

ROYAL COMMISSION INTO INSTITUTIONAL RESPONSES
TO CHILD SEXUAL ABUSE

AT SYDNEY

**PUBLIC INQUIRY INTO
CHILDREN WITH PROBLEMATIC OR HARMFUL SEXUAL BEHAVIOURS
IN SCHOOLS**

– SHALOM CHRISTIAN COLLEGE –

SUBMISSIONS IN RESPONSE ON BEHALF OF EAL AND EAM

INTRODUCTION

1. This aspect of Case Study 45 inquired into the response of Shalom Christian College ('Shalom') to the serious sexual assault of a student, CLF, by a number of male students and / or boarders at Shalom on 23 March 2006.
2. CLF's mother, EAL, and her father, EAM, gave evidence before the Royal Commission on 2 November 2016.
3. EAL and EAM substantially adopt the submissions made by Counsel Assisting the Royal Commission ('Counsel Assisting').
4. In particular, they endorse the submission of Counsel Assisting at paragraph [310] that the uncontested evidence of EAL and EAM should be accepted. They further submit that where their evidence differed from that of school officials on particular points, their evidence should be preferred.
5. They submit that, for the reasons that follow, the findings relating to themselves and their daughter CLF require amplification.

EVIDENCE

6. EAL is from a small Aboriginal community in central Queensland. She is a representative of the Aboriginal people of that community and has lived there most of her life.¹ EAM is a descendant of Aboriginal people who lived in areas of north Queensland. EAL and EAM are married and have three children together.² CLF is their daughter.

¹ Transcript of EAL, C22648:14-16 (Day C223).

² Transcript of EAM, C22665:27-31 (Day C223).

7. In early 2006, CLF commenced as a boarding student at Shalom in Townsville, a significant distance from her family and community. EAM gave evidence that he was initially reluctant for her to enrol in a boarding school setting. He was eventually persuaded, and came to believe that CLF would get a better education at Shalom and that, being an indigenous school, it would be good for her culturally.³ EAL had similar beliefs and expectations.
8. EAL and EAM accept the summary of their evidence by Counsel Assisting at paragraphs [311]–[330] and [331]–[346] respectively.
9. As foreshadowed above, there were several points on which the evidence of EAL and EAM differed from that of the principal of Shalom at the time, Mr Chris Shirley, and the school counsellor, Ms Amy Bridson (at the relevant times known by her maiden name, Amy Benjamin). It is respectfully submitted that on those points of conflict, the evidence of EAL and EAM should be preferred.

SUBMISSIONS

Available Finding 16 and Available Finding 17

10. EAL and EAM endorse Available Findings 16 and 17 as suggested by Counsel Assisting but submit that Available Finding 17 should be expanded as follows:

Mr Shirley failed to ensure that the complaint made by CLF that she had been sexually assaulted on 23 February 2006 was accurately recorded in Shalom's Child Protection Incident Register, and that CLF received appropriate care and support following the reported incident.

Mr Shirley further failed to report the complaint made by CLF that she had been sexually assaulted on 23 February 2006 to the Child Safety Office and / or the Juvenile Aid Bureau. These failures were in contravention of school policy, and of Mr Shirley's recording and reporting obligations under Queensland law.

11. The documents before the Royal Commission make clear that the relevant incident was initially recorded and reported as one of 'sexual abuse' by the houseparent Janice Binsiar on 1 March 2006.⁴ However, it was entered into the Child Protection Incident Register as an incident of 'inappropriate behaviour'.⁵ There was no adequate explanation before the Royal Commission as to why this re-classification occurred. It had significant

³ Transcript of EAM, C22665:42-47 (Day C223).

⁴ Ex 45-050 Shalom Tender Bundle, Tab 12: Child Protection Form signed by Janice Binsiar – CLF and a male student – incident of 23 February 2006, SCC.006.001.0008_R.

⁵ Ex 45-050 Shalom Tender Bundle, Tab 25: Shalom Christian College Child Protection Incident Register, SCC.501.01.069_R.

consequences for the further reporting of the incident, and for the provision of appropriate care and support to the affected student.

12. The re-classification of the incident as one of 'inappropriate behaviour' was contrary to the view formed by Ms Binsiar, who received the first-hand complaint. It was also contrary to the contents of Ms Binsiar's report, which described non-consensual touching of the breasts and genitalia of a student who was left 'scared' and 'ashamed'.⁶ It is submitted that the incident could only be properly classified as one of sexual abuse.
13. Mr Shirley, in evidence, said that whilst he had no recollection of receiving the report, the only reasonable inference is that he did receive it on 1 March 2006.⁷ The report records that it was 'forwarded to principal 1/3' and a version of the incident was entered in the Child Protection Incident Register. Given the contents of the report, it is submitted that CLF's complaint should have been communicated to the Child Safety Office and / or the Juvenile Aid Bureau as soon as practicable.
14. Mr Shirley gave evidence that the details of the report would have been entered into the Register by another staff member, and noted a number of inaccuracies apart from the classification of the incident.⁸ However, Mr Shirley was responsible for receiving Ms Binsiar's report, and acting on the basis of that report (and not on the basis of the Register). The action that he was required to take was notification to the Child Safety Office and / or the Juvenile Aid Bureau. This did not occur, due to the allegation having been 'down-graded'.
15. It is therefore submitted that the reclassification of the incident as one of 'inappropriate behaviour' was unjustifiable, and should not have occurred. Mr Shirley, as the principal, was responsible for ensuring the accuracy of the Register, and in this instance did not do so.
16. Given that Mr Shirley had received a report from a houseparent in the appropriate format of an incident of 'sexual abuse', it is submitted on behalf of EAL and EAM that Available Finding 17 should be expanded to include the fact that the failure to report the allegations to the Child Safety Office and / or the Juvenile Aid Bureau was in breach of the policy operating at Shalom at the time.⁹ It is noted that such a policy (including, specifically, the implementation of processes for reporting by principals to relevant State authorities) was required by the state legislation then applicable to independent schools.

⁶ Ex 45-050 Shalom Tender Bundle, Tab 12: Child Protection Form signed by Janice Binsiar – CLF and a male student – incident of 23 February 2006, SCC.006.001.0009_R.

⁷ Transcript of C Shirley, C22742:19-24 (Day C224).

⁸ Transcript of C Shirley, C22766:20-22 and C22768:4-8 (Day C224).

⁹ Ex 45-050 Shalom Tender Bundle, Tab 1: Shalom Christian College – Child Protection Policy, SCC.620.001.163, p 9-10.

17. Further, there was no evidence before the Royal Commission as to any steps taken to provide care and support to CLF in consequence of this incident. Given that the report included the details that CLF was 'scared' and 'ashamed' in the context of the incident, and of the awareness of the incident by her peers, there was a high degree of necessity to ensure that counseling or other forms of support be made available to her. It was foreseeable that CLF would be vulnerable to greater harm if that support was not provided. EAL and EAM submit that Shalom and Mr Shirley failed in their duty of care to CLF by not taking steps to ensure that she received, or was enabled to receive, appropriate support for sexual abuse and bullying.
18. It was also necessary to ensure that information about the incident and its effect be shared with, or made available to, staff or external service providers who might in the future provide counseling to the student. In this connection, EAL and EAM note and adopt Counsel Assisting's submissions to the effect that information held by the school in relation to CLF was not reconciled or coordinated. Amy Bridson gave evidence that she had not been made aware of the report of the 23 February 2006 incident;¹⁰ it follows that neither she, nor other staff or external care providers, had taken it into account when assessing CLF's presentations and representations in March 2006. EAL and EAM submit that Shalom and Mr Shirley failed in their duty of care to CLF by not taking steps to ensure that relevant staff were aware of a reported incident of sexual abuse and bullying, including information about the effects of that incident upon CLF.
19. One consequence of that process failure was that various staff at the school continued to take a pejorative and dismissive view of CLF. Without knowledge of the 23 February 2006 incident, staff lacked a proper context for the assessment of CLF's care and support needs in early 2006. It appears, on the whole of the evidence, that various staff at Shalom had formed a view of CLF which was generally negative and, notwithstanding the short time that she had been enrolled at the school, was relatively inflexible in the face of new and conflicting information. The view that CLF was an unreliable complainant, and tended to engage in delinquent behaviours, including as an 'instigator' of bullying, appears to have been promoted by some staff to others, and to have affected the school's response to the subsequent incident on 23 March 2006. The following points are noted:
- a. Staff at the Health and Wellbeing Centre were aware of a pattern of CLF presenting with repeated medical complaints, and were made aware by external medical professionals that she was experiencing somatic symptoms of acute stress.¹¹

¹⁰ Transcript of A Bridson, C22690:25-45 (Day C223).

¹¹ Ex 45-050 Shalom Tender Bundle, Tab 15: Health & Wellbeing Centre – Medical Attendances (no appointment) – CLF from 15 February to 24 March 2006, SCC.006.001.0027_R.

- b. A staff member to whom CLF disclosed that she was a victim of bullying and felt unsafe at school noted that he had been advised by Ms Bridson and Sandy Hindmarsh that CLF was an instigator of bullying.¹²
- c. When Ms Bridson interviewed CLF on 27 March 2006, she noted both CLF's disclosure of bullying and feelings of unsafety, as well as her history of acute stress symptoms. Despite these indicia of vulnerability, the focus of the interview as recorded by Ms Bridson was the perceived need for CLF to effect change in her own behaviours (particularly with regard to her relations with female peers), and to lose weight.¹³ Although CLF's reluctance to disclose sexual abuse was a factor, the course of the interview was evidently influenced by Ms Bridson's concerns and preconceptions. The interview was a missed opportunity to identify serious bullying and two incidents of sexual abuse as stressors affecting CLF.
- d. Following the report of the 23 March 2006 rape, it appears that Mr Shirley communicated to DCS that CLF was an unreliable complainant ('presenting with problems that are then proven not to be true').¹⁴ The communication, as reported to the Queensland Police Juvenile Aid Bureau, was that there had been 'nil complaints ... at this stage', and did not describe non-consensual sexual activity. This suggests that Mr Shirley had not taken seriously the content of CLF's complaint of 28 March 2006. Given the short time that CLF had been at the school, it is likely that the source of Mr Shirley's impressions of her was Sandy Hindmarsh or Amy Bridson.
- e. When Mr Shirley met with CLF's parents to discuss her complaint of rape, he communicated to them that CLF had sought out sexual relationships with boys and had a tendency to become involved in 'fights' with her female peers. The impression of EAM and EAL was that he was expressing a pejorative view of CLF.¹⁵

20. It is further submitted that the failure of the school to provide any support or response to CLF following her complaint on 26 February 2006 would have

¹² Ex 45-050 Shalom Tender Bundle, Tab 19: Behaviour Communication Form by P Wallace in relation to CLF, SCC.006.001.0010_R.

¹³ Ex 45-050 Shalom Tender Bundle, Tab 16: Health and Wellbeing Centre Initial Assessment – CLF, SCC.006.001.0032_R; Tab 17: Health and Wellbeing Centre Record of Interview – CLF, SCC.006.001.0030_R.

¹⁴ Ex 45-050 Shalom Tender Bundle, Tab 20: CREWS (Queensland Police records) entry – notice from Jenny Perkins (CSO) in relation to an incident reported by the Principal of Shalom College, QLD.0137.001.0988_R.

¹⁵ Transcript of EAL, C22651:16-19 (Day C223); Transcript of EAM, C22668:20-29 (Day C223).

contributed to her reluctance or discomfort with complaining to school staff following the much more serious sexual assault on 23 March 2006.

21. In this respect, EAL and EAM refer the Commission to the following evidence of Dr Wendy O'Brien on 20 October 2016 in response to a question by Counsel Assisting about the extent to which institutions should rely upon students' self-reporting when they have been the subject of harmful behaviours:

*'I don't think it's reasonable for us to expect that a child, who by definition is characterised by their relative developmental immaturity ... so it's unreasonable for us to expect that a child, and a traumatised child, that is operating within a culture that would be placing strictures around their capacity to report, it's not reasonable for us to place all of the responsibility for reporting on to a child's shoulders. What we need to do, instead, is to create environments in which, firstly, all children's voices are valid, so that's validating children's voices across the board, not just with regard to sexual assault. So if it's a hierarchical culture in which children are provided with very small windows in which they can speak, and if they say something that doesn't accord with the expectations of the adults in the room, they they're ridiculed or made to feel that their voice isn't valid, then children are going to be much more reluctant to speak in general and that impacts adversely on a child's development as well. So the culture needs to be one that is attuned to a child's wellbeing in a holistic sense.'*¹⁶

22. Mr Shirley gave evidence that many students at Shalom presented with a history of sexual and physical abuse.¹⁷ Both the November 2010 review of boarding services at the school,¹⁸ and the 2011 KPMG report into the delivery of health services,¹⁹ highlight the high rate of health and social issues amongst the student body at Shalom, including 'weekly' disclosures of sexual abuse or inappropriate sexual behaviour. The evidence given consistently before the Royal Commission was that school and its staff lacked the resources to deal with these issues. It is submitted that this contributed to an environment in which students' concerning behaviours were accepted as normal, and their concerns were not taken seriously or given proper attention.

¹⁶ Transcript of W O'Brien, C21658:24-45 (Day C215).

¹⁷ Ex 45-051, Statement of Christopher Shirley, STAT.1222.001.0001_R at [19]–[20].

¹⁸ Review – Boarding Services – Shalom Christian College – November 2010, SCC.209.002.001 (Annexure J to Ex 45-071, Statement of Stephen Lloyd Thompson, STAT.1139.001.0001_R).

¹⁹ Congress Community Development Education Unit – Innovative Service Model for Health Interventions in Indigenous Schools – Final Report, STAT.1127.001.0019 (Annexure C to Ex 45-072, Statement of Shayne Francis Blackman, STAT.1127.001.0001_R).

Available Finding 18

23. The evidence before the Royal Commission clearly revealed that Shalom did not notify EAL and EAM of the sexual assault against CLF on 23 February 2006. EAL and EAM accordingly endorse the proposed Available Finding 18 suggested by Counsel Assisting.
24. As set out above, they submit that during the transfer of this notification from the houseparent, Ms Binsiar, to the principal, Mr Shirley, the allegation appears to have been 'down-graded'.
25. EAL and EAM submit that the failure to notify them of the incident on 23 February 2006 was a serious failing on behalf of Shalom and that this should be reflected in the findings of the Royal Commission.
26. EAL and EAM again draw the Commission's attention to the expert evidence given by Dr O'Brien on 20 October 2016:

*'It's then important that parent and caregivers are made aware of what has occurred and that needs to occur immediately, and there are many reasons for this, but amongst these is the fact that the child will be seeking the support of the person that perhaps they are closest to. So a child that is newly traumatised should not be severed from their closest natural supports, which are their parents, so reporting to parents in a respectful, calm way is something that needs to occur.'*²⁰

27. EAL and EAM are concerned that the failure to notify them of this incident is reflective of a broader cultural tendency within Shalom at the time to not engage with parents of students.
28. EAL gave evidence of taking CLF to Townsville at the end of January or beginning of February in 2006. Both she and EAM assumed that she would be invited to attend the school as part of CLF's orientation. EAL gave evidence that instead a houseparent from Shalom came to the hotel to pick up CLF.²¹ EAL testified that she was getting ready to go along but was told by the houseparent, 'Oh, no, we just pick up the student and take them back.' She thought that it was strange not to be invited to the school and had assumed there would be an orientation of the school, and that she would meet the principal and teachers.²²
29. EAL and EAM submit that the failure to engage with them, as parents, at the commencement of CLF's enrolment at the school is an indication of the culture at Shalom at the time.

²⁰ Transcript of W O'Brien, C21663:15-23 (Day C215).

²¹ Transcript of EAL, C22648:43-C22649:11 (Day C223); Transcript of EAM, C22666:4-14 (Day C223).

²² Transcript of EAL, C22649:3-11 (Day C223).

30. Ms Bridson provided a supplementary statement to the Royal Commission in which she stated that it was 'has been normal practice for some time' that parents are shown around the school grounds on the first day and that they are able to sit in on classes and dine with their child.²³ It is noted that Ms Bridson was not in a position to give direct evidence as to whether EAL was offered an orientation of the school. Further, Ms Bridson's evidence in 2016 as to a practice that had then been in existence 'for some time' does not afford an inference as to the practice in 2006. EAL had no reason to misrepresent her evidence. Both she and EAM were highly engaged in CLF's education, and concerned about her attending a boarding school. Both expressed surprise at not being provided with an orientation. Their evidence on this point should be preferred.
31. Moreover, Ms Bridson has an unreliable recollection of the condition of the school's grounds and facilities in 2006 (which both EAL and EAM inferred to be part of the reason for the school's failure to engage them in CLF's orientation). Ms Bridson stated that the grounds were 'well maintained' and 'never overgrown'.²⁴ Her evidence on this point is inconsistent with the descriptions and photographic evidence in the November 2010 review of boarding services at the school.²⁵ That report noted extensive maintenance and cleanliness issues, both internal and external (including infestation with vermin and overgrowth of grass and weeds). Many of the maintenance issues bore directly upon the security of the boarding houses.
32. The condition of the school grounds and facilities, as set out in the November 2010 review, is consistent with the evidence of EAL and EAM as to their observations on attending the school on 2 April 2006. EAM supposed that the school had not engaged EAL in the orientation process due to the condition of the grounds and boarding facilities. The November 2010 review lends support to that inference.
33. There were other indicia of a lack of transparency and engagement with EAL and EAM as CLF's parents. Following the revelation of the sexual abuse of CLF at the end of March 2006, when EAL and EAM attended the meeting with Mr Shirley on 5 April 2006, they were informed that there had been a series of behavioural concerns with respect to CLF.²⁶ EAL and EAM both testified that they were upset by the lack of communication from the school. EAM stated in his evidence, 'Before the call from Shalom about CLF being raped we had not received any calls about her behavior – not even about her having a fight – and here is the principal saying she had been involved in sexual incidents and violence.'²⁷

²³ Ex 45-049 Supplementary Statement of Amy Frances Bridson, STAT.1217.002.0001 at [4].

²⁴ Ex 45-049 Supplementary Statement of Amy Frances Bridson, STAT.1217.002.0001 at [6].

²⁵ Review – Boarding Services – Shalom Christian College – November 2010, SCC.209.002.001 (Annexure J to Ex 45-071, Statement of Stephen Lloyd Thompson, STAT.1139.001.0001_R).

²⁶ Transcript of EAL, C22651:Transcript of EAM, C22668:20-29 (Day C223).

²⁷ Transcript of EAM, C22668:25-29 (Day C223).

34. It is again submitted that the failure to communicate with EAL and EAM about concerns regarding CLF's behaviour at the school is reflective of a culture at Shalom at the time of ineffective engagement with parents.

Available Finding 19

35. EAL and EAM adopt this finding as set out in the submissions of Counsel Assisting, and note in particular the school's failure to accurately record and report the details of the sexual abuse incident experienced by CLF on 23 February 2006, and the effect of that incident upon her; and the related failure to make relevant support staff aware of that incident. EAL and EAM also note the school's failure to act upon repeated indicia of CLF's distress and vulnerability (including her representations to staff members that she felt unsafe, and her presentation with psychosomatic symptoms of stress).
36. As submitted previously, the failure to coordinate the relevant information is indicative of an environment in which students' concerning behaviours were accepted as normal, and their concerns were not taken seriously or given proper attention. In addition, Shalom's capacity to synthesise information of this kind in relation to individual students was limited by the under-resourcing of the school generally, and of counseling services in particular.
37. The result in CLF's case was that the school's response to her complaint on 28 March 2006 was affected by the preconceptions that she was an unreliable complainant and a student who engaged in delinquent or inappropriate behaviours. As happened with the February incident, staff at the school appear to have found it difficult to recognise CLF's complaint as one of sexual abuse as opposed to inappropriate behaviour. For example, the notes of CLF's meeting on 28 March 2006 with Chris Adebahr and Gwen Johson, quite clearly record the disclosure of a rape. In particular, the note records CLF having been *forced* to perform oral sex [emphasis added].²⁸ However, the staff who prepared the notes describe the disclosure as a 'confession' on the part of CLF.
38. Similarly, and as noted above, Mr Shirley appears to have communicated to DCS on 29 March 2006 that there had been 'nil complaints ... at this stage', and did not describe non-consensual or coercive sexual activity.²⁹ He also expressed the impression that CLF was an unreliable complainant.
39. It is therefore submitted that there was a failure to reconcile and coordinate the various items of information referred to in this Available Finding, and that

²⁸ Ex 45-050 Shalom Tender Bundle, Tab 18: File note of meeting between CLF, Chris Adebahr and Gwen Johnson, SCC.045.002.006_R.

²⁹ Ex 45-050 Shalom Tender Bundle, Tab 20: CREWS (Queensland Police records) entry – notice from Jenny Perkins (CSO) in relation to an incident reported by the Principal of Shalom College, QLD.0137.001.0988_R.

this failure affected Shalom's capacity to respond sensitively and appropriately to CLF's complaint.

Available Finding 20

40. EAL and EAM submit that Available Finding 20 as suggested by Counsel Assisting should be particularised to include the following:

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 culturally appropriate care, including engaging external support services for CLF, by:

- a. Transporting CLF to the Crystal Creek campus, which was commonly used for students with behavioural issues, without thought as to how this might be perceived by CLF.³⁰*
- b. Failing to provide appropriate counselling or psychological services to CLF between 28 March 2006 and 2 April 2006.³¹*
- c. Failing to arrange for or provide support from an indigenous liaison officer, particularly in relation to CLF's engagement with police.*

Available Finding 21

41. By the time CLF and her family departed from Townsville in early April 2006, EAL and EAM had met with or spoken to a number of staff and board members of Shalom. Those persons were not only aware of the stress and distress caused to CLF by the sexual assault on 23 March 2006, but also of the secondary stress and distress caused to EAL and EAM. Both Mr Shirley and Ms Bridson stated that EAL and EAM were upset and angry, both as a result of the incident and the school's handling of it.

42. In this context, it was to be expected of a school in Shalom's position that it would offer continuing support to EAL and EAM, and would maintain communication with them. This did not occur. It can be inferred that the failure to provide continuing support to CLF and her family resulted in a worse experience of the effects of the sexual abuse that occurred to CLF whilst she was in the care of Shalom.

³⁰ See for example transcript of A Bridson, C22715:25-C22716:7 (Day C223).

³¹ See for example transcript of C Shirley, C22762:10-C22763:43 (Day C224); and transcript of A Bridson, C22713:14-C22715:23 (Day C223).

43. EAM further gave evidence that when they returned home from Townsville with CLF, he wrote a letter to the Queensland Diocese about what had happened to CLF and how Shalom had handled the matter. He received no reply, either from the Diocese, the Uniting Church in Australia or the Uniting Aboriginal and Islander Christian Congress.³²
44. It is submitted that Available Finding 21 should be expanded to include the fact that there was no support offered by the school or the associated governing bodies of the Uniting Church in Australia to CLF or her parents after she left Shalom. It should further be expanded to include the fact that this failure resulted in a worse experience of the effects of the sexual abuse that CLF had experienced at Shalom.

Available Finding 22

45. The evidence before the Royal Commission clearly demonstrated that the adequacy of resources at Shalom was a significant issue in 2006 and remains an issue to the present day.
46. Successive principals had made representations to government and funding bodies for further resources to be made available to the school.
47. EAL and EAM described arriving at the school on 2 April 2006 and made observations as to the physical condition of the school.
48. Ms Bridson, in her supplementary statement, presented a contradictory picture. She speculated that Cyclone Larry has recently crossed the tropical North Queensland coast and that that the area where Shalom is located had been affected by storm damage. She produced photographs which she asserted were taken in 2006.³³ It is respectfully submitted that this explanation does not account for the description given by EAL and EAM of hip-height grass, classrooms run down with graffiti, broken and barred windows, rubbish floating in drains.³⁴ As noted previously, the condition of the school grounds as set out in the November 2010 review of boarding services was consistent with this description. The boarding environment described by that review was not only unclean, it was also unsafe – the issues noted including recurrent damage to door locks, frames and handles, and a ‘desperate’ need for external lighting (including working security sensors).³⁵

³² Transcript of EAM, C22671:21-27 (Day C223).

³³ Ex 45-049 Supplementary Statement of Amy Frances Bridson, STAT.1217.002.0001, [7]–[8].

³⁴ Transcript of EAL, C22650:44-C22651:3 (Day 223); Transcript of EAM, C22667:29-31 (Day C223).

³⁵ Review – Boarding Services – Shalom Christian College – November 2010, SCC.209.002.001 at SCC.209.002.027–029 (Annexure J to Ex 45-071, Statement of Stephen Lloyd Thompson, STAT.1139.001.0001_R).

49. The absconding of students from the boarding houses, such as occurred on 23 March 2006, also indicates that the supervision of boarding students was not adequately resourced. EAL and EAM submit that the provision of counseling services was another area of resourcing shortfall.
50. The current principal of Shalom, Mr Christopher England, conceded that the school could not provide a safe environment for boarding students at current funding levels.³⁶ Given the incidence of concerning and abusive behaviours amongst the student population at Shalom, it is submitted that the provision of insufficient funding and resources to the school increases the risk that students such as CLF will be affected by those behaviours.

Dr Michael FitzGerald
Counsel for EAL and EAM
17 January 2017

³⁶ Transcript of C England, C22798:3-C22799:22 (Day C224).