensland reporting obligations at pages 78 – 80 as follows:

From 19 April 2004, teachers were required to report reasonable suspicions of specific circumstances of suspected sexual abuse. The provisions were introduced into the *Education (General Provisions) Act 1989* (Qld) ss 146A–146B (applying to State and non-State schools respectively) by the *Education and Other Legislation (Student Protection) Amendment Act 2003* (Qld) (No 88 of 2003).

However, this duty was very limited, as the legislation restricted the duty to cases of suspected sexual abuse perpetrated by a school staff member. The duty was also limited to suspected past and presently occurring abuse; it did not apply to suspected future cases. The provisions imposed an obligation on a staff member of a school who ‘becomes aware, or reasonably suspects, that a student under 18 years of age attending the school has been sexually abused by someone else who is an employee of the school’ to immediately give a written report about the abuse or suspected abuse to the school’s principal or the principal’s supervisor. It was an offence not to give

such a report (s 146A(2); s 146B(2): maximum penalty of 20 penalty units (\$1500)). Reporters were granted immunity from civil and criminal liability connected with making the report (s146A(6) and (7); s 146B(5) and (6)). Confidentiality was conferred by the *Child Protection Act 1999*(Qld) s186.

(footnotes omitted)

36. Associate Professor Mathews notes that substantial change occurred in 2012. He said:

The uniquely restricted position for teachers' reporting of child sexual abuse was amended in 2012 by the *Education and Training Legislation Amendment Act 2011* (Qld) (No 39), which commenced on 9 July 2012. The key changes, in Part 3 of the amending Act, were:

- to define (non-exhaustively) the concept of 'sexual abuse'
- to extend the reporting duty to all suspected cases of sexual abuse, without limiting the class of reportable cases by perpetrator
- to extend the reporting duty to suspected 'likely sexual abuse' (new ss 365A and 366A)
- to create in state schools a more direct chain of reporting (teacher to principal to police officer (3 steps); previously teacher to principal to CE's nominee to police (4 steps));
- to enable delegation of the reporting function by a non-state school's governing body director, both where the governing body has only one director (new s 366B(1) and (2)), and where there are more than one director (new s 366B(3) and (4)).

37. In summary, at the relevant time there was no statutory obligation that required Mr Shirley to report the February 2006 incident. Accordingly, it would not be appropriate for the Royal Commission to make an adverse finding that Mr Shirley failed to report an allegation he was not required to report at the time.

Mr Shirley's records

38. In response to paragraph 366 of the CA Submissions, the Uniting Church accepts that no notes made by Mr Shirley were produced. However, without clarification, the CA Submissions may inadvertently leave the reader with an impression that the documents existed and could have been produced. The Uniting Church submits that it is open to the Royal Commission to find that if the documents existed, the documents are no longer in the possession, custody or control of SCC or the Uniting Church.
39. The Uniting Church relies on **Exhibit 45-076**, the statement of Darrell Frederick Jardine dated 31 October 2016. This evidence was accepted without challenge by Counsel Assisting or counsel appearing for Mr Shirley.
40. Mr Jardine explained that extensive searches and enquiries were made to identify and locate the documents described by Mr Shirley. Despite these searches, no documents of the kind described were located. Mr Jardine's unchallenged evidence addresses in detail the steps taken to locate the claimed documents.

- a. on 19 October 2016 the Royal Commission enquired as to whether the Uniting Church was aware of the location of the records that Mr Chris Shirley referred to in paragraphs 2 and 46 of his Statement produced to the Royal Commission (**Exhibit 45-051**).
- b. Mr Jardine outlined the searches for documents and documents produced prior to 19 October 2016 which included a review of 117 boxes of SCC records including all the student files. This review was undertaken in early 2016.
- c. Mr Jardine outlined the searches for documents described by Mr Shirley after 19 October 2016, namely:
 - i. further enquiries made of the solicitor who reviewed the documents in early 2016;
 - ii. inquiries made of Mr Stephen Thomson, the Principal of SCC after Mr Shirley as to whether he had ever seen these documents described by Mr Shirley, particularly when he commenced employment with SCC. Mr Thomson did not recall ever perusing these records or coming across them. He checked his own personal records and confirmed the said records of Mr Shirley did not form any part of them;
 - iii. inquiries were made of Ms Sandy Hindmarsh as to whether she had ever perused the records described by Mr Shirley. Ms Hindmarsh has been a long time member of the SCC staff. She informed Mr Jardine that she had not seen such records and said she would carry out further paper searches and also digital searches in an attempt to locate any documents of the kind described by Mr Shirley;
 - iv. Ms Hindmarsh informed Mr Jardine by email on 21 October 2016 that the following searches were carried out but did not identify the presence of Mr Shirley's claimed records:
 - A key word search was performed for the term "Chris Shirley" across the main file server for SCC. No documents were identified that matched the description of Mr Shirley's records.
 - A second search was conducted using the search term "[CLF's name*]". Again, this search did not result in any of the records that Mr Shirley refers to being located.

- v. inquiries were made of Mr Chris England, the current Principal of SCC. He confirmed that he has never seen the records described by Mr Shirley including when he was perusing the contents of the boxes that had been delivered to SCC from its storage facility.

Response to Available Finding 18

41. Counsel Assisting submits the following finding is available:

Shalom did not notify CLF's parents about CLF's allegations of the sexual assault on 23 February 2006

42. The Uniting Church accepts this finding is available having regard to the evidence and notes it appears from the evidence that CLF's parents were not ever told about the 23 February 2006 incident – either on or after 1 March 2006 or following the 23 March 2006 incident.

Response to Available Finding 19

43. Counsel Assisting submits the following finding is available:

As at 27 March 2006 the school had information that CLF was a vulnerable student, including repeated presentations to the Health and Wellbeing Centre, the assault on 23 February 2006, the reports by teachers that CLF did not feel safe at school, CLF's disclosure that she was being subjected to bullying and CLF's and other various students' absence from the boarding house on the night of 23 March 2006. These pieces of information that were held by various employees of the school were not reconciled or coordinated.

44. The Uniting Church submits that the finding expressed in this form is not clear and respectfully suggests the finding may be better expressed as follows:

As at 28 March 2006 the following information about CLF was known to a range of different staff members and an external service provider:

- a) ***Between 15 February 2006 – 24 March 2006, CLF presented to the nurse at the sick bay in the Health and Wellbeing Centre on 11 occasions with a range of different complaints;***⁵
- b) ***On 23 February 2006, CLF was sexually assaulted;***⁶
- c) ***By 1 March 2006, the Child Protection Register recorded an incident of 'inappropriate behaviour concerning CLF';***⁷
- d) ***On the night of 23 March 2006, CLF and other various students' absence from the boarding house;***⁸

⁵ CA Submissions paragraph 380.

⁶ CA Submissions paragraph 361.

⁷ CA Submissions paragraph 367.

⁸ **Exhibit 45-050, Tabs 13, 14.** CA Submissions paragraphs 405 – 409.

- e) *On 24 March 2006, CLF disclosed to a teacher she did not feel safe at school;*⁹
- f) *On 24 March 2006, CLF disclosed to an Employee of the Queensland Health, Sexual Health Clinic that she had been assaulted on the evening of 23 March 2006;*¹⁰
- g) *On 27 March 2006, CLF reported to a teacher that she was being bullied;*¹¹ and
- h) *On 28 March 2006, CLF disclosed the sexual assault to the head of boarding and a house parent.*¹²

SCC did not have a system in place to ensure all of this information was brought to the attention of the Principal and/or School Counsellor in a timely manner.

45. The finding expressed in this way is supported by the following evidence.

Systems in place in early 2006

46. SCC had a number of measures in place prior to the sexual assaults on CLF. Relevantly:
- a. The SCC CPP was created based on advice received from Independent Schools Queensland (“**ISQ**”). The Policy was then reviewed by the State Government and the approval received indicated that the *Shalom Christian College Child Protection Policy* (including reporting procedures) met the relevant requirements. Subsequent to receiving this approval, the SCC CPP was updated as and when advised by ISQ.¹³
 - b. All staff received yearly training on the procedures to follow to meet the requirements for the reporting of harm and/or sexual abuse. The training included scenarios describing student behaviour which required staff to make judgment calls about:
 - i. Whether the behaviour should be reported;
 - ii. to whom it should be reported to; and
 - iii. the detail and procedures required in making such reports.¹⁴
 - c. Following the sexual assault of CLF, Mr Shirley had discussions with the Health and Wellbeing Team to reinforce their reporting obligations pursuant to the College Policy.

⁹ CA Submissions paragraph 384.

¹⁰ **Exhibit 45-050, Tab 19, SCC.006.001.0035_R**

¹¹ CA Submissions paragraph 386.

¹² CA Submissions paragraph 388.

¹³ **Exhibit 45-051** Statement of Chris Shirley, paragraph 25.

¹⁴ **Exhibit 45-051** Statement of Chris Shirley, paragraph 26.

- d. House parents were made aware of the circumstances of the incident (without names of students being disclosed), to ensure that they understood the need for procedures to be strictly followed.¹⁵
47. According to Ms Bridson there was no resistance or protest to the implementation of the SCC CPP in 2004 and subsequent training that was administered. One issue that she identified was the difficulty on the part of teachers or other staff members to recognise behaviours that may identify students had been the subject of sexual abuse and then how to deal with such students and any incidents appropriately.¹⁶

Health and Wellbeing Centre

48. Paragraphs 349 – 354 of the CA Submissions address the Health and Wellbeing Centre. The Uniting Church submits there is a significant amount of unchallenged evidence concerning the Centre which has not been addressed in the CA Submissions.
49. The Health and Wellbeing Centre was established in 2003 not 2005 (as suggested at paragraph 349).
50. The Health and Wellbeing Centre is situated in about the middle of the primary and secondary campuses.¹⁷ It is accessible to all students and is a safe environment for them to attend.
51. The purpose of the Health and Wellbeing Centre was and remains to support and address the health and wellbeing needs of students upon enrolment and for the duration of their time at the school. The Centre addresses the students' physical, psychological, social and emotional wellbeing. There was evidence that a high percentage of the students enrolled at the school are significantly impacted by the social determinants of health. These students present with cognitive impairments, chronic health conditions and other vulnerabilities to their social, emotional and physical wellbeing. Some of the students have already experienced emotional, physical or sexual abuse prior to their enrolment, which has an ongoing impact upon their behaviour and interactions with students and staff.
52. The Health and Wellbeing Centre offered and continues to offer a culturally informed medical and counselling service as well as health promotion materials for staff and students, and education and training to SCC staff.¹⁸ There is a primary focus on prevention intervention to address a range of needs, as well as small group programs and individual support for more specific support needs.

¹⁵ **Exhibit 45-051** Statement of Chris Shirley, paragraphs 52 and 53.

¹⁶ **Exhibit 45-069** Statement of Amy Bridson, paragraphs 39 and 40.

¹⁷ **Exhibit 45-069** Statement of Amy Bridson, paragraph 19.

¹⁸ **Exhibit 45-070** Statement of Cassandra Hindmarsh, paragraph 10.

53. In terms of staff education and training, there is a focus on holistic approaches towards promoting healthy attachment and respectful relationships with others in the context of a safe school environment. Training is aimed at assisting staff to understand the impacts of trauma, child protection issues and creating a safe environment where children can trust the adults responsible to care for them. The Health and Wellbeing Centre comprises:
- a. a counselling service;
 - b. a sick bay;
 - c. a chaplaincy service;
 - d. community liaison officers;
 - e. the Deputy Principal and pastoral care; and
 - f. it is also a place where external agencies provide services such as dental or other allied health services care.¹⁹
54. Between 2000 and 2008, there was only one counsellor servicing the school, Ms Bridson. Ms Bridson said that during this period she would utilise the cultural expertise of SCC's "Community Liaison Officers" (Aboriginal and Torres Strait Islanders from remote communities), who assisted her particularly with the male students. Ms Bridson predominantly dealt with female students herself, but occasionally in instances where female students were experiencing difficulty in communicating with her due to either language barriers or cultural sensitives Ms Bridson utilised the assistance of the Liaison Officers.²⁰

CLF's presentation to sick bay and disclosures

55. Prior to the sexual assault on 23 March 2006, the school nurse, Katrina Price notified Ms Bridson that CLF was continually presenting to the sick bay with physical complaints which did not appear to have any particular origin.
56. On 22 March 2006, CLF was hospitalised for possible appendicitis. CLF was not suffering from that condition.²¹ In her evidence Ms Bridson said (**T22688 lines 8 – 14**):

CLF had been admitted to the hospital querying appendicitis, but there was no physical reason for the appendicitis, or for the pain, sorry, and we looked at her history and noticed that there was - she had had lots and lots of presentations to the sick bay with various somatic complaints and we started to get worried that there may be a psychological origin for the complaints.

¹⁹ **Exhibit 45-069** Statement of Amy Bridson, paragraph 18.

²⁰ **Exhibit 45-069** Statement of Amy Bridson, paragraph 28.

²¹ **Exhibit 45-069** Statement of Amy Bridson, paragraph 73.

57. On Friday 24 March 2006, CLF attended the Sexual Health Clinic. CLF disclosed to Rose Gordon (a member of the Sexual Health Clinic) that she had been sexually assaulted on the previous evening 23 March 2006.²²
58. It appears this disclosure was not communicated to the Principal, Mr Shirley or any member of the Health and Wellbeing Centre. As Mr Shirley explained in his evidence, the Sexual Health Clinic was an external agency that provided services to SCC. It is not clear from the available evidence why Ms Gordon did not report CLF's disclosure to Mr Shirley or whether she reported CLF's disclosure to a relevant external agency.
59. Ms Price referred CLF to Ms Bridson on Monday 27 March 2006. At the time, neither Ms Price nor Ms Bridson were aware that CLF had been sexually assaulted on 23 March 2006. No disclosure was made by CLF to Ms Bridson on this date. Ms Bridson prepared handwritten notes of the consultation and those notes were provided to the Royal Commission as **SCC.006.001.030**.
60. As recorded in Ms Bridson's notes, during the meeting on 27 March 2006 CLF said that there were rumours that she had had sex with 6 boys recently. CLF denied any truth to the rumours. Her main concern at that time was in relation to her weight. On this occasion, CLF did not disclose that she had been the subject of any sexual abuse. When asked by Counsel Assisting, Ms Bridson said (**T22697.8**):

[CLF] said they were just rumours, there wasn't any truth to them.

61. CLF did discuss her behaviour before coming to SCC and wanting to make a fresh start. CLF agreed to have further sessions and to discuss matters including future goals.²³ Ms Bridson wanted to build a rapport following her first meeting with CLF. At **T22725.21 – 24**, Ms Bridson said:

That was the beginning of an assessment where I was starting to record some of the insights and some of the information that I had received from her during that one session.

62. On 28 March 2006, CLF disclosed the sexual assault of 23 March 2006 to the head of boarding and a house parent.²⁴ Thereafter, Mr Shirley and Ms Bridson were informed.
63. Reflecting on the events some 10 years later, Counsel Assisting asked the current Principal Mr England whether there was a 'problem' with the available information not coming to the attention of Mr Shirley or Ms Bridson in February – March 2006, at **T22791.13-18** as follows:

²² Exhibit 45-050, Tab 19, SCC.006.001.0035_R

²³ Exhibit 45-069 Statement of Amy Bridson, paragraph 75.

²⁴ CA Submissions paragraph 388.

Q. Would you agree, from what you have heard, that a problem that existed with respect to the school and the way it dealt with the situation with [CLF] was that those pieces of information which were held by various people weren't reconciled or coordinated, so that they didn't come to the attention, for example, of the principal and the counsellor?

A. Yes.

Response to Available Finding 20

64. Counsel Assisting submits the following finding is available:

In the days following CLF's disclosure and until her parents arrived at the school on 2 April 2006, CLF was in the care of the school. During this time, the staff at Shalom failed to provide appropriate care, including engaging external support services for CLF.

65. The Uniting Church submits it is open to the Royal Commission to find up to 2 April 2006, CLF was in the care of the school.

66. The Uniting Church submits that the evidence does not support a finding that between Monday 27 March and Sunday 2 April 2006, the staff at SCC failed to provide appropriate care, including engaging external support services for CLF. The following evidence does not support such a finding.

67. On 27 March 2006, Ms Bridson arranged a further appointment with CLF for 28 March 2006, but CLF failed to attend the appointment and the appointment was rescheduled for 29 March 2006.

68. On 29 March 2006 Ms Bridson met with CLF. Ms Bridson provided a copy of her Record of Interview to Mr Shirley. Ms Bridson's notes record that on 29 March 2006 it was arranged that she would meet the police the next day as CLF wished to make a complaint.

69. On 29 March 2006, Ms Bridson spoke with CLF's parents regarding the sexual assault. She recalled CLF's parents were upset that she had arranged an interview for CLF with the police. The parents requested that the Police interview be cancelled.²⁵

70. On 30 March 2006, a proposed meeting with the Juvenile Aid Bureau was cancelled at CLF's parents' request. Ms Bridson spoke with an officer named Ian from that Juvenile Aid Bureau who was concerned that CLF may have been pressured into making a complaint. A meeting was organised for the following day to outline to CLF the police procedures. Mr Shirley approved the meeting being held at SCC.

71. On 31 March 2006, at 11.30am, a meeting took place with CLF, Ms Bridson and the Juvenile Aid Bureau on school grounds. The purpose of the meeting was not to take a statement but to inform CLF of the procedures involved in interviewing, investigating and

²⁵ **Exhibit 45-069** Statement of Amy Bridson, paragraph 84.

possibly attending court. CLF was asked if she had any questions about making a complaint, to which she responded her major concern was the possibility of requiring a medical examination.²⁶

72. The case management notes show that Ms Bridson saw CLF every day from 29 March-31 March 2006. Her parents arrived on Sunday 2 April 2006. There was no support on 1 April 2006.
73. To the extent the proposed finding is premised on the matters set out in paragraph 422 of the CA Submissions, there was no evidence that such external professional services were in fact available. To the extent a relevant service was available, SCC did refer CLF to the Sexual Health Clinic.
74. There is also no evidence to suggest a psychologist with expertise in dealing with children suffering the trauma of a rape was readily available in Townsville at the time or specifically to attend CLF at the time. There is no evidence that culturally appropriate services were available to SCC on short notice, nor evidence to suggest such referrals should have occurred without reference to CLF's parents and/or the police.
75. Ms Hindmarsh's unchallenged evidence²⁷ provides some assistance as to the availability of expert external assistance. Ms Hindmarsh said:
 69. Following the incident and immediately before commencing maternity leave at the end of February 2006, I assisted Principal Chris Shirley with the drafting of a Memorandum of Understanding between SCC and Queensland Health. The MOU was drafted to include a statement that if Queensland Sexual Health staff received a disclosure requiring them to complete a Child Protection Report that the Principal must be informed. The reason this was done was due to the fact that it was believed the victim may have first disclosed matters to Qld Sexual Health through the confidential weekly clinic that is provided on campus through our Health and Wellbeing Centre, however the Principal and Health and Wellbeing Centre staff were not advised of this. It was our belief at the time, that to ensure student safety, matters need to be reported to the Principal so that any changes necessary could be implemented to address any risks to student safety as soon as possible.
 70. A copy of the draft document which I was able to locate from the negotiations around this matter is document **SCC.630.001.014**. It did take approximately six months to come to an agreement around this due to nurse perceptions at Qld Health that this may breach privacy legislation should they disclose this information to the College Principal.
 71. I also recall that around this time SCC made a submission for funding to the Department of Child Safety to:
 - i. employ an additional counsellor to whose sole purpose was to individually case manage Indigenous students who may have been traumatised by sexual abuse, domestic violence and substance abuse.
 - ii. to deliver "Restorative Practices" workshops for teachers, teacher aides, liaison officers, counsellors, house parents, tutors, parents, maintenance and ground staff, cooks, bus drivers and administrative staff. Restorative practices provide an explicit framework that offers a common language and practices that are easily understood. This enables the whole

²⁶ **Exhibit 45-069** Statement of Amy Bridson, paragraph 85.

²⁷ **Exhibit 45-070** Statement of Cassandra Hindmarsh, paragraphs 69- 72.

school community, including parents, to operate on the same page meaning that each and every one of the community has a clear understanding around expectations and behaviour. Difficult behaviour becomes an opportunity for insight and learning as opposed to a problem.

72. SCC was not successful in its funding application.

Response to Available Finding 21

76. Counsel Assisting submits the following finding is available:

In the period after they were notified of the sexual assault on CLF, CLF's parents EAM and EAL, were not provided with sufficient support by staff at Shalom.

77. The Uniting Church does not agree a finding expressed in these terms is open on the available evidence. The finding appears to be based on paragraphs 424 - 425 of the CA Submissions.
78. It is not clear what support services were sought by CLF's parents from the staff at SCC or what support services could have been provided to them.
79. The evidence discloses that Ms Bridson spoke to CLF's parents on 29 March 2006. Ms Bridson explained that CLF was to be interviewed by the police. As noted above, CLF's father objected to the police interview taking place.
80. On 5 April 2006, Ms Bridson met with CLF's parents at the Iris Clay Hostel. During this meeting, CLF's parents were unhappy about CLF's meeting with the Juvenile Aid Bureau on 31 March 2006. Ms Bridson explained to EAL and EAM the purpose of the meeting, the fact that CLF had not been interviewed and that the meeting was not recorded.
81. Ms Bridson also discussed with CLF's parents about a referral to appropriate sexual assault support services for counselling and support for CLF and her other family members. She also discussed with them a referral to Family Therapy Services.
82. According to Ms Bridson, CLF's parents raised concerns about communication and supervision problems and referred in particular to Mr Shirley. EAL and EAM also raised concerns about other people telling them of similar assaults at SCC. Ms Bridson recorded that CLF's parents were particularly unhappy with the Police involvement.²⁸
83. With respect to paragraphs 320 and 326 of the CA Submissions, Ms Bridson's contemporaneous notes indicate that EAL and EAM were offered a range of counselling/support services but they chose not to engage.
84. The Uniting Church also acknowledges the following oral evidence given by Ms Bridson (T **22706.5-18**):

²⁸ **Exhibit 45-069** Statement of Amy Bridson, paragraph 86. See also T **22706.5-14**.

Q. Do you think you provided sufficient support to [CLF]'s parents around this time?

A. I don't think they received sufficient support. We did make - I made an offer to help engage them with support at home, to offer to find services, family support, if it was available, but at that time I think they were angry and not ready to engage with that.

Q. You know that they felt unsupported?

A. I know that, yes.

Q. Do you think at least, looking back, that the school could have done more to give them some support at the time?

A. It's possible, yes.

85. The Uniting Church submits that the following finding may more accurately reflect the available evidence:

In the period after EAL and EAM were notified of the sexual assault on CLF, they did not feel they received sufficient support by Shalom.

Response to Available Finding 22

86. Counsel Assisting submits the following finding is available:

As at March 2006 and to this day, the resourcing provided to Shalom is not sufficient for it to maintain a safe environment for the students.

87. The Uniting Church submits the expression 'resourcing' does not reflect the evidence and may inadvertently create an impression about the manner in which SCC seeks to use its resources.

88. The finding appears to be based on Mr England's oral evidence recorded at paragraph 435 that the *funding* is inadequate for a school such as Shalom and the expectations of such a school.²⁹

89. The Uniting Church submits that the finding may be more accurately expressed as follows:

As at March 2006 and continuing, the funding available to Shalom is not sufficient for it to meet the needs of the SCC students so that it may maintain a safe boarding environment for students who have particular vulnerabilities by reason of social disadvantages and health.

90. This finding is supported by the extensive unchallenged evidence of Ms Elaine Rae, Ms Cassandra Hindmarsh and Ms Bridson directed to the issue of resources, funding and challenges confronting SCC.

91. With respect to measures to address safety at the school since March 2006 and up to the present time, the Royal Commission received the following evidence (which was not challenged).

²⁹ T22798.3-11

92. Ms Bridson explained:

- a. in about March 2006, a letter was sent by Mr Shirley to students about them feeling safe at SCC (document **SCC.620.001.188**);
- b. the current Child Protection Policy dated 27 November 2013 (document **SCC.620.001.119**) was reviewed in July 2015;
- c. during Term 2 of 2016, each of the employees of SCC proficient in reading English undertook an on-line Child Protection Course prepared by the ISQ. Ms Bridson oversaw that process and it was a very comprehensive course;³⁰
- d. the on-line training was brought about primarily because Ms Bridson was concerned that staff did not fully understand their obligation to report. She referred to a number of misconceptions that arose out of that training and SCC were able to clarify such issues with the staff members. Ms Bridson said she thought that the training was invaluable and certainly had clarified far more clearly for staff members their reporting obligations;³¹
- e. for staff who are not proficient in reading English, Ms Hindmarsh and Ms Bridson developed and provided training verbally to these staff similar to that provided by ISQ;
- f. in the last 12 months, another counsellor, Ms Leesha Spreadborough was employed to specifically train in respect of protective behaviours and to implement anti-bullying practices. She was also involved in promoting other personal safety programs;
- g. SCC is in the process of identifying which of the programs previously delivered, will continue to run as a matter of priority, and how SCC can achieve that within the current staffing and case load requirements;³²
- h. when SCC engages external consultants, it attempts to secure the services of those who have worked with Indigenous children and communities in the past and are highly skilled and competent at supporting Indigenous children and their families;³³

³⁰ **Exhibit 45-069** Statement of Amy Bridson, paragraph 55.

³¹ **Exhibit 45-069** Statement of Amy Bridson, paragraph 56.

³² **Exhibit 45-069** Statement of Amy Bridson, paragraph 63.

³³ **Exhibit 45-069** Statement of Amy Bridson, paragraph 64.

- i. a list of programs that SCC has undertaken in 2014-2016 in which Ms Bridson has had an involvement in either developing or delivering is located at Annexure AFB-1 to her statement;
- j. Ms Hayley Chellingworth was trained to deliver the “*Love Bites*” program. Ms Bridson said she believed the program related to domestic and family violence and sexual assault prevention and examined beliefs around domestic violence and sexual assaults, as well as educating students about their legal rights and obligations;³⁴
- k. a Health Week is conducted annually in May whereby programs such as sexual health, anti-violence, healthy relationships and a whole range of health and wellbeing strategies are taught to the students including early help seeking and skills for healthy lifestyles. Outside consultants are brought in to run those programs in addition to programs conducted by the SCC Health and Wellbeing staff;³⁵
- l. a male counsellor conducts a “*young warriors*” program where the senior male students are taught about matters relating to consent and how to develop and engage in healthy relationships with peers;³⁶ and
- m. at the commencement of each year, a program is conducted in relation to the boarding students and issues emphasising getting on with each other are dealt with. There is a refresher at the commencement of each term. As far as Ms Bridson can recall, this was taking place when she was first engaged at SCC.³⁷

93. Mr England explained:

- a. there has been a refinement of the process of dealing with incidents of alleged child sexual abuse including children with sexually harmful behaviours and he now personally signs off all incident reports *prior* to any formal notification to an external agency;³⁸
- b. it is now an expectation for house parents (who report to the Head of Boarding) to hold a Certificate IV in Residential Boarding;

³⁴ **Exhibit 45-069** Statement of Amy Bridson, paragraph 67.

³⁵ **Exhibit 45-069** Statement of Amy Bridson, paragraph 68.

³⁶ **Exhibit 45-069** Statement of Amy Bridson, paragraph 69.

³⁷ **Exhibit 45-069** Statement of Amy Bridson, paragraph 70.

³⁸ **Exhibit 45-052** Statement of Chris England, paragraph 25.

- c. student workshops have been undertaken dealing with matters such as protective behaviours, emotional regulation, bullying and harassment, personal development and cyber safety;³⁹
 - d. early in 2014, the School Executive team rolled out a program called “School Wide Positive Behaviour Framework”. It applied throughout the entire school. Initially there was consultation between parents, students and teachers to identify what was appropriate behaviour and also to identify consequences for behaviour. Following that an action plan was developed to create consistent approaches to behaviour support across the College using the School-Wide Positive Behaviour Support framework (SWPBS). The framework is designed to set out consistent expectations as to what is appropriate in and around SCC;⁴⁰ and
 - e. the purpose of these programs is to instil upon the students SCC’s “3 Rs” – representing Respect, Rights, Responsibility. Students and staff came up with this initiative to promote school wide positive behaviour. In promoting this, students know their rights, respect one another and, by doing so, know their responsibilities. It can promote, among other things, an awareness of sexual boundaries.
94. The current Chair of SCC, Ms Rae said the following steps have been undertaken by the SCC board:
- a. during the period that CCDEU was in Administration, the Boarding houses received significant maintenance and repair works, the boarding staff to student ratio was increased to 1 staff per 15 boarding students and a Head of Boarding was appointed with a requirement they report directly to the Principal;
 - b. a new Principal was also appointed by the Board with an interim strategic plan in mind:
 - i. To investigate and review cost effectiveness of the current boarding model and make recommendations to the College Board.
 - ii. Identify risks associated with boarding services and implement strategies to reduce risk.
 - iii. To evaluate the effectiveness of the current pastoral care and support of Boarders after normal College hours and make recommendations to the Board;

³⁹ Exhibit 45-052 Statement of Chris England, paragraph 29.

⁴⁰ Exhibit 45-052 Statement of Chris England, paragraph 31.

- c. a Chaplain was engaged to attend the school 2 days per week, namely a Uniting Church Aboriginal Minister of the Word who is experienced in working in Secondary Schools.⁴¹
- d. in September of 2013, the “Enterprise Risk Management” (ERM) system was purchased as a business management tool to be the central source for selected on-line forms and policies, compliance tasks, risk register and maintenance in order to improve the risk management capabilities of the school and boarding house;
- e. in September of 2015, three board members including the current and previous Chair accompanied the Principal and Registrar to several remote communities and boarding schools in the Northern Territory in order to better understand the needs and challenges of students and meet with parents and community members;
- f. in September of 2016, the Board Chair accompanied the Principal on a tour of the boarding houses and discussed the possibility of fencing the boys boarding facility and making modifications to the boys boarding structure in order to increase the safety of students;
- g. SCC is currently renegotiating its MOU with the Townsville Aboriginal Islander Health Services which should contribute to the College’s ability to meet the ongoing health-related needs of the students;⁴²
- h. SCC has and continues to deliver a range of culturally-appropriate programs. Some of the courses are ongoing while others depend on the availability of grants;⁴³
- i. installation of cameras in common areas of boarding houses has recently been approved. These are in addition to the cameras in the grounds;⁴⁴ and
- j. in addition to child protection training, boarding house staff receive cultural awareness training, non-violent crisis intervention training, first aid, Indigenous primary health care training, suicide prevention, understanding trauma training, and youth mental health first aid.⁴⁵

⁴¹ **Exhibit 45-073** Statement of Elaine Rae, paragraph 59.

⁴² **Exhibit 45-073** Statement of Elaine Rae, paragraph 64.

⁴³ **Exhibit 45-073** Statement of Elaine Rae, paragraph 70.

⁴⁴ **Exhibit 45-073** Statement of Elaine Rae, paragraph 73.

⁴⁵ **Exhibit 45-073** Statement of Elaine Rae, paragraph 82.

95. Ms Rae said one of the major difficulties in providing additional services and equipment to the school is the cost, as the SCC is totally dependent on government funding.⁴⁶ All of the witnesses for the Uniting Church who provided evidence pointed to this major difficulty.
96. The Deputy Principal, Ms Hindmarsh said the following steps have been undertaken:
- a. protective behaviours program and workshops with students have been conducted in all classes during the last year. SCC currently wants to implement more protective behaviour workshops across the School, but this is dependent upon further funding so that appropriately trained staff can provide the training;⁴⁷
 - b. all staff are aware of indicators which they might observe in the playground or classroom, which in turn enables them to refer their concerns to the Health and Wellbeing Centre for further assistance;⁴⁸
 - c. staff knowledge has improved through engaging external agencies to come in to provide training to staff such as the Department of Communities (Child Safety), Child and Youth Mental Health Services, Head Space and in the past QATSIHWEPAC. Specific child protection training is usually conducted at least once every 6 months. Health and Wellbeing staff have always had training with respect to these matters during their induction;
 - d. through an improved induction process directed by the SCC Board in Term 2 2016, all newly employed staff must complete child protection training as part of their induction process;⁴⁹
 - e. the ISQ on-line training module covers child protection matters and provides specific scenarios dealing with child-to-child sexual abuse and children with sexually harmful behaviours and requires considered thought in terms of what steps should be taken to address such matters;⁵⁰
 - f. as at June 2016:
 - i. Nine child protection training sessions had been provided. 152 staff were trained. The Board directed that all staff are to complete such training prior to engaging in any further shifts.
 - ii. The Health and Wellbeing Centre ran a number of social programs across SCC including:

⁴⁶ **Exhibit 45-073** Statement of Elaine Rae, paragraph 96.

⁴⁷ **Exhibit 45-070** Statement of Cassandra Hindmarsh, paragraph 36.

⁴⁸ **Exhibit 45-070** Statement of Cassandra Hindmarsh, paragraph 37.

⁴⁹ **Exhibit 45-070** Statement of Cassandra Hindmarsh, paragraph 39.

⁵⁰ **Exhibit 45-070** Statement of Cassandra Hindmarsh, paragraph 40.

- Protective Behaviours Program – one session per week over eight weeks which focusses on personal safety with two major themes:
 - “We have the right to feel safe all the time”;
 - “Nothing is so awful that we can’t talk to someone we trust about it.”
- Rock & Water Emotional Regulation Program – one hour per week over 14 weeks uses physical activities to help young boys develop emotional strength for dealing with frustration, fear, anger and difficult situations. Its focus is upon self-control, self-reflection and self-confidence.
- Anti-Bullying (in response to a rise in the number of reported incidents in Term 1, 2016).
- Small group or 1-1 counselling support for perpetrators or victims of bullying, as well as students requiring further support with protective behaviours.
- Emotional Regulation Programs – recognising negative thoughts and strategies for coping (Secondary).
- Human Development (Secondary).
- A Love Bites trial program was facilitated during Week 10 of Term 3 2016 with selected students in Year 10.
- Health Week – a modified Health Week program ran in Week 9 with education sessions targeting:
 - Healthy relationships;
 - Personal development;
 - Alcohol, Tobacco & Other Drugs and Substances Use;
 - Headspace – Early Help Seeking Workshops;⁵¹

g. although SCC’s Social Programs Counsellor has since resigned (Programs started in Term 2 2015 and ceased at the end of Term 2 2016), SCC is currently

⁵¹ **Exhibit 45-070** Statement of Cassandra Hindmarsh, paragraph 45.

working towards how to provide these programs on a continuing basis. This will require additional funding which the organisation is yet to obtain;⁵² and

h. funding submissions were made to the various government agencies for additional staff. Many have been unsuccessful.⁵³

97. Ms Hindmarsh also addressed the resources available through the Health and Wellbeing Centre. She said currently, the Health and Wellbeing Centre consists of the following staff:

- Herself - Deputy Principal and Head of Pastoral Care;
- a nurse;
- a health worker;
- 3 school counsellors;
- an early intervention family support worker;
- a community engagement worker (primary school);
- 2 secondary school liaison officers (one providing support for children with Youth Justice Orders and the other who follows up on student attendance and behaviour in the role of Reflection Room Officer);
- 5 Indigenous tutors/mentors for “*children in care*”, and
- 4 community liaison officers who provide cultural support for all children, although they come from a number of remote communities in Queensland and the Northern Territory.⁵⁴

98. A General Practitioner service operates 4 days per week and is serviced by 3 GPs (external to SCC) and a Paediatrician (2 days per week). These doctors are provided through an agreement with the Townsville Aboriginal and Islander Health Service.⁵⁵

99. In summary, the witnesses for the Uniting Church provided a detailed overview of the policies, programs and measures to provide a safe environment for the students at SCC. In so doing, they acknowledged many students come to SCC with particular vulnerabilities and a high level of health and social needs. The witnesses who have worked at SCC or been involved in the management of SCC over time were candid in highlighting the difficulties. In particular, there have been ongoing challenges to secure appropriate and

⁵² **Exhibit 45-070** Statement of Cassandra Hindmarsh, paragraph 46.

⁵³ See, for instance, **Exhibit 45-070** statement of Cassandra Hindmarsh, paragraph 71.

⁵⁴ **Exhibit 45-070** Statement of Cassandra Hindmarsh, paragraph 5.

⁵⁵ **Exhibit 45-070** Statement of Cassandra Hindmarsh, paragraph 6.

adequate funding to address the multi-factorial issues and needs of the SCC student cohort.

The future

100. The Uniting Church is committed to providing a safe environment for all SCC students. The Uniting Church welcomes any advice and recommendations the Royal Commission makes to address the safety of Aboriginal and Torres Strait Islander children in the boarding environment. The Uniting Church has carefully considered the contributions of the members of the expert panels convened by the Royal Commission on 3 November and 4 November 2016 and continues to take active steps to improve the safety of students at SCC.

Additional Comments and Corrections

101. The Uniting Church notes the following corrections should be made to CA Submissions:
- a. At paragraph 302, CA's Submissions should refer to paragraph 43 of Exhibit 45-073, 'Statement of Elaine Rae' as follows:

“... As a result, the student population encompasses **thirty** different language groups...”
 - b. At paragraph 434, Mr England's evidence given on 3 November 2016 as recorded in the transcript at 22792:28-41 was:

“...because it is not identified **if** it is prevented, but in terms of the numbers of incidents of students that are having sexual contact **with**in the school...”

Initiatives following the Royal Commission hearing

102. Following the public hearing in the Royal Commission, the Uniting Church commissioned an external audit of the boarding houses via Boarding Australia and Boarding Training Australia. Representatives of both organisations attended the College on 30 November 2016 to 2 December 2016 to conduct a site visit and to interview students and staff.
103. Boarding Australia and Board Training Australia have not yet published their report. However, the Uniting Church has continued to consult with these organisations on intermediary measures, such as engaging an Interim Head of Boarding through Boarding Australia for Term 1 of 2017, in order to ensure the staffing model, systems and processes are the best the College can provide, in addition to implementing changes recommended from the review. The interim Head of Boarding has already commenced work at SCC.

104. The Uniting Church will continue to work with Boarding Australia and Board Training Australia to improve and create the safest possible boarding environment for students at the College.

Oral submissions

105. The Uniting Church does not seek to make oral submissions or engage in a further oral hearing in regards to Case Study 45.



Kate Eastman SC



Nathan Jarro

Counsel for the Uniting Church

16 January 2017