About the Author

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About Child Wise

At Child Wise, we believe that the abuse and exploitation of children is unacceptable and that it can and should be prevented. By creating child safe organisations and communities, we act to prevent, reduce, and minimise child abuse and exploitation in all their forms.

Our programs are child-focused, award-winning and informed by a fundamental belief that children have the right to physical and psychological safety. The United Nation’s ‘best interest of the child’ principle inspires all our work to prevent child abuse and exploitation. We do this through:
- Policy Development & Child Safe Organisation Certification
- Comprehensive Training Programs
- National Child Abuse Helpline
- Child Rights Advocacy

Child Wise’s National Child Abuse Prevention Model combines these elements to provide the benchmark for child safe organisations. Underpinned by the ‘12 Standards for a Child Safe Organisation’, this model employs situational crime prevention techniques and elements of the public health model to protect children from the risk of abuse.

We all have a moral duty of care to ensure children are safe from harm. We must act now to make child abuse a thing of the past.
Executive Summary

Child Wise’s *Issues Paper 3 – Child Safe Organisations* Submission reflects our work over twenty years in creating child safe organisations and communities. It details the characteristics of a child safe culture and how one can be achieved through the application of Child Wise’s 12 Standards for a Child Safe Organisation. These Standards are based on the principles of situational crime prevention, and on a public health approach to child abuse prevention.

This submission assesses the research, theoretical, and experiential evidence to justify the creation and implementation of the Standards. It also identifies aspects of our understanding of child abuse that require further research. The submission includes the outline of a pilot program for a ‘child safe organisations’ accreditation system.

Child Wise recommends that a national approach to child abuse prevention be developed. As detailed in this submission and its recommendations, this should include:

- A National Child Abuse Prevention Strategy,
- A new, independent body called ‘Child Safe Australia’ to oversee organisations and institutions that come into contact with children,
- A set of enforceable National Child Protection Standards, and
- An accreditation and compliance system overseen by new State and Territory Regulatory bodies, whereby organisations and institutions with a duty of care towards children are required meet the National Standards and to be independently assessed.

This submission includes a number of supplementary recommendations that are beyond the scope of inquiry for the Royal Commission, but that Child Wise believes are integral to the prevention of child abuse within organisations.
Recommendations

That children's rights must be given equal or greater weight than adult rights because children are the vulnerable party and it is to them that adults owe an obligation of care. All decisions made should be in 'the best interests of the child'.

That there be National Child Abuse Prevention Strategy (NCAP Strategy) to provide a uniform approach to child abuse prevention in organisations and institutions.

That the Federal Government establish ‘Child Safe Australia’ - an independent national body to implement the NCAP Strategy.

That ‘Child Safe Australia’ develop a Model Act (Legislation) to harmonise child abuse prevention across all States and Territories.


That ‘Child Safe Australia’ establish industry specific regulations and requirements based on the National Child Abuse Prevention Standards.

That ‘Child Safe Australia’ implement and oversee a National Working With Children Check Scheme.

That ‘Child Safe Australia’ establish a Central Reporting Mechanism for incidents of child abuse within organisations.

That ‘Child Safe Australia’ develop a standardised training and accreditation system for all people and professions who work with children, incorporating mandatory training in understanding child abuse.

That ‘Child Safe Australia’ be responsible for and run community awareness campaigns on child abuse prevention.

That ‘Child Safe Australia’ be responsible for harmonising child protection approaches across all States & Territories.

That the States & Territories establish ‘Child Safe’ Regulatory bodies responsible for ensuring organisational accreditation and compliance with the National Child Abuse Prevention Standards.
That State & Territory approaches to child protection should prioritise primary and secondary interventions – preventing child abuse before it happens, and early interventions for vulnerable children. This should be in line with the Australian Research Alliance for Children & Youth’s recommendations in *Inverting the Pyramid: Enhancing systems for protecting children*.

That organisations and institutions are required to comply with National Standards through preventative and reactive monitoring systems.

That all organisations and institutions are required to be accredited by their State or Territory Regulatory Body and that this be tied to insurance/regulatory enforcement.

That organisational representatives be required to update their training and understanding of child abuse prevention on a regular basis.

That organisational management and its executive be required to participate in regular training on ‘child safe organisations’.

That organisations and institutions be required to nominate a Child Safety Focal Point (or Team) to ensure the organisation or institution comply with National Standards.

That further research be conducted into child abuse within organisations in the areas of: prevalence, characteristics, and awareness.

That a pilot program be established to assess the efficacy of an accreditation scheme for organisations with a duty of care towards children.

That all people who work at organisations with a duty of care towards children are required to be mandatory reporters.

That mandatory reporting legislation be harmonised across all States & Territories.
Submission

Introduction

The sexual abuse and rape of children is a violation that strikes at the core of our humanity. Children are trusting, children are vulnerable, and children rely on adults for support and care. When this innocence is violated, the impact on a child’s development is immense. When this trust is breached, we are diminished as a society.

At the root of the word ‘care’ is an old Germanic term, charon. It means ‘to grieve’. For too long, organisations and institutions of care have been sites of grief – where the perpetration, the denial, and the covering up of child sexual abuse have taken place. The link between care and grief forged through the abuse of children in our organisations and institutions has torn at the fabric of the trust we grant them.

That children have suffered sexual abuse and rape in organisations charged to nurture and care for them is a terrible crime. That these forms of abuse are continuing to occur is appalling and deeply unsettling – innumerable Inquiries and reports within and outside of Australia have recommended sweeping changes to the way we ensure the protection of children within organisations, to little avail. Governments have been tinkering at the edges of something that requires radical restructuring.

The failure to act to prevent the abuse of children is a blemish that future generations will look back upon with horror – we have the chance to fundamentally change the way we prevent child sexual abuse, and yet when asked, people view the issue as less important than council rates or petrol prices (ACF, 2009).

Society’s attitude to child abuse in organisations has at its core an ‘either/or’ proposition (Westcott, 1991). The family is rightly seen as the primary site of care for the child and if it fails to fulfil this obligation, the state fulfils it on their behalf. In this paradigm abuse is seen to lie within the family context and the family is the source of maltreatment. Institutional care is then viewed as always better than a dysfunctional family environment – once an institution is perceived as a better form of care for a child, few questions are raised about the systems of that institution (Rindfleisch & Rabb, 1984).
The presumption that safe environments exist is not limited to institutions for permanent care – it extends to all organisations that work with or care for children. We ensure that accounting agencies and banks are certified and regulated to conduct their work; we demand little or no such reassurance of many organisations or individuals entrusted with the supervision of our children.

There is no comprehensive independent certification, assessment, or monitoring of organisations – children could be permitted to hike overnight, be driven to sporting events, or attend extended school camps. That these activities take place is perfectly acceptable; that they take place with inadequate safeguards should be considered criminal.

We know that there are characteristics that institutions and organisations can embody that directly enable and facilitate the sexual abuse of children by offenders. The very structure of some institutions and organisations predisposes them to cultures of secrecy, powerful hierarchies and unquestioned authority, poor or unsuitable policies and procedures, ignorance, fear, denial, and complacency. It is the culture of the organisation, and the environment it provides, that allows for the abuse of children to take place.

This submission is not a call to ban any children’s activities or programmes – they are an essential part of a child’s development and provide valuable and meaningful services to society. By far the majority of organisations, carers, staff, and volunteers working with children are safe and mean well. It is also recognised that most incidents of child sexual abuse occur outside of the organisational context – in the home, within families and their extended environments.

However it is known that sex offenders, both opportunistic and committed, target organisations to access children. It must also be acknowledged that children and young people are perpetrators of abuse against other children. Organisations must take steps to protect children in their care, and they must be provided with a regulatory environment in which to do so.

The UN Convention on the Rights of the Child states that ‘in all actions concerning children...the best interests of the child shall be a primary consideration.’ It requires State Parties to ‘ensure the child such protection and care as is necessary for his or her well-being’ and ‘ensure that the institutions, services, and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities’ (United Nations, 1989).
Child Wise believes there must be a National Child Abuse Prevention Strategy, one that embodies the principles of situational crime prevention. This requires that the situations in which child abuse can occur are identified – situational crime prevention does not aim to change offenders in any permanent way, but rather to eliminate or reduce their inappropriate behaviour in prescribed settings (Smallbone, Marshall & Wortley, 2008).

In this approach the crime event is the focus, not the criminal. Authorities should, of course, be provided with greater funding and better tools for therapeutic and justice interventions for child abusers. Yet it is beyond the ability of any organisation to manage individual criminal behaviour in this manner – for organisations, the focus must be on creating safer environments for children: through external regulation and oversight, and through internal systems and processes, policies and procedures, risk management and screening.

The current State and Territory based approach to child protection and children’s organisations is untenable. If individual States or Territories offered different levels of services or protections to dementia patients, cancer sufferers, or assault victims, people would cross state borders to access better provisions. Yet as a society there is no outcry that from one state to the next, child protection services, or the requirements for children’s organisations, may be radically different.

The obligations we hold towards our children demand that this cannot continue – there must be a national approach to protecting children, one that requires organisations and institutions to meet enforceable and effective national standards for child abuse prevention.

Child sexual abuse is rarely isolated – it can be seen as sitting on a continuum. There is little research in this area, but it seems clear that rarely is a child affected by only one form of trauma from abuse – abuse types are co-occurring – physical abuse entails emotional abuse/damage; sexual abuse has often been preceded by physical abuse or neglect. This is not just the trauma of physical or sexual abuse creating emotional damage – abuse most often comes from someone the child knows or is close to. That fundamental violation of trust can severely damage their emotional and cognitive development. It is also obvious that children who have been exposed to other forms of abuse become far more vulnerable to sexual abuse.
This is why Child Wise’s recommendations for creating child safe organisations do not focus solely on preventing the sexual abuse of children – all forms of abuse have terrible impacts upon children, all forms of abuse must be prevented. When considering the remit of the Royal Commission, and how Child Wise would respond, we decided that providing recommendations only discussing child sexual abuse would be inappropriate – it does not cover all aspects of harm that can occur to children in an organisational context. Furthermore, the mechanisms required to prevent child sexual abuse are essentially the same as those for other forms of abuse – strong systems and policies to create a child safe organisation.

Child Wise has been privileged to contribute to the prevention of child abuse and exploitation over 21 years, and our experience, knowledge, and practice has been harnessed to support our submission. Yet there are many organisations that work to improve the rights and lives of children within Australia; each has experience and specialities that inform the wider discourse. We recognise they have influenced our own knowledge and practice, and commend their work to the Commissioners.

Children’s rights must be given equal or greater weight than the rights of adults, for children are the vulnerable party and it is to them that adults owe an obligation of care. The conditions for child sexual abuse to take place still remain – the failure to protect the most vulnerable members of our society from heinous acts of violation and abuse is a shocking crime.

It is also preventable. There can be no more excuses. We must act to prevent child abuse, to protect children, and to build child safe organisations, and we must do it now.
**Section 1  The Essential Elements of a Child Safe Organisation**

**Introduction**

The _silence and secrecy_ that traditionally surrounds public discussion of child sexual abuse is also what allows it to continue – organisations which are closed, secretive, and are not transparent provide the environment for child sex offenders to operate. The lack of understanding, of knowledge, and of awareness around child sexual abuse leads to a culture of fear and denial, where offenders and groomers can exploit uncertainties and access vulnerable children.

Child Wise established the ‘12 Standards for a Child Safe Organisation’ (the Standards) to create a framework for building open, transparent, and accountable organisations. If fully adopted, the Standards will act to combat those barriers to establishing a child safe organisation – fear, denial, a lack of resources, complacency, and an entrenched culture.

The Standards employ situational crime prevention tools to create environments that are ‘child safe’ – the aim of a ‘child safe organisation’ should be to create a culture and environment where abuse is unable to take place. The Standards aim to prevent, minimise, and end child abuse in an organisational and institutional context.

Recognising that there is no fool-proof system for the complete prevention of all forms of abuse, the Standards incorporate elements of public health interventions to prevent the abuse of children, minimise the risk of abuse by heightening the likelihood that abuse will be detected, and to reduce the long term impacts of abuse on children.

Child Wise believes that these Standards should be adopted by the Federal Government as part of a National Child Abuse Prevention Strategy. Just as all organisations are expected to meet Occupational Health and Safety standards through OHS regulations (i.e. WorkCover), organisations with a duty of care for children should be expected to meet standards for their protection and care.

These Standards are the overall requirements that will ensure child safe organisations, and they should guide all decisions in this area. When determining how they should be implemented across sectors and industries, they should be further refined to address specific needs. This is detailed in Section 4 of this submission.
Organisations or institutions that have a duty of care for children and that should be required to meet the Standards and to become ‘child safe’ should be defined as:

*Any organisation, institution, or government body that works with, interacts with, or comes into contact with children; or if their work impacts on children in any manner.*

The Standards should apply to all organisations and institutions equally; there should be no exemptions or exceptions to any organisation or institution in whole or in part. The Standards are the essential elements for a ‘Child Safe Organisation’, and they are core strategies that should be present across any organisation or institution with a duty of care for children.

It is Child Wise’s contention that only the organisations that effectively implement all of the Standards can be considered to be true ‘Child Safe Organisations’.

### 12 Standards for a Child Safe Organisation

1. An Open & Aware Culture
2. Understanding Child Abuse
3. Managing Risk to Minimise Abuse
5. Clear Boundaries
6. Recruitment & Selection
7. Screening of Representatives
8. Support & Supervision
9. Empowering Children & Young People
10. Training & Education
11. Complaints & Disclosures
12. Legal Responsibilities
This section will show the Standards that form the essential elements for creating a ‘child safe organisation’ – it will outline what the Standards are that organisations should meet, and show how they deny offenders the opportunity and access they need to abuse children. The Standards can combine to provide the tools and the structure for a child safe culture to flourish within organisations.

Effective implementation of these Standards can act in two key ways to create a child safe organisation:

1. Deterrence: Sex offenders and groomers will target vulnerable organisations – they look for access and opportunity. Most offenders look for organisations that do not have adequate procedures or where representatives do not have training in child protection. Organisations that have clear and transparent policies and procedures, that advertise and promote themselves as being child safe, will be much more effective at deterring potential offenders.

2. Prevention: While strong policies and systems can help to deter most offenders, these Standards can also act to prevent, reduce, and minimise the opportunities for child abuse to occur within an organisation. Transparent, open, and accountable reporting processes, risk management systems, and complaints procedures will all help to build a culture of child abuse prevention within an organisation and overcome those barriers of secrecy, denial, and ignorance that prevent an organisation from becoming child safe.

Each Standard has a list of ‘Key Features’ which can be flexible: for instance, rather than incorporating a confidentiality statement in the ‘Complaints Procedure’ document itself, an organisation may wish to have a separate ‘Confidentiality’ policy. Equally, if an organisation has a robust ‘Recruitment & Selection’ policy in existence, that section of the Child Protection Policy may be used to highlight the child protection elements of recruitment, or may simply direct representatives to the external policy.

This process of implementing Standards is not intended to be a challenge for organisations, nor is it designed to impose burdensome requirements and regulations on the daily work of the organisation. Instead, it is intended to simplify the process of improving the safety and protection of children and staff, to set up clear and simple compliance mechanisms, and to help organisations become child safe in their activities and practices.

Child Wise recommends that organisations identify a Child Safety Focal Point (or Child Protection Representative, or Team) who should be responsible for ensuring the Standards are implemented and adhered to.
Child Abuse Prevention Model

1. Organisational Needs Assessment
2. Tailored Child Abuse Prevention Training for CEO’s, Board Members, HR, and other administration staff
3. Review and development of Child Protection Policies & Procedures
4. Rollout of Child Protection Policies & Procedures and the designation of a Child Safety Representative/Team
5. Tailored training for representatives on Understanding and Responding to Child Abuse & Neglect based on organisational needs
6. Child Safe Organisation Certification

Child Wise developed the ‘Child Abuse Prevention’ (CAP) Model to implement the Standards in the current context of civil society self-regulation – it is Child Wise’s contention that the Standards can be most effective if they are implemented as part of a shift to an enforceable, National Child Abuse Prevention Strategy.
The CAP Model combines training, policy development, and Certification services. Child Wise believes that a combination of tailored training, transparent policies and procedures, and a strong compliance system is the best way to implement child abuse prevention and to create a child safe organisation.

The CAP Model is based on over twenty years of research and internationally recognised training. A highly customisable program, it encompasses:

- Training - based on the award winning ‘Choose With Care’®,
- Policy Review & Development, and
- ‘Child Safe Organisation’ Certification - a comprehensive, voluntary Certification scheme providing national recognition for an organisation.

The previous page contains a flow chart outlining the key stages for the CAP Model.
The Child Safe Organisation Certification is a holistic approach that considers an organisation’s policies, practices, activities, and awareness of child abuse and prevention approaches. The Certification process allows organisations to demonstrate that they have achieved and maintained best practice standards for protecting children and young people from abuse and exploitation.

The Certification process is tailored to each organisation following a needs assessment. Child Wise recognises that while the Standards must be met for Certification, each organisation needs an individualised approach to build robust systems and processes to protect children.

The Certification process includes a site visit, and interviews with a wide range of representatives: all levels of management, frontline staff and includes clients (where possible). It involves in-depth document analysis to ensure that all aspects of an organisation are ‘child safe’. Completing the Certification process, Child Wise compiles a report, with advice and recommendations for building transparent and comprehensive preventative systems. As there is currently no external compliance mechanism, Child Wise’s Certification process is intended to be more rigorous than would otherwise be necessary. Child Wise believes that a scaled down version of this can form the basis of an independent accreditation/compliance system with an external monitoring aspect. This is explored further in Section 4.

As will be discussed in greater detail in subsequent sections, the Standards must be supported to be at their most effective:

- The Standards must be a part of a national, enforceable regulatory environment – they must be adopted nationally and become a requirement for all organisations; and
- The Standards must be assessed by an independent regulatory body, with powers to enforce and maintain the Standards.

Section 1 is presented as a manual for creating a child safe organisation, more or less – it works on the assumption that the standards and strategies presented are effective. Section 2 will detail the evidence base for that assumption, showing research and examples for how child safe organisations can be established and maintained. It will also identify the key risks for organisations and how they can become exposed to child sex offenders, and discuss any assumptions that require further research.
Standard 1 – An Open & Aware Culture

Criteria

1.1 There is a commitment to child abuse prevention in all of the organisation’s activities, whether they impact directly or indirectly on children.

1.2 There are transparent and accessible communication channels around child protection policies and procedures between representatives and participants.

1.3 The organisation ensures that child safe practices are embedded across all levels of the organisation and its operations.

1.4 Representatives and participants have access to information on the rights of children and the organisational policies for child protection.

1.5 Representatives and participants have access to information on appropriate reporting and managing of complaints procedures.

1.6 The organisation is committed to regularly reviewing and updating the policies, procedures, and practices as a process of continuous improvement system.

What it is

The intent of the child safe culture is not to construct policy and systems that are authoritarian, cumbersome or inflexible. A child safe culture is open and dynamic. It implies a willingness to voice concerns and for staff and volunteers to have confidence that their concerns will be dealt with professionally. Everyone in the organisation has the right to feel safe, to feel supported, and to feel they will be heard.

Why it is important

A child safe environment is one in which all participants feel safe and avoidance and secrecy are actively discouraged – it takes a preventative and participatory stance on child abuse prevention. An aware culture will ensure that the risks and opportunities for child abuse to occur are minimised.
Key features

An aware culture involves linking all aspects of the environment to ensure the program is protective. The following are important features for an open and aware culture:

- Relationship between representatives and children – there are clear boundaries between roles,
- The organisation is open to outside influence and, importantly, accountability,
- Representatives are adequately trained, supervised, and there are appropriate staffing levels, and
- Children’s rights are articulated and placed at the centre of all decision making – children must have a voice.
Standard 2 – Understanding Child Abuse

Criteria

2.1 All representatives have an understanding of the types and definitions of child abuse.
2.2 All representatives have an understanding of the indicators and signs of child abuse.
2.3 All representatives are aware of the dynamics of child sex offenders.
2.4 The organisation’s management provides opportunities for all representatives of the organisation to learn about how to recognise and respond to child abuse.

What it is

Understanding child abuse is the foundation of a child safe environment. Without this understanding, prevention of child abuse will be a matter of chance rather than active prevention.

The organisation, representatives, and all documentation should display a clear understanding of child abuse – the signs and indicators, the impacts and effects. There should also be a clear understanding on how to respond to child abuse disclosures, complaints, and allegations.

Why it is important

By demonstrating an understanding of child abuse, an organisation will be better equipped to identify and respond, not only to incidents of child abuse, but situations where it may be likely to occur.

Key features

Documentation: Child Protection Policies & Procedures should reflect an understanding of child abuse – definitions, types, indicators, dynamics of sex offenders, etc. This should apply to all policies and procedures that relate to the protection of children – i.e. Recruitment & Selection policies must reflect an understanding of grooming behaviour and red flags in interviews.

Representatives: All management, support staff, frontline staff and volunteers should have an understanding of child abuse, even if they do not work with children directly – knowledge of the risks and impacts of child abuse will help to foster a child safe culture within the organisation.

There should be opportunities for representatives to update their knowledge regularly (see also Standard 10 – Training & Education).
Standard 3 – Managing Risk to Minimise Abuse

Criteria

3.1 Risk management practices are built into the framework of all programs and activities.
3.2 The organisation has clear documentation and recording processes for all risk management practices.
3.3 The organisation has clear mechanisms to ensure that its risk management practices are transparent and accountable.
3.4 The organisation identified and documented strategies to reduce or eliminate the risk of child abuse.

What it is

Each organisation should implement child focused risk management systems and strategies that specifically consider children and/or young people’s safety – identifying the potential for an incident of abuse to occur and taking steps to reduce the possibility of it occurring.

Why it is important

Child focused risk management prompts an organisation to think more broadly about the work that it does. When looking at potential risks to children, each organisation will strengthen and add value to the activities and services it offers.

Key features

The seven elements of risk management have been adapted from the Australian and New Zealand Standards of Risk Management: AS/NZS ISO 31000:2009 to specifically address the risk of child sexual abuse and have been drawn from Child Wise’s ‘Choose With Care’® Manual 2004.

1. Establishing the context
   What are the organisational goals and objectives?
   What are the goals and timelines of the risk management process?
   What criteria for measuring risk will be used?

2. Identifying the risks
   What sort of abuse could happen to children at the organisation?
   How can child sexual abuse occur in the organisation?
   Why may child abuse occur in the organisation?
   All risks should be categorised: i.e. Staff? Volunteers? Programs? Organisational culture?
3. Analysing the risks
   What are the sources of the risk?
   What are the consequences?
   How likely is the risk to occur?
   What controls are already in place?

4. Evaluating the risks
   Risks should be assessed against a scale. For instance:
   • Low/Acceptable risks should be monitored and periodically reviewed to ensure they remain acceptable,
   • Medium risks require more intervention to move them to the lower risk end of the continuum, and
   • High risks require even greater intervention.

5. Implementing strategies to minimise and prevent risk
   What and how will changes be made?
   Who will make the changes?
   How will they be reviewed?

6. Reviewing and revising the risks and preventative measures
   How regularly are risks reviewed?

7. Communicating and consulting
   All representatives, managers, and stakeholders (including children) should be consulted, informed, and involved at every stage of the risk management process.

   These stages do not need to be itemised, but there should be clear evidence that each step is accounted for in organisational approach to risk management.
Standard 4 – Child Protection Policies & Procedures

Criteria

4.1 The organisation has Child Protection Policies & Procedures (CPP&P) that meet all legislative standards, regulations, and funding requirements, and are articulated in a clear and concise manner.

4.2 CPP&P are approved and endorsed by the relevant management body (e.g. Senior Management Board, Executive, or Committee) and the policy is publicised, promoted, and distributed appropriately.

4.3 The understanding and implementation of the organisation’s CPP&P is mandatory for all representatives.

4.4 CPP&P clearly cover the following key areas:
   - Mission/Value Statement,
   - Understanding Abuse,
   - Managing Risk to Minimise Abuse,
   - Creating clear boundaries: Codes of Conduct and professional boundaries,
   - Child Safe Recruitment, Selection & Screening,
   - Managing of Complaints and How to respond to disclosures,
   - The empowerment of staff and children to “Speak Up Against Child Abuse”,
   - Legislative requirements,
   - Training of staff, and
   - Provision for a continuous improvement process.

4.5 CPP&P are reviewed internally every year and externally at a minimum of every three years.

4.6 There are continuous improvement processes in place for amendments and changes to CPP&P outside the normal review process.

What it is

CPP&P can provide guidance, support, and clear processes for the protection of children. There are principles that should lie at the heart of every child protection policy or procedure, no matter what program, industry, organisation, or institution it is for. Any organisation or institution whose work interacts with or impacts on children either directly or indirectly must have child protection policies and procedures.
**Why it is important**

CPP&Ps act as safeguarding tools for both representatives and children. By having consistent, transparent, and accountable policies and procedures across an organisation, children will be better protected, representatives will be confident of their responsibilities and safeguards, and the organisation will be better placed to respond to people in need. Effectively, they provide a framework around which a child safe organisation can be built.

**Key features**

The key features for child protection policies and procedures are covered in the criteria for this Standard.

Procedures and policies may be for individual activities specific to programs run by the organisation, or it may be for the organisation as a whole. Examples of these include:

- A toilet procedure for children at a day care centre: they must always go in groups of two or three,
- Cyber Safety: who can access what, how to deal with disclosures online, etc., and
- Medical examination procedure: children should not be examined unless in the presence of a parent, guardian, or another health professional.

Policies and procedures should be considered part of a broader process: training and education, policy development, and implementation and monitoring are all critical elements when creating a child safe organisation. Any of these elements in isolation will risk failure when not reinforced by a whole of organisation approach to child abuse prevention.

The key areas of policies and procedures (Complaints, Recruitment & Selection, etc) may be covered in a single document or in separate policies, but should be referenced in a central document that focuses on the protection of children (‘Child Protection Policy’, ‘Child Safe Policy’, etc.).
Standard 5 – Clear Boundaries

Criteria

5.1 There is a Code of Conduct that describes appropriate behaviours in relation to children and within the organisation. The Code of Conduct reflects clear professional boundaries that minimise grey areas and highlights inappropriate behaviours. Codes of Conduct are supported by clear professional boundaries.

5.2 Professional boundaries and Codes of Conduct are regularly updated as part of a continuous improvement system to reflect existing programs, are prominently displayed, and are made available to all representatives and participants.

5.3 Professional boundaries and Codes of Conduct are applicable to all elements or aspects of the organisation’s activities or programs. They should be applicable to all representatives of the organisation.

5.4 All representatives of the organisation have been trained in understanding the Code of Conduct and professional boundaries. The Code of Conduct is signed and agreed to by all representatives of the organisation, and this process is clearly documented.

5.5 The organisation has transparent and accountable disciplinary procedures and processes to handle boundary blurring, violations, and breaches of the Code of Conduct and professional boundaries.

What it is

Professional boundaries and Codes of Conduct are a logical outcome of the risk management process. They describe what appropriate behaviours are in relation to children within the organisation and activities. They set out behaviours and boundaries for representatives and all participants that limit the risk of child abuse occurring in the organisation.

A Code of Conduct is a straightforward guide of do’s and don’ts to assist representatives to conduct their work professionally. Representatives know what the organisation considers appropriate and inappropriate behaviours, and promotes transparency by minimising grey areas.

Why it is important

Clearly articulated boundaries and behaviours assist all participants. Professional boundaries and Codes of Conduct will help to manage inappropriate behaviours and identify potentially abusive behaviours before they result in abuse.
Key features

No two organisations are the same, even when guiding principles may be similar. Effective Codes of Conduct and professional boundaries guidance will address the specific environmental and operational aspects of the organisation.

Codes of Conduct and professional boundaries may be separate to a Child Protection Policy, but should be referenced within a central Child Protection Policy document.

Professional boundaries and Codes of Conduct should be applicable to, and signed by, all new and current representatives.

A Code of Conduct and well established professional boundaries should be made a part of all support and supervision processes and performance reviews – they provide strong guidance for management and supervisors when managing inappropriate behaviour towards children.

A Code of Conduct and associated professional boundaries may address, but should not be limited to, the following topics:

- Physical contact/touching,
- Respect for privacy,
- Confidentiality,
- Language,
- Favouritism/’special’ relationships,
- Perceptions & appearances,
- Out of hours contact,
- Discipline,
- Cultural sensitivity,
- Reporting procedures,
- Respect for others,
- Social media contact, and
- Use of photography/video.
Standard 6 – Recruitment & Selection

Criteria

6.1 The organisation has robust and consistent recruitment and selection procedures for all positions.
6.2 The organisation chooses representatives through the use of multiple selection tools.
6.3 All job descriptions contain a ‘child safe’ message and advertise the child protection policy.
6.4 Key selection criteria and job descriptions are developed for all positions within the organisation.
6.5 The organisation plans and prepares for representative interviews and is aware of potential ‘red flags’ or warning signs for candidates.

What it is

There are stringent employment and selection practices that have a formalised structure, with clear documentation and a rigorous interview process. It should include all positions, paid and unpaid, frontline and management, including board or executive positions.

Why it is important

An organisation should have robust recruitment and selection procedures for all new representatives. Organisations can reduce the risk of employing child sex offenders by being vigilant in their employment practices and by adopting a structured and systematic approach to recruitment and selection for all representatives.

Key features

Standardised recruitment and selection procedures that apply to all appointments – paid or unpaid, management or frontline, including board members and the executive. This should include developing key selection criteria and job descriptions for all positions.

The recruitment process should include a focus on child safe messaging in advertising to deter potential offenders.

The recruitment and selection procedures should reflect an understanding of how child sex offenders access children and organisations. The recruitment and selection process should be reflected in policies and procedures.
The recruitment and selection procedures should comply with relevant laws (including around police and/or working with children checks) and should not breach discrimination provisions.

The recruitment and selection procedures must require multiple selection tools (i.e. referee checks, standardised behavioural based questions, etc). Anyone conducting an interview must be aware of ‘red flags’ – through an understanding of the dynamics of child abuse and the behaviours of child sex offenders.
Standard 7 – Screening of Representatives

Criteria

7.1 The organisation ensures all representatives are screened as part of a standardised recruitment and selection process as documented in organisational policies and procedures.

7.2 The organisation is committed to pre-employment checks (including appropriate police and working with children checks) for all representatives before they are offered employment.

7.3 The organisation is committed to conducting a minimum of two, but preferably three verbal reference checks for all representatives before they are offered a position.

7.4 Reference checks are documented transparently and confidentially.

7.5 The organisation will only select representatives who share the organisation’s commitment to child safe practices.

What it is

Like the recruitment and selection of representatives, screening procedures can improved as a selection tool by adopting a more structured and systematic approach. Reference checks, police checks (both national and international), and other pre-employment checks, will all help to build a picture of a candidate.

Why it is important

If conducted properly, screening procedures can provide important information about a candidate. Police checks and WWCC will not identify all potential offenders – by conducting rigorous pre-employment checks an organisation will be more likely to deter and identify potential offenders.

Key features

Police and WWCC should be undertaken, including international police checks for anyone who has lived overseas for more than two years.
Structured, standard reference checks should be undertaken, with a minimum of two, but preferably three, verbal checks for each position. If unsure, further checks should be carried out. It is important that questions are designed to elicit the best quality information and the referee interview is handled carefully and professionally. They should also probe the candidate’s suitability to work with children.

Pre-employment checks should also include identity checks (at least two forms of identity), qualifications are verified (if necessary for the job), and their work history is accurate and not ‘fudged’ (detailed time lines and job roles).
Standard 8 – Support & Supervision

Criteria

8.1 The organisation fosters an open and aware culture where all representatives uphold their duty of care for the protection of children.
8.2 The organisation is committed to providing all representatives with an induction and probationary period.
8.3 The organisation and the management are committed to supervising and undertaking performance reviews for all representatives.
8.4 All representatives feel supported in their work and that any concerns they have will be listened to and acted upon.
8.5 All representatives will be supported through a range of organisational mediums (posters, staff meetings, etc.).

What it is

All representatives should be provided with appropriate supervision and support in their roles. This should include ongoing performance management and performance reviews, in line with Codes of Conduct and professional boundaries.

Why it is important

Experience shows that child abuse is more prevalent in organisations that lack regular, formal supervision and performance monitoring. The supervision of representatives is necessary, not only to prevent and detect child abuse, but also to improve the quality of an organisation’s services – an important part of creating a child safe culture where representative’s and children’s opinions are valued and listened to.

This reduces opportunities for offenders to abuse children, and ensures representatives feel confident to speak up about child abuse. It also helps to improve practice and the implementation of codes of conduct and professional boundaries.

Key features

Orientation and induction periods for representatives are key opportunities to provide new representatives with a comprehensive understanding of the organisation and its policies – building a child safe and aware culture.
The nature of supervision will differ depending on the nature and size of the organisation, but all representatives working with children should be supervised. The chain of authority and accountability should be clear for each and every position. In a child-focused organisation, supervisors will need training in identifying signs of abusive practice and grooming behaviour.

Management in a child safe organisation have an obligation to create an open and aware culture where all adult participants feel responsible for the protection of children in their programs. They must ensure that there are clear communication channels, opportunities for discussion, training, and constant enforcement of policies and procedures. This requires adequate supervision, and a management that is willing to challenge poor practice.

Performance appraisals should form a key part of any supervision and support process – they can be used to manage poor practice and performance, both of which may be early warning signs leading to abuse.
Standard 9 – Empowering Children & Young People

Criteria

9.1 Children are encouraged and supported to raise any concerns or allegations they have about child protection or child abuse within the organisation.
9.2 Children are supported if they want to disclose incidents of child abuse they have experienced or have witnessed.
9.3 Children are provided with information on where to go for help, advice, and support in relation to all forms of abuse, harassment, bullying, and discrimination.
9.4 The organisation provides avenues for children and young people to participate in any risk assessment, program or activity planning, and policy or procedure reviews.

What it is

Children and young people have the right to express their views freely in all matters affecting the child or young person, and a truly child safe organisation is one that takes the child’s opinions into account.

There should be mechanisms and guidelines for including the voice and opinions of children and young people in an organisation’s activities, where appropriate.

Consideration should be given to personal safety programs for children (also known as protective behaviours) to reduce their vulnerability to child sex offenders.

Why it is important

By including children and young people in risk assessments and program planning, where appropriate, organisations can reduce the likelihood of abuse occurring, and make their programs more responsive to children’s needs. If children and young people are considered to have a valuable voice within an organisation, they themselves will feel more comfortable and likely to raise any concerns they may have.

Key features

Any risk assessment process to include questions for children and young people. Planning for new programs or activities should include ways for children and young people to be consulted, where appropriate.
Complaints, grievances, and disclosures policies must be tailored for children and young people to access and use easily. Additional flow charts for reporting a complaint are tailored and simplified for children and young people.

Children and young people are encouraged to raise questions, concerns, or observations about the organisation’s programs and activities. There should be feedback forms tailored to children and young people.

Alternative methods of contributing to planning or providing feedback on programs and activities may be appropriate, rather than written forms or questionnaires – they should be age appropriate and non-intrusive.
Standard 10 – Training & Education

Criteria

10.1 There is an induction process for all representatives that includes familiarisation with the child protection policy and procedures.
10.2 All representatives including management are trained how to recognise and respond to child abuse, grooming and abusive behaviours, how to respond to disclosures, and in child safe practices.
10.3 Inductions and training include a focus on professional boundaries and the organisation’s Code of Conduct.
10.4 All representatives who work directly with children have relevant training and regular opportunities to update their training.
10.5 Training and written guidance on safer recruitment practice is provided for those responsible for recruiting and selecting representatives.
10.6 Formal mechanisms exist to identify and apply experience of operating child protection procedures as part of a continuous improvement system.

What it is

There should be regular and ongoing induction, training, and educational requirements around child protection and child abuse prevention, and organisational child protection policies and procedures for representatives.

Why it is important

All representatives should have a clear understanding of their roles and responsibilities when it comes to protecting children. Through regular training, the organisation can ensure their representative’s knowledge on child abuse, and how to prevent it, is up to date. This will enable representatives to act appropriately to protect children in all their work.

Key features

There should be a time frame for regular training on child abuse prevention issues to take place for all representatives. Consideration should be given to a range of training methods – in person, online, workbooks and induction manuals, etc.

There should be a clear induction process that includes the child protection policy and surrounding documents.
Alternative forums for reinforcing Codes of Conduct, professional boundaries and an understanding of child abuse are included – such as team meetings, supervision, information days, and reflective practice.

Training should be ongoing, and regularly conducted. It should be delivered by a recognised provider with experience in child safe practices where appropriate.
Standard 11 – Complaints & Disclosures

Criteria

11.1 There are clear procedures in place for child protection, which provide step by step guidance on what action to take if there are concerns about a child’s safety or welfare, or if a child discloses.

11.2 All representatives are aware of and understand the child abuse reporting procedures.

11.3 There are transparent and accountable processes for reporting and recording suspicions, concerns, or incidents of child abuse, or breaches of the Code of Conduct.

11.4 There is a Child Safety Focal Point with a clearly defined role(s) and responsibilities in relation to child protection, which are appropriate to the level at which the organisation operates.

11.5 The organisation has clear policies and procedures (internal and external) for representatives and participants to raise concerns about unacceptable or abusive behaviour on the part of other representatives of the organisation.

11.6 There are accountable and transparent systems for handling complaints, with built in oversight to ensure complaints are seen by more than one person. Whistleblower policies should empower representatives to report concerns and complaints externally when appropriate.

What it is

A guideline for the reporting process to ensure that any complaints or suspicions about behaviour towards children or their safety, and any disclosures, are documented and acted upon.

Why it is important

A clear, transparent, confidential, and accountable complaints/grievances and reporting procedure will ensure people feel confident to raise any concerns or suspicions they may have about child abuse. Processes that are seen to be fair will encourage representatives to raise any concerns they have about others. Representatives who are unsure if their complaint has been acted upon must have confidence to report externally themselves – through whistleblower support policies.
Key features

The guiding principle must be to act in the best interests of the child, and this should be incorporated within a standardised process for reporting and acting on complaints and disclosures.

There needs to be clear confidentiality mechanisms, including how reports or complaints will be documented and held securely – this will boost the confidence of representatives to make a report or allegation.

The obligation on all representatives to report all concerns immediately to the Child Safety Focal Point – yet there should also be more than one avenue to make a report or allegation, in case the representative feels uncomfortable approaching the Child Protection Focal Point.

There should be a readily accessible flow chart with clear responsibilities for the complaints and disclosure process.

Arrangements must be in place to provide support and supervision to those affected during and following an allegation – if the allegation is serious, the representative should be stood down (with pay) while the investigation is undertaken, and a report should be made to the appropriate authorities. If the allegation is not serious, disciplinary action including counselling, training, extra supervision, or change of duties may be warranted.

There are clear guidelines on how to respond to a disclosure or allegation by a child – to listen, to believe, not to ask leading questions, etc. It must also be clear that the organisation is not to conduct a detailed investigation itself – once there is a reasonable suspicion of criminal behaviour the authorities (child protection, the police) must be notified.
Standard 12 – Legal Responsibilities

Criteria


12.2 The United Nations Convention on the Rights of the Child is clearly identified as the basis for child protection and child rights.

12.3 The organisation recognises their duty of care to children and embodies this in their policies and procedures.

12.4 The organisation is committed to taking all reasonable steps to prevent child abuse and uphold their duty of care to children.

12.5 The organisation complies with all relevant legislation for their industry and geographical place/s of operation. The organisation ensures all representatives are aware of and comply with all relevant legislation.

What it is

A locally relevant explanation of the legal and regulatory requirements for the protection of children in Australia, and within the State or Territory of operation, specific to service delivery.

Why it is important

Child protection legislation differs across jurisdictions in Australia, and from industry to industry. By clearly identifying the legal and regulatory requirements around interaction with children, the care of children, and the reporting of abuse, this section will assist representatives to understand their obligations. The policy of the organisation may go beyond the legal and regulatory requirements themselves (for instance, by treating all representatives as mandatory reporters), but must identify the key laws relating to children and their protection.

Key features

All relevant legislation and regulations are outlined, and where necessary, their content and relevant sections explained.

The consequences of failing to abide by the legislation and regulations are identified and linked to the activities and services of the organisation.
If policy of the organisation extends beyond the specific legal or regulatory requirements, the additional requirements of representatives should be made explicit.

Where the actions or processes of other sections in the policy are dictated or guided by legal requirements (for instance, the reporting of child abuse) these other sections clearly identify their legislative basis.

Every one of these Standards works in concert with the others to create a robust system to protect children from all forms of abuse, including sexual abuse. For instance:

• An Open & Aware Culture will only be fostered if the other Standards are in place – Complaints Procedures give staff the confidence to speak up about child abuse; Clear Boundaries influence the behaviour of staff to each other and children; effective Recruitment & Selection will ensure only staff who agree with and will abide by the child safe message are employed;

• The Support & Supervision for representatives can only be effective if Clear Boundaries are established – Codes of Conduct and professional boundaries in place – as these will guide how representatives can be supported, and provide clear boundaries by which to judge performance and behaviour;

• Child Protection Policies & Procedures help to codify the systems for protecting children – they provide a clear internal framework that supports all other elements of child protection. Good policies give guidance for representatives to access, and support An Open & Aware Culture;

• Training & Education will increase the Understanding of Child Abuse, making it more likely that representatives will recognise and respond to suspicions or allegations of abuse appropriately, and

• Managing Risk to Minimise Abuse will direct attention to areas that children may be at risk – helping to strengthen programs and activities, and acting to Empower Children & Young People.
The Standards as Safeguards

To illustrate the risks posed to organisations without appropriate safeguards, this next section will identify two cases where actual child sex offenders and paedophiles may have been prevented from abusing children were the Standards in place at those organisations. This is neither intended to be accusatory, nor is it able to identify all the nuances of each case. Rather, it should be considered a brief, rough guide to how the Standards can deny child sex offenders the access and opportunity they need to abuse children.

A warning for victims of child sexual abuse - the following section presents actual cases of child abuse, which may cause distress.

Case Study 1

In 2005, a school music teacher from South Australia, was jailed for sexual offences against children that he committed when he moved to Brisbane. The teacher was jailed for child sex offences as reported in the Courier Mail 11.05.13.

At the heart of the civil case by the complainants was information suggesting that the principal who employed the teacher, did so after being informed that the man in question had been sacked from previous employment due to complaints from students and other staff over inappropriate behaviour. This employment history was disclosed by the principal of the offender's previous school.

From this initial information, we could see how the use of the Standards could have had an impact in protecting the physical and psychological safety of the students who were victims to sexual assault from the offender.

Standard 7 – Screening of Representatives – the offender’s application for employment at the school may have never occurred if the organisation had promoted child safe messaging in job advertisements and public materials. As highlighted in Section 2 of this submission, sex offenders target vulnerable organisations that lack clear polices and procedures for the protection of children, and organisations that do not display an understanding of child abuse.

Standard 6 – Recruitment & Selection - While details are not known about how the interview for the position was conducted, the best practice approaches would be for interviews to be conduct by at least three persons (all suitably trained) who would ask a range of questions. This would ensure that all interviews are consistent and congruent with the organisations policy and procedures, job descriptions, and key selection criteria.
The interview itself would contain a range of behavioural and value based questions that would be designed to elicit information, to determine their suitability for the position, and to determine risk to children. Incomplete answers or concerning information could be probed further. A candidate such as the offender, with his history of committing abuse, would be likely to display behaviours that may have been concerning to the selection panel (NSPCC, 2009).

*Standard 7 – Screening of Representatives* - If the candidate was the most suitable applicant from the interviews, further methods could be adopted to ensure the safety of the children and young people and the organisation. Reference checking could determine the unsuitability of the applicant if the organisations policy and procedures were robust, the candidate would possibly have been found to have been unsuitable for the position. It should also have checked a number of his previous places of employment – especially in South Australia. If these were left off his resume, then questions should have been asked as to why there were gaps in his work history.

*Standard 1 – An Open & Aware Culture* and *Standard 2 – Understanding Child Abuse* - In the event that the applicant was found to be suitable from the reference check and other recruitment and screening practices, a range of the Standards may have been useful in determining the risk that he posed to children and young people once his employment had commenced. This could have started by the applicant and all representatives being aware of the organisation’s open and aware culture, its policy and procedures and in particular the signs and indicators of child abuse. Under *Standard 10 Training & Education*, there would be ongoing training for staff around child abuse and indicators, understanding the organisation’s code of conduct and professional boundaries, and the organisation’s complaints and reporting procedures.

*Standard 3 – Managing Risk to Minimise Abuse* - This would also include a focus on a continuous improvement system where representatives of the organisation are regularly involved in adopting risk management practices, highlighting concerns of any actions or activities that pose harm and risk to children. By participating in risk management practices, representatives of the organisation may have been able to identify indicators of abuse and concerns, to define and detect abusive or grooming behaviours, and adopt practices that would ensure the safety and well being of the students. Issues identified by the use of *Standard 3 – Managing Risk to Minimise Abuse* could be utilised to improve on a range of policy and procedures and distributed to all representatives to ensure that the organisations representatives would be active to identify any concerning behaviours.
Standard 2 – Understanding Child Abuse, Standard 10 – Training & Education and Standard 5 – Clear Boundaries - During the trial it was argued that the offender used a range of grooming and targeting techniques such as befriending a victim’s mother, used threats, gifts and manipulations to help him abuse the victims. Whilst it remains unclear from the limited information available on this case, from a child safe perspective it is clear that the appropriate use of training and an understanding of child abuse, combined with the probable breaches of the professional boundaries and codes of conduct are strong tools that may pick up the signs and indicators of abuse, or any breaches of codes of conduct or professional boundaries.

Standard 11 – Complaints & Disclosures and Standard 12 – Legal Responsibilities - In instances when such concerns or indicators are present, the organisation’s response under law should be enshrined in policies and procedures to ensure the protection and wellbeing of children. For example, concerns identified could be raised via the complaints process. The process of the complaints procedure could consider any breaches of roles and job functions, breaches of codes of conduct, or unprofessional behaviour; this could have led to dismissal, suspension, or reporting to internal and external authorities. The complaints procedure would act as a process that acts to maintain and support children and young person’s safety and wellbeing.

It would also tie in with the organisation reviewing risk management practices that could inform better policy and procedures, training and education on child abuse, codes of conduct/unprofessional behaviour.

Standards 8 – Support & Supervision - Beyond these possible measures for the protection of children, the supervision of representatives could have been used from the beginning of his employment as a strategy to protect children and young people’s safety and well being. For example, effective use of supervision, may have identified issues or themes, and led to appropriate action plans being put in place to ensure the safety of children and young people.

Standard 9 – Empowering Children & Young People – may have increased the range of tools offered to children and young people to raise concerns about a person entrusted with power – this is especially the case with an adult such as a teacher, where the dramatic power imbalance between adult and child leads to children feeling unable to disclose.
Children and young people should have access to the school’s code of conduct that might list what teachers can and cannot do in regards to their behaviour, and this same information should be offered to parents and carers so that they too have a clearer understanding of the internal processes. Children and young people could be offered information on complaints processes, so that children understand how they work – and importantly that they won’t fear rejection when raising concerns. They have a right to know what happens when a complaint is raised, and how will it be responded to in a timely manner – only then will the process be truly open and transparent.

Case Study 2

In 1994, Robert Richardson, a former Scout leader and YMCA leader, pleaded guilty and was convicted on 29 counts of indecent assault, four of indecent acts with a child under 16, three each of gross indecency and indecent acts in the presence of a 16-year-old, and two of sexual penetration of a 16-year-old. Richardson was sentenced to 10 years in jail for sexually molesting the boys, who were aged 11 to 16 at the time of the offences. During the case, it was alleged that Richardson molested 12 boys in his charge.

This case study will use examples of his abusive behaviours to show how the Standards may have enabled the detection and prevention of his abuse of children. These examples have been drawn from interviews in Rockspider: The Danger of Paedophiles with parents and volunteers at the Scouts who had children that were abused by Richardson (Petraitis & O’Connor, 1999).

Standard 1 – An Open & Aware Culture – In short, the failure to ensure an open and aware culture both allowed the failings detailed below to occur, and prevented the change in attitudes and processes to detect and prevent the abuse perpetrated by Richardson – remembering that this abusive behaviour occurred over a number of years.

Standard 2 – Understanding Child Abuse – Richardson would regularly share tents or bedrooms with children when camping or over-nighting on scouting trips – other parents and volunteers knew and witnessed this, but didn’t realise it as grooming or inappropriate behaviour. The evidence suggests that Richardson was particularly skilled at grooming parents as well (‘he became part of our family’), over years at a time.
Standard 3 – Managing Risk to Minimise Abuse – Strong risk assessment practices would have identified the risks posed to children through:

- Overnight activities,
- Untrained representatives,
- Insufficient policies and procedures documenting appropriate systems,
- The lack of supervision,
- Poorly enforced codes of conduct and professional boundaries,
- Insufficient recruitment and screening of representatives, and
- The lack of complaints and disclosure procedures.

Standard 4 – Child Protection Policies & Procedures – The failure to codify the child safe strategies identified in the other standards by including them in written policies and procedures led to an environment that was open to exploitation. Richardson was able to abuse children because there were no documented lines of responsibility for supervision that had been enforced. This could have been overcome by an induction period that included information on child abuse, and if detailed information was included in policies and procedures.

Standard 5 – Clear Boundaries – Richardson slept in tents on scouting trips, and would often spend time alone with them on scouting activities. He would also have regular contact with his victims outside the scouting group. One of the victims went on a solo trip with him on a flight to Adelaide. He would regularly groom children at his home, and show them pornographic videos – these were children he met through his work as a scoutmaster. It highlights a failure to implement and enforce professional boundaries. It also shows the risk that abuse is able to occur not at the organisation directly, but due to contact made with potential victims at the organisation. Clear boundaries about contact with children outside the normal activities of the organisation must be in place and enforced.

Standard 6 – Recruitment & Selection and Standard 7 – Screening of Representatives – The lies he told about his past (that his wife and children were killed in a level crossing, that he was a Vietnam veteran, that he had been a school teacher) should have emerged during his interviews/reference checks, if they had been conducted in line with the Standards. The behaviour he showed towards young boys highlighted that he related more closely to them, and preferred to spend time with them, seeing them as equals – behavioural based interviewing would be likely to raise concerns about these attitudes.

Standard 8 – Support & Supervision – The parents, also cub scout leaders, passed comment that by setting up his bedroll in the same tent as the boys, he was breaching scouting regulations. He shrugged it off, and nothing further was said. Strong supervision protocols should have identified this breach of professional boundaries and led to an intervention in his behaviour.
Standard 9 – Empowering Children & Young People – Children were clearly coerced into remaining silent – a number of them simply stopped attending scouts, and parents just assumed it was a normal change in behaviour. A pattern of abuse like this, over years, with multiple children, shows how children can be denied a voice – organisations need to provide children with the space and tools for speaking up about abuse.

Standard 10 – Training & Education – Parents, volunteers, and representatives of the Scouts clearly lacked an understanding of the grooming process. By providing regular training, information sessions, and educational materials, the organisation could have improved the likelihood such behaviour was identified for what it was, and action was taken to prevent the abuse from occurring or continuing.

Standard 11 – Complaints & Disclosure – For children, a failure to provide safe and easy avenues to raise their concerns or make a disclosure. For adults, a failure to understand the difficulty of disclosures and the nature of them – there were signs that children wanted to say something, but didn’t out of fear. Stronger understanding about how disclosures work may have supported children in speaking up.

The Standards may be seen as a safety net for children and those who work with them – they act as multiple points of safety and they offer organisations and institutions the systems and skills to prevent and detect the crime of child abuse. To be effective, they must be instituted nationally, and supported by a National Child Abuse Prevention Strategy. This point will be considered in Section 4 of this submission.
Section 2 The Evidence Base for Child Safe Strategies

Introduction

This section will lay out the evidence base for Child Wise’s approach to child abuse prevention within organisations. In it, we provide the evidence for using situational crime prevention tools to target the crime of child abuse, and identify relevant aspects of a public health model which have been adapted to minimise, reduce, and account for child abuse.

A comment before the evidence is presented – the field of child abuse in organisational settings is not well understood. As Higgins notes, child abuse and maltreatment that has occurred in the context of institutions and organisations ‘has been generally under-researched’ (2004). As there is no systematic or central reporting mechanism it is difficult to separate incidents of abuse in organisations from those in the home. The studies that have been undertaken, or which have collected data, have not adequately assessed the situations where abuse has occurred, the method of grooming or abuse, or the relationship between perpetrator and victim.

This is a problem made even more difficult by determining where the first contact was made with a child – some grooming behaviours begin at organisations but the abuse itself may not occur for months or years, well outside the organisational context. Child sex offenders require access and opportunity, and organisations that work with children may provide a space for the offenders to make that initial point of contact. The extent to which abuse of this type occurs is unknown.

A truly comprehensive child abuse/maltreatment prevention strategy will aim to prevent and minimise the abuse of children in organisational settings by targeting four distinct areas:

1. Victims, and potential victims,
2. Offenders, and potential offenders,
3. Specific places and circumstances, and
4. Whole communities.

(Higgins, 2004)
We know that organisations have provided abusers with ‘almost limitless opportunities for the manipulation and abuse of children’ (Beech & Sullivan, 2002; Nolan, 2001; Waterhouse, 2000; Utting, 1998). The majority of known offenders in organisational and institutional settings are ‘deliberately seeking situations in which they might abuse’ (Faller, 1988). These offenders have either ‘generated or made use of existing environments of pervasive secrecy’ that exist at organisations (Green, 1999).

‘Power and control is one of the biggest tools an offender uses. He uses it firstly to develop a level of authority over the child, possibly, he uses it to develop a friendship, with the child, he uses it to offend against, uh, any other person, an offender needs to disempower [sic] that person, he does that by taking away their rights either with violence, or assertiveness using coercion, he does it to convince a victim that what was perpetrated against that person was ok, when in fact it wasn’t.’ – Child sex offender (Child Wise, 2002).

It would be wrong to assume that all grooming behaviour and abuse that occurs in organisations is conducted by ‘professional perpetrators’ – those considered hardened paedophiles, the ones that employ far more sophisticated techniques to manipulate their organisational settings and their victims. In many instances, the abuse of children may be perpetrated by opportunistic or situational offenders, rather than the committed paedophile. Organisations need to create child safe structures that address all typologies – screening out and removing the committed paedophile and developing systems and policies that prevent the abuse of children by opportunistic and situational offenders.

Beyer, Higgins & Bromfield identified that traditional explanations of child abuse ‘have focused on the vulnerabilities of the victims and the backgrounds and psychological drivers of the perpetrators’, with only a limited examination of the environmental factors and contexts in which abuse took place. They argue that for the ‘development of greater child safety in organisations this latter focus is a critical dimension’ (2006).

The rationale behind Child Wise’s Standards and our broader approach to child abuse prevention reflects a recognition that organisations cannot control or rectify the behaviour of child sex offenders, nor be responsible for the wider community’s attitude or responses to child abuse. In the final section of this submission, Child Wise will provide a number of broad recommendations on how these areas could be addressed.
However, there are some areas that an organisation can control. They have both the obligation and opportunity to provide a duty of care for victims and potential victims, and organisations have the ability to restrict and protect the specific places and circumstances in which abuse takes place. When considering the risks posed by offenders and potential offenders, organisations can, and should, take responsibility for preventing potential offenders from gaining the access and opportunity they need to abuse children.

There are a number of ways organisations can fulfil these roles, which are incorporated in the Standards. Supporting the Standards are the principles of situational crime prevention, and a public health approach to child abuse prevention.

**Situational Crime Prevention**

*Situational crime prevention* is designed to prevent a crime by addressing the site of the crime through a focus on the crime event itself. It reduces the opportunity for a crime to take place through the ‘manipulation of environmental dimensions’ (Beyer, Higgins & Bromfield, 2005), by denying access to the crime site, and by preventing the opportunity for committing the crime from arising. There have been a number of evaluations of situational prevention actions, and they have not shown any significant displacement of crime – indeed there is some evidence to show these actions have positive effects beyond the initial aims of the projects (Clarke, 1996; Sherman, 1990).

Traditional conceptions of situational crime prevention consist of three areas:
1. Increasing effort – what is known as target hardening – the use of locks, bars, and security systems to prevent a crime (i.e. a break in/robbery) from taking place;
2. Increasing risks – the risks of getting caught (increased surveillance), the risks of being detected before the crime has taken place, etc.; and
3. Removing excuses/reducing permissibility – creating different norms in criminals, making the effect on victims of crime more visible to potential criminals, etc.

(Smallbone, Marshall & Wortley, 2008)

Situational crime prevention does not (and cannot) seek to have a direct effect on the behaviour of offenders, but aims ‘to eliminate or reduce their inappropriate behaviour in prescribed settings’ (Smallbone, Marshall & Wortley, 2008). It is about creating safer environments rather than safer individuals.
We know that for most offenders, the environment in which they operate is the critical factor in their decisions to offend or not. Research conducted in Canada based on 750 randomly sampled males between the ages of 18-27, showed ‘that many would sexually offend against a minor if the opportunity arose’ (emphasis added) – that is, if the environmental conditions presented them with the opportunity (Bagley et al., 2001). Reducing the cues and opportunities for abuse to take place by manipulating the organisational environment can be a highly effective way to prevent abuse.

The approach considers the actions of the victim, the perpetrator, and the bystander – but its strength lies in the way it takes into account the contributions of the characteristics and location of the setting, and the policies and regulations of the organisation – the elements that constitute the environment in which the crime occurs (Kaufman, Hayes & Knox, 2010). As a result, we can expect that child abuse in organisations will be reduced if the effort to offend can be increased, if the chances of offenders being detected can be increased, and if we can reduce the permissibility of the offender’s actions (Clarke & Homel, 1997).

To effectively implement a situational crime prevention approach, there must be a detailed analysis of the crime of child abuse – we need to understand child abuse before we can prevent it. Some of the key areas for consideration are:

- What is the crime (a definitional question)?
- Where does it occur?
- Who is involved? Why do they do it?
- What environments can exist within the organisation to enable the crime?

**What is child sexual abuse?**

To adequately design prevention systems, they must be based on a clear understanding of the problem. There is no single definition of child sexual abuse – different professions employ different methodologies or have different points of focus when approaching the issue. They emphasise the factors or components of child maltreatment that have most relevance to their field.

In the interests of trying to maintain consistency across the sector, Child Wise has chosen to adopt the definitions of child maltreatment (and of child sexual abuse) provided by the Australian Institute of Family Studies (AIFS, 2012). These definitions are broad based, and focus less on the specific harm caused to the child, and more on the abusive behaviours of the perpetrator. This helps to avoid debate about the exact points at which specific behaviours become child maltreatment. It also makes it simpler to conceptualise prevention systems around offender behaviour.
Appendix 1 attaches the AIFS paper ‘What is child abuse and neglect?’, upon which Child Wise bases our definition of child sexual abuse. Ultimately, however, sexual abuse occurs when an adult or someone bigger and/or older than the child uses power or authority over the child to involve the child in sexual activity. Physical force is sometimes involved (Child Wise, 2004).

Unlike other maltreatment types, child sexual abuse can vary depending on the relationship between the victim and the perpetrator. For example, any sexual behaviour between a child and a member of their family (i.e. uncle, step-father) would always be considered abusive, but sexual behaviour between two adolescents may not be abusive, depending on whether it was consensual, whether any coercion was present, or whether the relationship between the two young people was an equal one (AIFS, 2012).

Finally, child sexual abuse is never entirely separate from other maltreatment types – a child is rarely affected by only one form of trauma from abuse. There is limited research into ‘co-occurring’ abuse types, but it is well established that physical abuse entails emotional abuse/damage, and that sexual abuse has often been preceded by physical abuse or neglect. This is not just the trauma of physical or sexual abuse creating emotional damage – abuse most often comes from someone the child knows or is close to. That fundamental violation of trust can severely damage their emotional and cognitive development. It is also obvious that children who have been exposed to other forms of abuse become far more vulnerable to sexual abuse.

Higgins recommends that ‘child maltreatment types should not be considered in isolation, due to the large degree of overlap between each form of abuse and neglect’ (2004). For this reason, there is a need to ensure that situational crime prevention techniques when applied to organisations must address not just sexual, but all forms of abuse.

**Where does it occur?**

There is a disturbing lack of data around specific instances of child abuse in organisations. There has been no attempt to separate out instances of abuse in society or the home environment with that occurring or initiating in the organisational setting. There is ‘a lack of systematic information on the true incidence of abuse’ (Kendrick, 1997), a situation that has remained constant for decades.
To develop highly targeted interventions it is vital that we determine the full extent of abuse in the organisational setting (the nature of abuse, the situation, the characteristics of offender and the victim, the institutional and organisational environments in which the abuse occurred, etc.). This is an area where urgent research is required. However, in broad terms, there are certain characteristics of an organisation that can create an environment that will enable child abuse to take place – that grant offenders the access and opportunity to offend.

Westcott suggested that there were four barriers to reporting of abuse within institutions; these same barriers represent some of the environmental characteristics that can pose a risk within organisations. They are:

- Lack of procedures/policies for reporting and investigating a complaint of institutional abuse,
- Institutional abuse viewed as the problem of the individual staff member, not the institution,
- The closed nature of institutions, and
- The belief system surrounding institutions.

(Westcott, 1991)

In addition to these, it is Child Wise’s expectation that the following characteristics of organisations are likely to allow child abuse to take place. They include: a lack of supervision, unclear roles or responsibilities, a failure to enforce codes of conduct or professional boundaries, a culture of secrecy and silence, a lack of understanding of child abuse, a lack of resources, under-staffing, and poor complaints management. These conditions, and others, contribute to an environment where child abuse can occur, and will be discussed in more detail when providing evidence for the individual Standards below.

The specific situations where abuse can occur are varied – from representatives spending time alone or unsupervised with children, allowing ‘special’, favouritism based relationships to develop between representatives and children, and in allowing representatives to act as babysitters in a private capacity to children from the program. These situations are not limited to the abuse that may occur on premises, as the process of grooming of children, parents, and an organisation’s representatives can occur over a long period of time in subtle ways. Often abuse occurs outside an organisation, but has been made possible because the initial contact and grooming of the child occurred within the organisation (Smallbone & Wortley, 2001).
Smallbone & Wortley found that:

- For intra-familial sex offenders, the most common means for organising time alone with the child was being at home alone with the knowledge of their wife or girlfriend (57.7%) and through watching television with the child (36.6%);
- For extra-familial sex offenders, the most common venue was similarly watching television with the child (32.2%), letting the child sleep in the same bed (30.5%) and going for car rides with the child (30.5%); and
- For mixed-type offenders (offending in and outside the family), the most common means was similarly watching television with the child (73.3%), sneaking into the child’s bedroom at night (63.3%) and letting the child sleep in the same bed (60.0%).

(Smallbone & Wortley, 2001)

It is unclear how accurately this may be applied to an organisational setting, but the two clear commonalities of the situations where abuse occurs are: spending general time alone and unsupervised with a child, and sharing intimate activities alone with the child. It would seem that by minimising the opportunities for these unsupervised activities to occur, the chances of child abuse happening will be reduced.

It has been claimed that because many of the institutions where the most egregious abuses of children took place have been shut down, the various flaws that were characteristic of their structure are not applicable to current organisations. Beyer, Higgins & Bromfield have countered this by saying that ‘the organisational risk factors…can still be identified as characteristics to avoid in existing or future service provision options for vulnerable people including children and young people’ (2006).

**Who is involved? Why do they do it?**

A detailed consideration of child sex offenders (including situational, opportunistic, and committed) is beyond the scope of this submission – it is worth consulting Smallbone, Marshall & Wortley for a comprehensive offender typology. This includes the various foundations that can motivate child sexual abuse, identifying offender behaviour, considering how they can be treated, and assessing how offenders operate in different situations (Smallbone, Marshall & Wortley, 2008).

The table on the following page outlines the way that each type of offender may operate in a given setting, though it should be remembered that this is a broad approach and there is no fool-proof mechanism for detecting or identifying offenders before they abuse a child.
<table>
<thead>
<tr>
<th>Setting/Offender</th>
<th>Situational</th>
<th>Opportunistic</th>
<th>Committed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public</td>
<td>Stimulated to offend in the course of short-term contact with a child in generally accessible locations</td>
<td>Exploits sexual opportunities when encountering children in generally accessible locations</td>
<td>Frequent generally accessible locations where children are likely to be in order to access those children</td>
</tr>
<tr>
<td>Institutional [Organisational]</td>
<td>Stimulated to offend in the course of routine quasi-parental duties while working or volunteering in an organisation that caters to children</td>
<td>Exploits sexual opportunities while working or volunteering in an organisation or agency that caters to children</td>
<td>Joins organisations or seeks employment in agencies that cater to children in order to access those children</td>
</tr>
<tr>
<td>Domestic</td>
<td>Stimulated to offend in the course of routine childcare duties</td>
<td>Exploits sexual opportunities when left alone with children</td>
<td>Establishes relationships with single mothers or befriends neighbours with children in order to access their children.</td>
</tr>
</tbody>
</table>

(Smallbone, Marshall & Wortley 2008)

Finkelhor has suggested that there are four preconditions that must be met for child sexual abuse to occur, and that all factors relating to sexual abuse can be grouped as contributing to one of these preconditions:

1. A potential offender needs to have some motivation to abuse a child sexually,
2. The potential offender has to overcome internal inhibitions against acting on that motivation,
3. The potential offender has to overcome external impediments to committing sexual abuse, and
4. The potential offender or some other factor has to undermine or overcome a child's possible resistance to the sexual abuse.

(Finkelhor, 1984)

In situational crime prevention, it is the last two preconditions that organisations are most able to influence – raising the external impediments (limiting or changing environmental factors that enable abuse to take place) and increasing a child’s resistance to the sexual abuse (i.e. personal safety training).
Grooming and the sex offender cycle

‘I just justify I’m not doing anything wrong, I mean, you know, I justify it’s just something sexual the two of us are doing together, it’s not wrong, it’s ok, they don’t mind doing it.’ – Child sex offender (Child Wise, 2002).

It is essential that we have a clear understanding of the grooming process and the sexual offending cycle to effectively prevent the sexual abuse of children. People who sexually abuse children engage in a cyclical pattern of behaviour. While there are variations amongst sex offenders in how they operate, the concept of the sexual offending cycle can be used as a fairly typical pattern for the largest category of offenders, adult male sex offenders.

The Sexual Offending Cycle

1. Thoughts & feelings
   negative/positive

2. Pro-offending thinking

3. Fantasy & rehearsal

4. Targeting

5. Grooming the victim(s) and the organisation

6. The offence

7. Guilt & fear

8. Maintain secrecy

9. Pretend things are normal

Adapted from the Core Sex Offender Management & Intervention Program Victoria, 2001
‘When they groom they might take one aside, give him treats, get the knowledge, give him ice cream, get to know his parents, say “Oh I’ll help with your homework” or “come around”, and normally most offenders get the victim alone, part of the grooming is to get them alone… “This is where I live, if you want a hand with your homework, or want to get your bike fixed”, that’s where the offence is most likely to occur’ – Child sex offender (Child Wise, 2002).

It is not just paedophiles who pose a risk to children; many people have the capacity to become child sex offenders. Based on the results from a large sample of both male and female public sector childcare workers in the UK, in 15 per cent of the male and 4 per cent of the female respondents, Freel found a level of sexual interest in children (2003). Most concerning, was that 4 per cent of the men and 2 per cent of the women admitted that ‘if it was certain no one would find out and there would be no punishment’ they might have sex with a child (Freel, 2003). This probably underestimates the true situation, given the social stigma surrounding the expression of sexual interest in children.

Staff and supervisors in organisations need to be able to recognise the ‘grooming’ process used by child sex abusers toward both adults and children (Beyer, Higgins & Bromfield, 2005). People intent on grooming children for sexual abuse are commonly charming and helpful, have insider status, and often go on the offensive when behaviour is challenged. Worrying behaviours that may be ‘grooming’ include:

- Peer-like play with children,
- Preference for the company of children,
- Engagement in ‘roughhousing’ and tickling,
- Touching games,
- Failing to honour clear boundaries of behaviour, and
- Seeking one-on-one contact with children.

(van Dam, 2001)

It is important to remember that up to 30% of child abuse is perpetrated by peers – children or of a similar or older age group. Young people can also be responsible for physical, emotional, and sexual abuse, and responses to these forms of abuse ‘are usually incorporated into policies to prevent bullying’ which is not appropriate in all cases (Irenyi et al., 2006). Many of the abusive behaviours exhibited by children are concerning, as they may be offending or reacting to abuse that has been perpetrated against them. A sensitive approach to child and youth offending is necessitated.
There is no one type of person who is likely to offend against children – there may be warning signs, equally, there may be none. The key theme around organisational abuse is opportunity. Some offenders await the opportunity, others create the opportunities and put themselves in settings where they could abuse, and still others move between a range of settings to enable abuse (Gallagher, 1998).

**What conditions exist within the organisation to enable the crime?**

If we understand the offending process, even in this limited way, we then need to consider the situation and conditions within the organisational context that can enable such behaviours to occur.

**Denial**

There can be denial that the abuse can occur, and/or that it does occur (NSPCC, 1991). Co-workers may turn a blind eye to abuse, for it is enormously difficult to accept that a committed long-term coach, support worker, or volunteer is really abusing a child in the organisation’s care. A lack of knowledge about grooming behaviour and the true incidence of abuse will allow a culture of denial to take root in an organisation.

**Fear**

There is fear of discouraging volunteers from joining the program, fear of change, fear of having to deal with the issue of child abuse, fear of being wrong (Child Wise, 2004). A lack of knowledge, and a process for dealing with problems that excludes of representatives, will lead to fear within an organisation that creates the space for child abuse to occur.

**Complacency**

A lack of understanding of the nature and risk of child abuse, a lack of commitment to the organisation or program, and a sense that child abuse occurs elsewhere, and that it is not an internal problem can all lead to complacency (Child Wise, 2004). Attitudes such as ‘our systems are robust and safe, so nothing further is needed’ are a barrier to openness, accountability, and reflective practice.

**The role of representatives**

Organisations may be made vulnerable through: a lack of resources, a lack of supervision, poor qualifications and training, poor communication and oversight by management, or by poor pay and conditions (NSPCC, 1991). Representatives in these situations will be ill equipped to address concerns of child abuse.
A focus on the client
Many organisations that work with children exist to provide social services or support to children in the community. They exist as ‘client-independent’ organisations – unlike ‘client-dependent’ organisations that depend on the continued business of their clients (i.e. retail), the relationship of client-independent organisations and their clientele ‘is often mediated through layers of protective bureaucracy’ (Dunne, 2004). They do not rely on their clients; their clients rely on them. This is a situation which fosters an uneven power relationship and risks creating a culture where accountability to children and their rights is lacking.

‘Inappropriate behaviours are often known, or at least suspected, by peers’ (Erooga, 2009). It is the failure to instil a culture of openness and accountability that leads to organisational environments that enable the abuse of children.

This is not a comprehensive list – as evidence is presented for the Standards, we will show other aspects of organisations that can foster the closed and secret environments which house the conditions for child abuse to occur.

Situational crime prevention applied to child abuse

Implementing a situational crime prevention approach for child abuse prevention can strike a balance between sensible precautions on the one hand, and the need to maintain aesthetic and personal freedoms on the other (Laycock, 2003). Having at least in part addressed the definitional questions, we can apply the three areas of situational crime prevention to preventing child abuse within an organisational or institutional context.

Increasing the effort required to offend

Increasing the effort perpetrators must make to offend requires strategies to make the offending behaviour itself more difficult, or inconvenient to conduct. The simplest method is to control access to the facilities and children. This is covered in detail in the evidence for individual Standards, but one example is the use of risk assessments and screening of staff to limit the access of potential offenders to children. It may also include controlling which representatives have access to certain facilities, teaching children how to be assertive and report their discomfort or any issues they have, and the use of controlling strategies such as representative supervision (Cornish & Clarke, 2003).
From a situational (and practical) perspective, ‘it is better to develop interventions that can be generally applied, rather than to assume we can accurately identify risky individuals’ (Smallbone, Marshall & Wortley, 2008). For preventing the abuse of children, this strategy effectively means making it harder for potential offenders to gain access to children to abuse.

**Increasing the risk of detection**

Smallbone, Marshall & Wortley have identified that child sexual abusers are most likely to select locations where child supervision is inadequate or non-existent, and where the chances of being caught are minimal (2008). It is estimated that up to 92% of cases of institutional and organisational child sexual abuse involve lone perpetrators (Gallagher, 2000).

The use of formal surveillance, through greater supervision, will increase the risks of being caught, and therefore lower the likelihood a potential offender will seek to abuse children within the organisation. There is a clear need for formal whistleblower support policies, complaints procedures, and transparent disciplinary procedures to reinforce the chance of detection, for representatives who feel supported by an open organisational culture are more likely to report abuse (Kendrick & Taylor, 2000). The same is true for representatives trained in an understanding of child abuse and grooming techniques – they are far more likely to detect and report offenders.

**Reducing the permissibility/options for excuses**

Offenders tend to minimise the criminality of their behaviour by invoking various excuses to free themselves from the restrictions of self-blame that comes from abusing children (Sykes & Matza, 1957). Visible rule setting techniques will help to reinforce moral codes by creating clear standards of conduct. Professional boundaries and guidelines that define acceptable forms of behaviour (i.e. physical contact) between representatives and children will deny potential offenders the opportunity to make excuses about their (or another’s) behaviour by exploiting ambiguity about what is expected of them (Trocme & Schumaker, 1999).

This is effective for situational or opportunistic offenders, although it will only slow down the committed offender’s abusive behaviours. However, codes and standards of conduct will reduce barriers and excuses for other representatives to report suspicions or knowledge of abuse, making it more likely that any abusive behaviours present in the organisation will be identified.
At heart, the situational context in an organisation can play an active role in the initiation and maintenance of offender’s behaviour (Smallbone, Marshall & Wortley, 2008). There is little direct evidence or research to show that situational crime prevention has had an effect on reducing child sexual abuse, and further work is needed in this area. Yet if we know that child sexual abuse is enabled by the access and opportunities that offenders have to abuse, then by limiting and altering the environment that provides that access and opportunity, it is probable that the abuse can be prevented and minimised.

The public health model applied to child abuse prevention

This approach distinguishes between interventions designed to: prevent sexual and other forms of child abuse before they occur (primary interventions), reduce the likelihood of abuse occurring for vulnerable children (secondary interventions), and minimise the impact of abuse that has already taken place (tertiary interventions).

The key difference between this approach and situational crime prevention is that the public health model is a framework focusing on the victim or potential victim, rather than the crime event itself. It recognises that no matter the strength of the situational crime prevention tools that are employed there is still a risk that child abuse will occur, either internally or through external factors. By considering the victim or potential victim in prevention strategies, the risk of child abuse can be minimised.

Primary interventions

The aim of a primary intervention is to prevent the abuse of children before it can occur. One of the most effective ways is by providing children with training and education on personal safety/protective behaviours – equipping them with the tools to become more assertive and confident.

A child sex offender, when describing how he would choose the more vulnerable children who ‘do not get love at home’, stated that ‘they’ll allow certain things because they want to hang onto that friendship, and they don’t realise to a certain extent that this person is only using them, manipulating and abusing them for their own gratification’ (Child Wise, 2002). By making children more confident and capable, they are less likely to be targeted – they are also more likely to speak up about the abuse should it occur (Burgess & Wurtele, 1998).
While at times controversial, the predominant view is that most primary interventions around personal safety programs are highly successful in imparting knowledge about sexual abuse to children, and although the evidence for the adoption of self-protective behaviour is weaker, it still suggests a positive effect (Topping & Barron, 2009; Zwi et al., 2008).

**Secondary interventions**

As outlined above, vulnerable children will always be at greater risk of child sexual abuse. By identifying those children and providing them with higher levels of support and supervision, the likelihood of them being abused will be lowered. This requires an understanding of child abuse, trauma, and attachment, as well as grooming behaviours, reinforced through regular training of representatives.

The ability to act on this level will be limited by the organisational capacity – and the child protection system’s capacity. To this end, Child Wise recommends that the Royal Commission consider the work of the Australian Research Alliance for Children and Youth (ARACY) and their report *Inverting the pyramid – Enhancing systems for protecting children* (2009). This report contains recommendations for enhancing secondary interventions that provide support for vulnerable and at risk children and young people and their families.

**Tertiary interventions**

Tertiary interventions seek to reduce the long-term impacts of maltreatment, and to prevent maltreatment from continuing where it has been identified (ARACY, 2009). Organisations where staff have been fully trained in recognising and responding to child abuse will be far more likely to detect abuse that is occurring (both within and without the organisational context). Early detection and an appropriate response to child abuse are critical in minimising the impacts on the child – *Standard 11 – Complaints & Disclosures* identifies the key elements for an organisation to ensure this occurs.
It is worth reflecting on the four areas that Higgins identified as being critical for a comprehensive prevention strategy:

1. Victims, and potential victims,
2. Offenders, and potential offenders,
3. Specific places and circumstances, and
4. Whole communities.

(Higgins, 2004)

The Standards combine situational crime prevention tools and a public health model approach to child abuse to give organisations a framework to address the aspects of the three areas that they can control and build child safe organisations. The final step, ‘whole communities’, requires a broader societal intervention. Child Wise will provide recommendations around this in the final section of this submission.

The Standards enable organisations to protect children in the most comprehensive way possible. The remainder of Section 2 will address each Standard in turn and provide evidence and examples of their efficacy.
Standard 1 – An Open and Aware Culture

The safeguarding of children must be founded on an organisational commitment to a set of values that have the wellbeing of children at their heart. These values, and the supporting systems and processes that reinforce them, must be clear and visible, implemented with defined methods, and subject to ongoing monitoring and review (Erooga, 2009). When this fails to occur, organisations are vulnerable to a ‘corruption of care’ (Wardaugh & Wilding, 1993).

Higgins et al. identified that a positive child safe culture is one in which:
• Adults and children have confidence that disclosure will be treated seriously and acted upon promptly and appropriately (Petraitis & O’Conner, 1999),
• Children are treated as individuals with rights (Wardhaugh & Wilding, 1993),
• Inappropriate and high risk offender behaviour (overly touching children etc.) is not accepted and is stopped immediately (van Dam, 2001),
• Management styles are open and egalitarian (Department of Health, 1992; Hughes, 1985; Lawson, Ambros & Clough, 1986),
• All people connected to the organisation are empowered and feel confident to raise concerns, including children and young people (Bichard, 2004; Utting, 1991; Wardhaugh & Wilding, 1993),
• There are strong environments to avoid situational risks developing (Department of Health, 1992; Hughes, 1985; Lawson, Ambros & Clough, 1986),
• Everyone is well trained in child abuse, and in child and adult grooming behaviours (Utting, 1991), and
• Being child friendly is a focus, not just being child safe (Blakester, 2006; NAPCAN, n/d).

(Higgins et al., 2006)

Additionally:
• The relationship between representatives and children is established through clear boundaries and roles,
• The organisation is open to outside influence and accountability,
• There are adequate levels of staffing, staff supervision, and training, and
• The rights of children are clearly articulated and acted upon.

(Support Force for Children’s Residential Care, 1995)
In an organisation with a culture of child safety, voicing a concern is not viewed as an accusation – everyone in the organisation has the right to feel safe, to feel supported, and to feel they can speak up when they have a problem or concern, knowing that they will be heard.

The intent is not to construct policy and systems that are autocratic and inflexible. The best organisations Child Wise has encountered have been those with continuous improvement systems in place – systems that emphasise the best interests of the child. A child safe culture is open and dynamic – it requires a willingness to be flexible and to adopt policies and procedures that are relevant to an individual organisation’s needs and activities.

The importance of good management and effective governance in ensuring this and overcoming obstacles within an organisation is paramount. A management structure that is open to dealing with the issue of child abuse will help to overcome any resistance among other representatives. Training is not just for frontline representatives – for management, an understanding of the risk factors, grooming behaviours, and of child abuse and its impacts will encourage them to take appropriate actions to protect children.

It would be fair to say that Standard 1 – An Open & Aware Culture lays a foundation for the other Standards. It provides a guiding principle for an organisation in all its actions to protect and care for children; equally, openness and accountability can only be effective when supported by the systems and procedures that constitute the other Standards. For instance, Irenyi, et al. note that adults and children must be confident in disclosure handling and that this is only possible if a clear and transparent complaints and disclosures system is in place (Standard 11 – Complaints & Disclosures) (2006).

The dozens of reports and inquiries into institutional child abuse, both within Australia and internationally, have all found that abuse has been fostered within closed organisations. For instance:

- In 1994, the UK Huston Inquiry recommended that ‘agencies providing services to children or vulnerable adults should ensure that a culture of openness and trust is fostered within the organisation, encouraging staff to share any concerns about the conduct of colleagues, and children to report anything they are concerned about in their dealings with staff. They should also be assured that any concerns will be acted upon in a sensitive manner.’ (Social Services Inspectorate, 1994);
• The Ryan Commission into the Catholic Church in Ireland found that ‘authoritarian management systems prevented disclosures by staff and served to perpetuate abuse’ and that ‘staff were protected by management of Industrial Schools at the time, and years later when physical abuse was discovered, by Congregational Authorities who regarded the “indiscretions” as a “moral failing” on the part of the individual bothers rather than a systemic problem that went unaddressed’ (Ryan Commission, 2000);
• Australia’s ‘Protection Vulnerable Children’ Senate report found that the child safe culture among foster care agencies and the government has been increasing over the years, but its absence has been a key feature in the failure to protect children (2006);
• The ‘Forgotten Australians’ Senate Report said that, generally, there was no child safe culture, and no attempt to manage the risks of abuse. There was often purposeful disempowerment of children in institutional care (2004);
• The John Jay Report into the Catholic Church in the United States found that claims that the institutional hierarchy of the Catholic Church contributes to a pro-offending environment due to the moral authority vested in the hierarchy over other priests and their ability to ostracise and control privileged. The church’s neutralisation approach results in complicity from superiors, enabling offenders to continue offending (2004); and
• ‘Restoring Dignity’, an investigation into child abuse in Canadian institutions, found that governments, research institutions and non-governmental organisations should co-ordinate their efforts to compile and disseminate an inventory of promising and proven measures to prevent abuse from occurring in out of home childcare (2002).

If there is not an appropriate, open culture around safeguarding children, ‘the risk that the ethic of care will be breached is present in any setting where adults come into contact with children’ (Erooga, 2009). Green has noted that offenders ‘have either generated or made use of existing environments of pervasive secrecy’ (1999).
Historically (and in practices continuing in the present at many organisations), when abuse has been substantiated, there is little or no assessment of culpability of wider staff groupings or management for failing to detect and report abuse or abusive behaviour. There has been no identification of any policies, procedures, safeguards, and working practices that either directly or indirectly facilitated or enabled the abuse to occur, or recommendations on how to improve any of them (Barter, 1998). This reflects that child abuse has too often been seen as the sole responsibility of an individual offender, which not only ignores potential preventative actions, but can actively deny the responsibility of the organisation to ensure they are implemented. It also prevents formal documentation of the incident (Singleton, 1983). Sullivan & Beech have identified that organisations working with children ‘tend to be self protective, and often discourage employees from drawing attention to deficiencies, failings and abuses by staff’ (2002).

Another aspect is evident in many religious organisation’s cultures that can allow abuse to occur. It can also be seen in many lay organisations. This is the prevalence of a business ethic that promotes priests (staff) who rise through the ranks to bishop (management) because of their business skills. In such a culture, ‘the sexual abuse scandal became a “business problem” rather than a “pastoral challenge”’ (Barth, 2010). Unless children and their wellbeing are placed at the centre of an organisation’s culture, they will be disempowered and at risk of abuse.

The United Nations Convention on the Rights of the Child, Article Three, states that ‘in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration’ (United Nations, 1989). The value in this definition is not only for the international standing the document holds, but for the way it identifies the primary right of children to be protected from all forms of harm.

This must be the benchmark for considering children’s welfare. If it is deployed at the heart of an organisation’s work, it will form the basis for an enduring culture of child safe practices. Kendrick & Taylor believe that by relying on this as a foundational document, organisations will be more likely to break down the barriers to reporting abuse and to create a more open organisational culture (2000).
It is Child Wise’s experience that the central problem in organisations where incidents of child abuse or grooming behaviour occurs is the lack of an open and aware culture on child abuse prevention. Clear and transparent organisational systems must be implemented, guided by strong organisational management, to ensure that the foundations of a child safe culture are able to flourish. The remaining Standards provide the tools for ensuring a child safe culture can be established and maintained.
The capacity to understand child abuse within organisations is critical to preventing, minimising, and reducing the abuse of children (Child Wise, 2004). This is not limited to the signs and indicators of abuse types, but should include typical grooming behaviours, the impacts of abuse, and the appropriate actions to take when responding to children who have been abused.

The Australian Childhood Foundation and Monash University’s CAPRA have conducted research into the understanding of child abuse in the general public. In the absence of such research in organisations, it provides an interesting insight into the risks of not understanding child abuse.

They have found that:
- 28% of people did not feel confident to recognise signs of abuse and neglect,
- Up to 1 in 5 people may not believe when a child discloses, and
- 30% of people when first identifying child abuse did not know what to do.

(Tucci, Mitchell & Goddard, 2010)

These figures have remained static since 2003 when ACF and CAPRA first began this research. It is Child Wise’s (anecdotal) experience that in some organisations and industries, these figures are likely to be underestimates of the real problem.

There are then three key areas in which an understanding of child abuse will help to prevent, reduce, and minimise it:
- The signs and indicators of abuse,
- The methods by which groomers and offenders operate, and
- What to do when abuse or abusive behaviours are suspected, identified, or disclosed.

The signs and indicators of abuse

As identified earlier in this section, child sexual abuse is rarely an isolated occurrence – rather it is accompanied or preceded by the physical, emotional, or neglectful abuse of the child. The implications for effective prevention of sexual abuse are that representatives must be aware of all abuse types; their indicators and signs, and their impacts. Representatives must also be aware of particularly vulnerable groups (i.e. disabled children) and how to protect them.
Child Wise has trained many organisations that have a direct emphasis on child protection work. Our experience is that these workers have an in-depth knowledge and understanding of child abuse and its impacts. However, in organisations without a direct child protection focus, we have seen countless issues and obstacles where workers in the welfare field are unable to detect child abuse due to: their limited understanding of the effects of child abuse (in particular around attachment and developmental issues), their inability to discuss and challenge parenting issues/concerns, and a lack of understanding on when and how to report.

By recognising the signs of physical or emotional abuse (for example) organisations will be more likely to reduce the child’s vulnerability to future sexual abuse by referring them to external child protection services. The overlap in child maltreatment types suggest that early identification interventions will limit the likelihood of greater, more harmful abuse – such as sexual abuse – occurring in the future (Higgins & McCabe, 1998; ARACY, 2009).

The methods by which offenders and groomers operate

An understanding of the control mechanisms (that is, ‘grooming’) used by child sex abuse perpetrators to ensure the silence and complicity of their victims is critical for all representatives. It will assist in the development of codes of conduct and professional boundaries that define and limit inappropriate behaviour that may be the precursor to abuse by situational or opportunistic offenders. These codes of conduct will also prevent, identify, and limit the scope for abusive and grooming behaviours by committed offenders. Understanding how grooming occurs ‘would help everybody steer a safer course through a maze of unnecessary complexities’ (van Dam, 2001).

Children are made submissive and compliant through touching them non-sexually, playing with them and giving them a lot of attention (Beech et. al, 2002; Smallbone & Wortley, 2001). By recognising and identifying such behaviours, organisational representatives will be better able to intervene and prevent the grooming of children. Organisations must also be aware that offenders groom representatives and parents to normalise their behaviour – no level of inappropriate behaviour should be tolerated.

Standard 5 – Clear Boundaries provides a framework for developing these codes of conduct, and Standard 8 – Support & Supervision highlights the importance of enforcing them.
What to do when abuse or abusive behaviours are suspected or identified

Organisations must ensure that all representatives are aware of appropriate actions to take when responding to abuse or abusive behaviours. This takes a number of forms:

• How to respond to a child that has disclosed abuse – inappropriate handling of the situation may cause further harm to the child, or damage any future investigations (CDC, 2007). This is covered in Standard 11 – Complaints & Disclosures;
• How to manage inappropriate behaviours sensitively – not all representatives who breach codes of conduct are necessarily grooming a child, and it is important to build a culture of trust among representatives rather than accusing without evidence. This is covered in Standard 8 – Support & Supervision; and
• The process by which a complaint is handled – if representatives are confident that an allegation will be handled transparently, confidentially and fairly they are more likely to speak up about their concerns. This is covered in Standard 11 – Complaints & Disclosures.

Standard 10 – Training & Education, provides more evidence as to the importance and efficacy of ensuring organisational representatives are regularly trained and receive ongoing support in recognising and responding to child abuse.
Standard 3 – Managing Risk to Minimise Abuse

The role of an organisation in managing risk comes under three areas:

1. Those children considered ‘at risk’ due to certain factors or individual circumstances,
2. The behaviours of individuals who may be considered at risk of abusing children, and
3. The situations or environmental conditions of the organisation that pose a risk to children’s safety or wellbeing.

As discussed above, there are limited ways in which an organisation can have an impact on the first or second areas, though organisations do have a role to play in identifying those risks. It is the third risk area that an organisation has most control over.

‘At risk’ children

Discussed under Standard 2 – Understanding Child Abuse, some children are more vulnerable to abuse than others – those who have been physically or emotionally abused for example. There are other categories of ‘at risk’ children, who because of their circumstances or external factors, are at far greater risk of abuse.

These include:

- Age – Very young children spend most of their time in domestic settings, and any abuse that occurs is likely to be there. Organisations that provide child minding facilities or baby-sitting services are likely to be exposed to very young children, who are vulnerable as they are unable to resist. Older children will be in contact with adults through various organisations, and ‘are more vulnerable to abuse perpetrated by a non-family member’ (Irenyi et al., 2006);
- Gender – Sexual abuse is far more likely to be perpetrated against girls than boys. Boys are often subject to sexual abuse, but are more likely than girls to experience physical abuse;
- Previous maltreatment – Any form of previous maltreatment leads to a higher risk of further abuse, as those who have been starved for attention or neglected are more vulnerable to the predations of child sex offenders and groomers (Bromfield & Higgins, 2004). Children abused by family members are more likely to experience abuse by non-familial members (Finklehor & Dziuba-Leatherman, 1994);
• Disability – Disabled children are particularly vulnerable in the organisational setting (Sullivan & Beech, 2002), and they are far more likely to require services such as out-of-home care – organisations with out appropriate child safety measures will leave disabled children exposed to grooming and sexual abuse (Gallagher, 1999); and
• Aboriginal and Torres Strait Islander children – These children are over-represented in referrals and reports, with a higher incidence of child sexual abuse and greater familial abuse. It is unclear that this extends to the organisational setting, but the other factors above (vulnerable groups and previous maltreatment) would suggest that it does (Irenyi, et al., 2006).

It should be noted that all children are potential victims and as such protection efforts should consider the welfare of all children, not just those identified as particularly vulnerable. Gallagher has observed that ‘some victims of abuse are only vulnerable in the sense they are naturally vulnerable in the face of adults who have malign intentions towards them’ – the lack of autonomy and power that children have in many situations potentially places them at risk (1999).

Organisations that make identifying ‘at risk’ children and groupings a priority will make it more likely that these children are provided with early interventions and greater supervision – preventing abuse from continuing, reoccurring, and preventing new abuse types taking place within the organisational setting.

Organisations that work with children in these ‘at risk’ categories (in reality, most social service providers) should be required to put in safeguards that reflect an awareness of the increased vulnerability of their clients. This is especially the case in the disability sector, where disclosure rates are far lower than in other populations, which can lead to complacency within those organisations which work with disabled children (Gallagher, 1998; 1999; Sullivan & Beech, 2002).

**Individual behaviours**

Conducting risk assessments of potential offenders has had limited success. The absence of a reliable ‘profile’ describing the characteristics of individuals likely to perpetrate child maltreatment in an organisational or institutional environment mean ‘that assessments are largely limited to screening out individuals with known problem behaviour’ (Beyer, Higgins & Bromfield, 2005).
There have been some attempts at developing actuarial judgement systems to assess an individual’s likelihood of offending against children. These are highly limited – of the few studies that examine people who sexually abuse children in the workplace, none have identified any risk factors that apply solely to perpetrators (Gallagher, 2000; Trocmé & Schumaker, 1999).

Even were they to become accurate through the gathering of quality data, such a system would be highly cumbersome – screening all individuals applying for a position would be time consuming and may deter highly qualified and appropriate applicants. Beyer, Higgins & Bromfield have noted that ‘if used, it would be important that risk assessment tools in Australia be directly related to the specific type of work being applied for and were able to stand up to legal challenges from applicants who are excluded from child-related employment as a result of the assessment process’ (2005). Standard 6 – Recruitment & Selection, and Standard 7 – Screening of Representatives outlines the evidence for current assessment systems.

As noted earlier, ‘from a situational perspective, it is better to develop interventions that can be generally applied, rather than to assume we can accurately identify risky individuals’ (Smallbone, Marshall & Wortley 2008). The best way to manage individual behaviours that may pose a risk to children is through clear boundaries and codes of conduct. Identifying and specifying behaviours within an organisation that are likely to represent a risk to children (spending time alone with children, inappropriate physical contact, etc.) will provide the knowledge needed to limit those behaviours. This is covered in more detail in Standard 5 – Clear Boundaries and Standard 8 – Support & Supervision. Conducting risk assessments for organisations and individual positions will facilitate this process.

The National Society for the Prevention of Cruelty to Children (NSPCC) in the UK has highlighted the importance ‘of developing policies and procedures that limit the scope for individuals to spend time alone with children, both within and outside the work environment, and of having staff support systems that facilitate the identification and effective management of inappropriate behaviour by staff’ (Erooga, 2009; Sullivan et al, 2011). Standard 5 – Clear Boundaries covers some of these behaviours in more detail, but exact policies and procedures should be based on identified areas of risk specific to each organisation.
Situational and environmental conditions

The key theme around organisational abuse is opportunity. Some offenders await the opportunity, others create the opportunities and put themselves in settings where they could abuse, and still others move between various settings to enable abuse (Gallagher, 1998). If an organisation removes the environmental opportunities, then it can limit an offender’s access to children and their ability to groom and offend (Salter, 1993).

We know that perpetrators have been able to exploit the ‘special features of an institutional environment to facilitate their abuse and prevent disclosure’. Offenders need the opportunities to get to know a child, ‘to gain his or her trust, and they need time and a place to abuse them’ (Brannan, Jones & Murch, 1993).

When conducting ‘Choose With Care®’ training, Child Wise asks participants to conduct risk management exercises on an aspect of their program. Often participants realise that their policies and procedures are out of alignment with their practice in ways that put children and the service at risk. Some examples include differences between policies and practices on:

- Who enters the shower area with children when away on camp,
- When are volunteers allowed outside contact with services,
- Social media contact with clients and families, and
- Recruitment or selection procedures.

Good risk management within organisations can help to identify and eradicate the misalignment of policy and practice.

This element of risk management goes to the core of situational crime prevention, which is based on the concept that the crime of child abuse will be reduced if an organisation can ‘minimise offence opportunities, [and] increase the chances of [offenders] being caught’ (Kaufman, Hayes & Knox, 2010). To do this, a comprehensive risk assessment that identifies where those opportunities for abuse to occur lie will enable organisations to target strategies at limiting the opportunities and increasing the chance that offenders will be caught.

By applying our knowledge of grooming behaviour and techniques, and an awareness of how offenders access organisations, we can identify a number of key risk areas that are common to all organisations:

- Access - Offenders will seek to access organisations where they think they will be able to groom children. We know that vulnerable children are more likely to be targeted, but also that all children are to some extent likely to be at risk of child abuse. Appropriate recruitment and screening techniques will help to deter and screen out offenders – denying them access to children. This is covered in Standard 6 – Recruitment & Selection, and Standard 7 – Screening of Representatives;
• Lack of supervision – If offenders are able to spend time alone with children they will be more able to groom children through touching, favouritism, and coercion. These are all aspects which may be addressed in a code of conduct, but if representatives are not supervised, this can not be adequately enforced;
• Inadequate resources – A lack of training, lack of time to ensure representatives are screened and supervised, and understaffing makes it difficult to enforce codes of conduct (Beyer, Higgins & Bromfield, 2005). This is not always within an organisation’s direct control, but by ensuring other processes are in place, the impact of this area can be minimised;
• Lack of staff accountability – A ‘lack of external and independent scrutiny and “excessive trust in the ‘goodness’ of the religious administering homes” meant institutions were allowed to operate virtually without question’ (Australian Senate Community Affairs Committee, 2004). This is not limited to religious bodies, but for all institutions and organisations with a closed and secretive approach;
• Hierarchical or Patriarchal Management – ‘Organisations managed along hierarchical lines are often so highly controlled that no one can permeate their structures, nor challenge their practices. The abuser in this type of organisation is more commonly an authority figure in the institution and is protected by the hierarchical systems in place’ (Beyer, Higgins & Bromfield, 2005). Gill contends that in organisational cultures that rely on male elders being obeyed without question (for instance, many religious orders), ‘challenging is viewed as a betrayal’ (1996).

Standard 1 – An Open & Aware Culture highlights the importance of an open and egalitarian management structure – identifying the nature of an organisation’s management should be part of all internal risk assessments;
• Physical environments – If the physical facilities of an organisation are closed (i.e. small rooms, few windows, automatically closing doors, etc) then this may pose a risk – offenders are likely to have greater opportunity to access children one-on-one, and effective supervision will be more difficult;
• Lack of policies and procedures – A lack of policies and procedures to guide representative behaviour can allow offenders to exploit ambiguities and uncertainties. This may be in their behaviours to children, their involvement in activities, or their contact with children and families outside the organisation. This is covered under Standard 4 – Child Protection Policies & Procedures; and
• Specific activities – Some organisations run activities that pose an inherently higher risk of child abuse. These include camps, overnight stays, sporting activities which require higher levels of touch, the showering of disabled children, etc. These activities need to be considered, and additional safeguards in the forms of policies and procedures implemented – which could include higher staff ratios, regular reviews of representative performance, etc.

By identifying the situational or environmental risks specific to an organisation, it will be able to develop policies and procedures designed to protect children that are specific to their conditions. It must be noted that the specific conditions and ways in which offenders access children at organisations are only understood in generalities. There is very limited research or data collection on the risks posed by offenders and groomers in an organisational setting, and it should be a priority that further research in this area is conducted.
**Standard 4 – Child Protection Policies & Procedures**

Policies and procedures can control the environment to ensure children’s safety and wellbeing: if they are not comprehensive, that environment can be exploited. An organisation’s policies and procedures give a structure to its actions and activities. For example, they can guide representatives on how to behave, and on the processes to be followed in recruitment – in short, they can codify the ways in which children are protected and how the opportunities for abuse can be minimised.

Policies and procedures are the shape around which an organisation can implement its child safe culture; unless they are clear, transparent, and well known, they will not be effective and will leave open the possibility that child abuse can take place. Wyre noted that if ‘structures and guidelines are not in place, staff will feel less able to express their concerns about a colleague’s behaviour and it becomes much easier for paedophiles to control the environment they are working in’ (1996). One of the key barriers to the reporting and handling of child abuse within organisations is a ‘lack of procedures/policies for reporting and investigating a complaint of institutional abuse’ (Westcott, 1991).

There are a wide range of practitioners who highlight the importance of clear policies and procedures in protecting children and building child safe organisations (including: Erooga, 2009; Office of the Child Safety Commissioner, 2007; CDC, 2007; Keeping Children Safe Coalition, 2005; Child Wise, 2004). There are a number of commonalities across all groups:

- **Involvement** – The importance of involving all stakeholders in the process of developing policies and procedures is paramount (Hermann, 2002). This includes ensuring that parents, children, and young people have a voice. This will make policies more accurate, more inclusive, and more accepted – representatives and children are more likely to have confidence in protective measures if all have had a say in their development;

- **Risk assessments** – Policies and procedures should reflect a rigorous risk assessment process – each activity the organisation undertakes will have specific risks and (for instance) a generic policy around interacting with children that is suitable for day care may not be applicable when conducting an overnight trip (Keeping Children Safe Coalition, 2005);
• Protecting everyone – ‘Formalised investigatory procedures protect not only children but also staff who fear false allegations’ (NPSCC, 1991). This may be considered true for all child protection policies and procedures – they have the dual role of protecting children and building confidence in the organisation and its processes, which helps to create a child safe environment for representatives as well;
• Clear and accessible – Policies and procedures must be easily understood, and framed in practical, easy to recognise language. This may be reinforced by the use of flow charts for key elements (i.e. reporting guidelines) and should include mandatory inductions/trainings for all representatives to ensure the policies and procedures are relevant and understood – there is no point to a written document that is not actively implemented (Child Wise, 2004). They should also include reviews at team meetings and in supervision; and
• Regular review – Policies and procedures should never be static – new situations, new representatives, new activities, changes to routine, ‘near miss’ incidents, actual incidents, concerns raised or allegations made – all of these things may be cause for a review of policies and procedures to ensure they are robust and up to date (CDC, 2007; Child Wise, 2004).

There are a number of areas that policies and procedures designed to protect children must address, all of which are covered by the Standards. Yet they should not be considered to stand alone – effective policies and procedures must be supported by an open and aware culture, regular training and education, and reinforced by strong supervision practices and clear boundaries.

In many ways, good child protection policies and procedures are the embodiment of the Standards – they show how they can be put into practice and provide a structure for implementing the other Standards.
Organisations that have clear professional boundaries, expectations of behaviour, and enforceable codes of conduct are far more likely to limit the opportunities for the abuse and grooming of children. In organisations ‘without clearly defined behaviours that reinforce organisational values, abuse can arise because those values are misinterpreted or purposely betrayed, or simply because the principles of good practice are neglected’ (Erooga, 2009).

The NSPCC has identified the ‘need for clearly defined codes of conduct for staff’, highlighting that they offer a way to ensure children are not exposed to harmful or inappropriate behaviour (1991). Equally, there should be strong guidelines for children and how they are expected to interact with one another – about a third of offenders against juveniles are themselves juveniles, and mechanisms need to be put in place to ensure this is prevented (Finkelhor, 2009).

Clear standards of behaviour will help to manage the environmental and situational aspects of risk within an organisation – fitting into the situational crime prevention model by both increasing risks of detection, and by controlling the prompts and permissibility that offenders rely on to abuse children (Beyer, Higgins & Bromfield, 2005). Boundaries and codes of conduct should reflect a child safe ethos – this can be influential in minimising the likelihood of abuse. ‘Organisations that...curb any tendencies by staff to act as they please, [will] minimise the risk of child abuse’ (Beyer, Higgins & Bromfield, 2005).

‘I was overly friendly with the children, to the point of hugging and so on, that should have alerted someone that something wasn’t right, I tended to relate more to children instead of adults and my peers, and that should have alerted someone that something wasn’t right.’ – Child sex offender (Child Wise, 2002).

The US Centre for Disease Control, a department responsible for many aspects of child protection research, has identified a number of key elements for ensuring clear boundaries (2007):

• Guidelines on interactions between individuals should be determined by an organisation’s values and activities;
• Behaviour guidelines should also match the cultural context of the population served by the organisation; and
• Organisations should identify behaviours that fall are appropriate, inappropriate, and harmful. This has been considered in Standard 4 – Managing Risk to Minimise Abuse – by identifying behaviours that may pose a risk to children, they can be managed and prevented.
For instance, it is widely acknowledged that touch is an important part of much coaching – dance and gymnastics requires that kinetic demonstrations of certain movements and postures are conducted by coaches. A code of conduct should not remove this practice from sporting organisations – it is a critical part of a child’s development as an athlete and person – but it should place very clear guidelines and boundaries about how and when it is appropriate to do so. Such codes of conduct should be enforced with greater levels of supervision and support of staff by management.

Codes of conduct should clearly govern the two areas where most forms of abuse and grooming are known to take place – in time spent one-on-one with children; and through intimate activities with children (Smallbone & Wortley, 2001).

**Alone with children**

A significant proportion of abuse of children has been found to occur within the home of the victim or the perpetrator, even where the perpetrator is an extra-familial abuser (Petraitis & O’Connor, 1999; Smallbone & Wortley, 2001). There is not enough data to be certain, but it seems that groomers and offenders operating within organisations do not often offend on the premises of the organisation – the grooming process that takes place during the child’s time at the organisation is in order for the offender to gain the opportunity to lure the child to their home, or to access the child at their own home.

‘*Just giving them a cuddle was a grooming, cos [sic] you’re grooming to see what their reaction or response is to your touch…you’re offending all the way through from the start… I’d always make excuses, I’d [say I wanted to] go to the toilet upstairs, but I’d go to the bedroom, and you knew exactly what you’re doing, you’re going to offend. The boy who was going to become a victim, I would get him away…[try] to get him alone. It was a carefully contrived set of events over a long period of time.*’ – Child sex offender (Child Wise, 2002).

Identifying problem behaviours is made simpler if an organisation has clear boundaries and expectations of staff, reinforced by regular training not only on child abuse and grooming, but on their own codes of conduct and professional boundaries.
**Intimate activities**

‘Babysitting, foster care, residential institutions and groups that involve sleepovers must be considered high-risk environments for abuse’ (Beyer, Higgins & Bromfield, 2005). Essentially, intimate activities pose one of the greatest risks for abuse within an organisation because they offer the highest likelihood an offender can have alone time with a child. This is supported by the (albeit limited) knowledge that most abuse occurs in an intimate environment – watching TV, sleepovers, etc (Smallbone & Wortley, 2001). Clear behavioural guidelines embedded in a Code of Conduct will help to restrict these activities.

Organisations, managers and peers need to ensure:

- That the adults provide involvement, guidance and direction and not act as a big playmate (van Dam, 2001),
- No child should have an exclusive relationship with a member of staff (Utting, 1991),
- There should be clearly set out rules on physical contact between children and staff (Hunt, 1994),
- Supervision structures that are capable of quickly addressing ambiguous behaviour and worrying attitudes should be established (Wyre, 1996), and
- Risk assessments are conducted to determine where alone time and intimate activities can be minimised and constrained by codes of conduct and professional boundaries.

To avoid detection, ‘it is possible that the professional perpetrator needs to be more focused on disguising his behaviour and/or ensuring that his position is so unassailable that he will not be challenged’ (Beech & Sullivan, 2002). Clear boundaries and codes of conduct, if supported by strong supervision and complaints management systems, will ensure that perpetrators will be unable to hide their behaviour, and the opportunities for abuse and grooming to take place will be minimised.
**Standard 6 – Recruitment & Selection**

*Child Wise* has spent over twenty years developing and conducting training in recruitment and selection mechanisms for organisations that work with children. This has been informed by international best practice, such as that of the NSPCC, and our own work interviewing and working with child sex offenders to understand how they gain access to organisations.

We know that many high risk potential or past offenders do not have a criminal conviction, a claim supported by inquiries around the world (Bichard Inquiry, 2004). It is estimated that between 5-10% of offenders will be caught and detected under current working with children checks – relying on legislated screening methods as they stand can lead to complacency and a lack of rigour in recruitment practices. Sullivan & Beech found that of 41 child sex abusers who had offended in a professional setting, only a quarter had not been influenced by their sexual preferences for children in choosing their workplace – highlighting the need for organisations to be vigilant in their recruitment and selection practices (2004).

As discussed above (see *Standard 3 – Managing Risk to Minimise Abuse*), there is no one set of risk factors or identifying features for a child sex offender. Often they seem to be charming, ingratiating, and quite normal individuals. Erooga suggests that one reason why it is so difficult to identify potential offenders is that those who ‘have a propensity to abuse share many characteristics with the “general population”‘ (2009).

This makes trying to assess individuals for a propensity to commit child abuse in a normal interview process difficult, and legally problematic. Indicators of abusive behaviour, however, can emerge through inappropriate attitudes or inconsistent reactions. The recruitment and selection process provides some important opportunities to deter and prevent offenders from gaining access to children’s programs.

There are two key aspects to the recruitment process (not including screening, covered separately in *Standard 7 – Screening of Representatives*):

- Preparing for the position, and
- Effective interviewing.
Preparing for the position

The process of preparing the organisation for the position to be filled can be a highly effective way to deter and detect potential offenders. The recruitment process needs to be formalised and structured, by:

- Analysing the job – knowing the skills required, the potential risk posed to children by the position, etc.;
- Developing a clear job description – defining the roles, tasks, desirable skills, qualities, and experience. This identifies lines of accountability;
- Developing key selection criteria – these should be the measures against which you assess each applicant during the recruitment process. Interview questions should be based on these, and it should allow for selection based on merit; and
- Advertising the position – by including a child safe message stating clearly the commitment to child abuse prevention and a child safe culture, organisations will be able to deter potential offenders through self-selection – remembering that offenders seek organisations which are closed, lack transparency, and provide easy access to children. Self-selection can be reinforced by including child safe elements to relevant key selection criteria, where appropriate.

(Child Wise, 2004; Hermann, 2002)

Effective interviewing

Interviewing, when supported by a range of selection and screening tools, can be one of the most effective ways to gauge an applicant’s suitability for working with children (Warner Report, 1992). As with preparing for the position, interviewing will be most effective when it has been planned and is part of a structured process. The primary challenge of an interview is not simply to get answers to questions but to gain a reasonably accurate sense of who the applicant is, their values and attitudes, and how they are likely to perform in the job.

In response to the Warner Report in the UK, the NSPCC developed the ‘Value-Based Interviewing’ method (also known as Behavioural Based Interviewing (BBI)) to assess the values, motives, and attitudes of those applying to work with children. It focuses on the behaviours within the context of each organisation’s values, ‘probing the extent to which potential new recruits are likely to respect and adhere to these’ (Erooga, 2009).

Organisations must identify a set of clearly defined, measurable, ‘Values and Behaviours in Action’ and their characteristics, upon which candidates are expected to describe examples of their behaviour from past employment, in response to specific interview questions (Erooga, 2009).
For example, if a social services agency has:

- A value based on **Integrity**; then
- They may define the behaviour expected of representatives to reflect this as **Honesty at work**; and
- In an interview for a child care worker’s position, they may ask the applicant to ‘Tell us about a time you provided challenging advice to a superior about a child’s welfare in your last job’.

The advantage of a VBI technique is that unlike scenario or situational based interviewing (where answers can be easy to fake), an applicant’s past behaviour is probed. Past behaviour is the best indicator of future performance, and an applicant who uses only hypothetical responses, or expresses inappropriate behaviour with children may be unsuitable for the position (Child Wise, 2004).

The NSPCC conducted a study with a small sample of convicted offenders, simulating a VBI process to assess whether their responses would have normally been deemed unsuitable for working with children. It is worth quoting the report at length:

‘It was decided in advance of meeting them that, in view of the probable absence of relevant professional qualification or experience as volunteers in a child-focused setting, that they would be interviewed as though applying to be volunteers in NSPCC services for children and young people.

It was concluded that on the basis of the interviewees’ responses to the VBI questions, and their analysis against a set of specific positive and negative indicators based on the NSPCC model of values and behaviours, none would have been considered appointable to work with children.

However, it is worth noting that the level of self-reflection from two interviewees was quite high and reflective aspects of their answers would have been assessed as positive in this type of interview.

Although ability to reflect on one’s own decisions and actions is an important element of VBI, it is equally important to be able to achieve change and arrive at positive outcomes for self and others. Once these aspects were examined more closely, the overall assessment of their answers was that they were not satisfactory.
From most of the respondents a theme emerged of feeling lonely or hurt by adults, but feeling happy or fulfilled when in the company of children – thus one spoke of a “balanced relationship” (implying a relationship between equals) with a 12-year-old; another expressed the view that “relating to children is more honest than relating to adults”. Both of these interviewees described themselves as people who were good with children and who found it easy to get to their level.

Some of the men described various positive activities they organised for children, such as play schemes, community organisations, playing games at home, encouraging a child’s talents, which were effective and successful in their own right. However, the way in which all of them went about these activities indicated that all were unsuitable to work with children in the context of NSPCC expectations. Examples included telling children what to do rather than attempting to persuade them to cooperate in a positive way; displaying quite aggressive behaviour with some young people; “teaching them [children] a lesson”; regarding themselves as being superior, even to their partners, in their ability to form relationships with children; leaving a job because of a “child-centred” principle but consequently leaving children at risk of abuse; seeking no feedback from other adults when organising or under taking community-based activities.

All demonstrated blurred boundaries, be it in relation to physical contact with children or doing something for children they should not be doing, like keeping quiet when inappropriate behaviour was observed.

At the same time, all the interviewees had presented themselves to children, parents or organisations as someone to rely on: protectors of children. Opportunities were sought to be alone with children in a very credible way and relationships were mostly based on having an “enjoyable time”.

While none of these behaviours may appear particularly gross or manifestly inappropriate, in the context of the NSPCC’s expectations of practice and adherence to procedures and policies, there were indications from each of the responses that the behaviours and underlying attitudes of these individuals in this respect would not have been acceptable.’

(Erooga, 2009)

It is worth noting that this study was conducted with a limited sample. However, it does demonstrate the possibility of working with this cohort to gain a deeper understanding of the way offenders can access organisations, and should prompt further research.
It highlights two aspects of an organisation that are critical to facilitating good recruitment practice – the establishment of clear organisational values and behaviours, and the training of representatives not just in recruitment and selection but in child abuse prevention and offender behaviours. Both are integral to conducting good interviews, and giving an organisation the best chance to deter and detect offenders attempting to access children through their services.

Through speaking with and interviewing paedophiles, and with organisations, Child Wise has compiled a list of applicant responses which may be of concern. These include:

- Giving answers that are:
  - Monosyllabic,
  - Inconsistent with previous answers,
  - Evasive or general.

- Expressing:
  - Inappropriate attitudes to children,
  - Interest in spending time alone with children,
  - Excessive interest in children and their activities,
  - Excessive interest in children’s photography,
  - Inappropriate interest in working with children of a particular age or gender,
  - A habit of giving excessive attention or gifts to children,
  - A reluctance to use last employer as a referee.

- If they have a background of:
  - Regular travel to destinations where child sex tourism is prevalent,
  - Limited social networks,
  - Associates and friends who are inappropriately young,
  - Limited peer relationships,
  - Engaging in activities that exclude other adults,
  - Frequent and unexpected job or address moves,
  - A high number of short term tenures in jobs.

(Child Wise, 2004)

Research conducted by the NSPCC also suggests the same responses to watch for (1991). These indicators should not be used as selection criteria, but to elicit more information about the person. They should be combined with other information such as interview responses and reference checks. No one should be dismissed or refused a position solely on the basis of these responses, and if there are still concerns about an applicant, interviewers should seek advice from other professionals, managers, or the organisation’s lawyers (Child Wise, 2004).
Standard 7 – Screening of Representatives

In addition to recruitment practices that explicitly address issues about safety for children in the written position descriptions, advertising process, and through appropriate, and VBI techniques, Hermann considers that all new representatives should undergo reference checks and other screening techniques, supported by an induction, and a trial or probation period (2002).

Many employers rely on basic recruitment interviews and legally mandated screening checks such as police checks and a WWCC, without considering a range of methods that can provide far better safeguards for children. The NSPCC has highlighted the importance of ‘a multi-layered recruitment process, extending beyond skills-focused interviews’ and criminal background checks (Erooga, 2009).

It is important to ensure that the screening for representatives is a structured, well documented, and time-appropriate process. All employees, volunteers, managers, board members, executive office holders, and ambassadors must be subject to the same recruitment and screening processes – any position has some potential to allow for the abuse of children, and pose a risk to the organisation. There are a number of screening tools that should be deployed to assess applicants.

‘Since becoming involved in the Child Wise process we have increased our recruitment protocols to include verifying the credentials of referrers, improving our international police checking, asking specific questions in recruitment about past work with children and updating our internal police checking system.’ – Human Resources, Victorian community service organisation, 2013.

Reference checks

Reference checks can provide important information about an applicant, however, they are frequently conducted poorly. As with the interview process, they can be improved by a structured and systematic approach. Ensuring their efficacy should involve:

- Only accepting verbal references,
- Conduct a minimum of two reference checks, but preferably three, of which one should be their most recent employer,
- Make direct contact by phone, through their office and reception to confirm they actually work there, even if the referees are overseas. The preference is for a landline number,
- One person should be designated to conduct reference checks for the position to ensure consistency,
• A standard list of questions should be developed,
• Document all answers, and ask all questions in the same order,
• Listen carefully to the referee – if they are guarded or hesitant, ask probing questions,
• Follow up pauses and hesitations – ‘you don’t sound sure about that answer’,
• Actively listen,
• If there are discrepancies between referees, ask for a third, and
• Ask referees behavioural based questions and ask for examples.

(Child Wise, 2004)

If the employer is not the most recent, ask why, as there could have been a clash. There should be the chance for applicants to explain such circumstances. Organisations need to be conscious of privacy legislation – for instance, prospective employers should require that applicants consent to have them contact previous employers as a condition of application.

**Pre-employment checks**

Identity – A number of child sex offenders have accessed organisations by moving state and changing their name. Organisations should require two forms of identity, at least one with a photo.

Qualifications – If qualifications are required for the job, they should be verified with an original, written academic transcript. This should include drivers licence if relevant.

Work history – This is the area most people are likely to ‘fudge’ details. Check application forms and resumes must be checked to see if months/years are listed, and ask questions if there are significant gaps in work history – potentially for study, travel, time off, etc.

Candidates from overseas – This takes extra time, but there have been incidences where convicted sex offenders from overseas have gained employment in Australia in positions working with children. This was achieved through forged documents and referees – organisations should always check an applicant’s credentials and make contact with previous employers wherever they come from.

Police checks – a national police check is a useful way of screening out convicted offenders, and may act as a deterrent to any convicted offenders. Organisations may render themselves liable if they do not conduct this check (Child Wise, 2004).
Working With Children Checks – each state and territory (excepting Tasmania) has a WWCC with different requirements. Child Wise has made recommendations for a national system to the Royal Commission in a previous submission (Submission 1 – Working With Children Check, 2013). Organisations are required to follow the requirements of their jurisdictions WWCC system and, as with police checks, WWCCs may help to deter or detect convicted child abusers.

Empowering young people

Involving young people in staff selection has emerged as a useful tool in selections in the UK and is doubly valuable through being consistent with the rights of the child to participate and be heard (Berridge & Wenman, 1995; Lindsay, 1995). This principle may be incorporated into screening processes through a trial where the applicant is expected to undertake an activity with children in an age/development appropriate manner, etc. This is beneficial in not just screening out bad characteristics, but also helps to indicate that an applicant is child focused.

Organisations should use the full range of recruitment and screening practices available to them. However, as Beyer, Higgins & Bromfield have noted, there are two reasons why relying on these practices is inadequate: ‘first, there may already be unsuitable people working in a child-based organisation; second, existing workers may, over the course of time, become unsuitable, or be faced with certain cues or environments that subsequently render them unsuitable’ (2005).

That is why Child Wise has developed the Standards – Standard 6 – Recruitment & Selection, and Standard 7 – Screening of Representatives are both critical tools to apply in situational crime prevention of child abuse, and to creating a child safe organisation. They help to increase the effort required of potential offenders when seeking to access organisations, thereby limiting the chances that they can use child safe organisations to abuse children. However, these processes can only be successful if they are supported by a range of other mechanisms to protect children.
Standard 8 – Support & Supervision

It is Child Wise’s experience that child abuse is more prevalent in organisations that lack regular, formal supervision, and performance monitoring (Child Wise, 2004). The supervision of staff is necessary, not only to prevent and detect child abuse, but also to improve the quality of the service and strengthen an organisational culture of accountability – all of which will contribute to representatives feeling more confident to raise allegations or concerns.

The success of this standard is predicated on effective implementation of Standard 5 – Clear Boundaries – without clearly defined codes of conduct and professional boundaries for all representatives, it is difficult to enforce standards of behaviour or to implement effective supervision protocols (NSPCC, 1991). For instance, in a medical or clinical setting ‘the use of effective clinical supervision and the monitoring of practice’ is considered the best way to avoid harm to children (Repper, 1995; Naish, 1997; Rae et al., 1997). This concept should be applied to all organisations working with children.

When assessing situational crime prevention tools, Smallbone, Marshall & Wortley identified increased surveillance as one of the critical aspects of preventing child abuse – in an organisational setting this relates to increased supervision and support of representatives (2008). The aim is not to create a culture of fear or suspicion, but a culture which supports representatives to develop appropriate behaviours and improve their behaviour and work through reflective practice.

The Centre for Disease Control in the U.S. has proposed that monitoring should involve observing interactions and reacting appropriately. This includes:

- Employee/volunteer-youth interactions, and
- Youth-youth interactions.

Youth leaders often require more supervision and monitoring because they are young, may lack judgment, and are harder to screen. Areas for monitoring should be based upon the organisation’s mission and activities (CDC, 2007).

There are several critical strategies to effective support and supervision practices:

- Promptly responding to what is observed,
- Defined roles and responsibilities for all representatives,
- A clear reporting structure in the organisation,
- Regular and formalised observation and contact with employees and volunteers, and
- Documentation that monitoring has occurred.

(CDC, 2007; Child Wise, 2004)
Boyle & Leadbetter highlighted the importance of ongoing supervision and monitoring of staff as ways of preventing abuse or abusive behaviours (1998). Every organisation should have structures that are capable of quickly addressing ambiguous behaviour and worrying attitudes should be established (Wyre, 1996). This must be supported with regular performance evaluations of representatives and their skills (Bilchik, 1989).

A strong supervision system should begin with all new staff and volunteers receiving a standardised induction and orientation, followed by a trial or probation period (Hermann, 2002). Such an induction should include a focus on professional behaviours and codes of conduct – by establishing clear boundaries from the beginning, a representative’s behaviour can be monitored and assessed against a documented standard. Any inappropriate or abusive behaviour can be addressed within disciplinary mechanisms.

‘We ensure formal supervision, training, orientation, and shadow shifts. Staff are only on their own if they are capable. There is an assessment and review at the end of probation, the supervisor is asked to raise concerns, and candidates can ask for more training etc. We assess to ensure the position description is still relevant [after the probation period].’ – CEO, community service organisation, (2013).

The Australian Association of Social Workers provides standards and a code of ethics for supervision that, in its essential elements, could be considered applicable for all organisations that work with children (AASW, 2013; AASW, 2010; AASW, 2000). They begin from the premise that ‘the quality of social work supervision is central to the development and maintenance of high standards of social work practice’ (AASW, 2010). A strong practice of supervision can ensure the clarification of roles and the accountability and responsibility for work and behaviour.

The ‘Practice Standards’ for social workers highlights the importance of reflective practice, including the ‘examination of personal and professional values that influence practice’ (AASW, 2013). When considering potentially concerning or abusive behaviours, clear supervision protocols can allow a supervisor to reinforce the child protection policies and procedures, codes of conduct, or any other guidelines, and identify clear limits of acceptable behaviour (Child Wise, 2004). Beyond this, regular supervision also provides an opportunity for representatives to share concerns/suspicions about abuse in the workplace.
Organisations that work with particularly vulnerable children (i.e. disabled, maltreated, or abused children, and CALD groups) should ensure that the support and supervision of representatives is appropriate. It may be that supervision needs to be more frequent, or allow for greater professional development of staff. Evaluations of a representative’s performance in these instances may identify the need for therapeutic interventions for the staff member, or that they require regular mentoring.

It should be remembered that the supervision of representatives will only be effective in the context of a child safe culture, and an ‘administration that is unresponsive to staff needs will create a staff that is unresponsive to children’s needs’ (Blatt, 1990). It is possible that representative behavioural issues may be subordinate to deeper underlying problems in an organisational environment – attitudes and underpinning philosophies about how to care for children, or prioritising the organisation’s reputation over children’s safety.

The U.S. Child Welfare Information Gateway has a range of useful resources for the supervision of staff, and on incorporating reflective practice into the day-to-day operations of an organisation (Child Welfare, 2013).
### Standard 9 – Empowering Children & Young People

As discussed above, the United Nations Convention on the Rights of the Child gives clear guidance as to the importance of empowering children and young people. The most important section in the context of this Standard is Article 12, which addresses the right of children to express their views and opinions. It states that:

> ‘States Parties shall assure to the child who is capable of forming his or her views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.’

Article 13 is also important, stating that the child:

> ‘Should have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, either orally, in writing or in print, in the form of art, or through any media of the child’s choice. The exercise of this right may be subject to certain restrictions, but these shall only be such as are provided by law and are necessary: (a) for respect of the rights or reputations of others; or (b) for the protection of national security or of public order or of public health or morals.’

(United Nations, 1989)

Organisations gain a number of benefits from involving young people in decision-making (Hando & Schuermann, 1999; Willow, 1997). Gray notes that some of these benefits include ‘opportunities to improve services, obtain a better understanding of young people’s issues and needs, strengthen democracy and ensure that the same group of people does not make decisions without being challenged’ (2002).

Frequently, organisations and institutions that work with children have a highly distorted power relationship between children (clients) and adults (experts) – this can inhibit the reporting of abuse, and prevent organisations from adequately assessing risks to children (Sloan, 1988). The powerlessness experienced by a child can only make them more vulnerable to abuse and maltreatment.
In ‘Taking Participation Seriously’, the New South Wales (NSW) Commission for Children and Young People places responsibility on the adults and organisations in adapting their own behaviour, as well as in developing age appropriate techniques for involving children and young people. It suggests that organisations must:

- Believe in the importance of giving children and young people a say in decisions,
- Make sure that children and young people understand their role in the decision-making process,
- Make children and young people feel comfortable to take part in discussions,
- Develop strong relationships with children and young people, and
- Ensure that involvement is enjoyable and rewarding for both participants and the organisation.

(NSW CCYP, 2001)

To create a truly child safe organisation, children and young people must be empowered to take part in decisions through appropriate mechanisms – enabling children and young people to have a voice will foster openness and accountability, and make it more likely that the best interests of the child will be placed at the heart of the organisation. By creating an environment where children and young people’s voices are valued it will increase the options and ability for them to raise concerns, either about abuse, or abusive behaviours.

It should be acknowledged that finding ways to involve children and young people within the organisational context can be highly problematic – finding appropriate avenues for them to have a voice can run into difficulties when considering:

- Accessible information – jargon and policy speak is often present in planning documents and information material,
- Timing and other arrangements – disrupting normal activities and programs within or outside the organisation’s work, and
- Sensitivity to children and young people’s stages of development – their emotional, social, and cognitive development, their cultural and religious background, their past history, their disability (if any), their learning difficulties, or their attention spans and concept of time.

(Gray, 2002)

Properly implemented, this will support all levels of interventions in a public health model within organisations – making children more confident and less vulnerable, thereby preventing abuse (primary intervention); increasing the likelihood that vulnerable children will speak up about their circumstances or have them noticed, reducing their vulnerability to future abuse (secondary intervention); creating a safe space for them to disclose abuse to stop it from continuing (tertiary intervention).
Standard 10 – Training & Education

Many, if not all, of the preceding Standards, require trained and knowledgeable representatives within organisations to be properly implemented. Training should be expert, appropriate training from external organisations (where required). It should be regularly conducted to ensure representatives have relevant skills. Some of the ways training can help to implement the Standards are:

- **Standard 2 – Understanding Child Abuse** requires all representatives to understand child abuse – indicators, signs, impacts, and grooming behaviour. Representatives who are trained in child abuse prevention are more likely to recognise abuse before it occurs;
- **Standard 3 – Managing Risk to Minimise Abuse**, should highlight risks that are specific to children and child abuse, including the risks that individual positions may pose to children. These can only be identified if representatives understand and recognise child abuse and grooming behaviours;
- **Standard 4 – Child Protection Policies & Procedures** should be reinforced through regular training, especially around the continuous improvement process and how all representatives can be involved;
- **Standard 5 – Clear Boundaries** can only ensure that effective codes of conduct and professional behaviours are identified if representatives have an understanding of appropriate ways of interacting with children, knowledge of normal and abnormal stages of childhood development, and grooming and abusive behaviours – supported by comprehensive inductions and regular reinforcing of these standards;
- **Standard 6 – Recruitment & Selection**, and **Standard 7 – Screening of Representatives** will only lead to effective recruitment practices if representatives have training in recruitment and screening, if they know what to look out for in interviews (i.e. how offenders operate), and have a understanding of Values-Based Interviewing techniques;
- **Standard 8 – Support & Supervision** will only result in appropriate levels and methods of supervision if representatives are trained in the same standards and professional behaviours as covered under **Standard 5 – Clear Boundaries**. This will also be improved by internal education about codes of conduct and boundaries;
- **Standard 9 – Empowering Children & Young People** will only be possible if representatives are trained in how to support and empower young people; and
- **Standard 11 – Complaints & Disclosures** will be best implemented if representatives have the ability to respond appropriately to disclosures, and are aware of what types of behaviours or abuse should be reported and to whom.
Higgins argues that ‘regular and updated training on child maltreatment matters ensures the topic is discussed regularly and that staff members have the most current information available. It also encourages regular open discussion of any staff concerns and can contribute to an environment that supports early disclosure of abuse’ (2001). This is supported by Goddard, who says that ‘there should be regular training for those who work in education, day care, and so on’ – essentially, all those who work with children (2013).

The NSPCC identifies that training all staff will ‘help to alleviate the problems of reporting and investigating child abuse and neglect in residential settings’ (1991). They also make the case of the importance for ‘workers from different agencies being involved in joint training to provide the opportunity to discuss issues of common concern’ (NSPCC, 1998).

The Centre for Disease Control in the U.S. believes that ‘training content should be evident in performance measures, supervisors’ feedback to employees/volunteers, caregivers’ observations, and treatment of youth’ within each organisation (2007). Kleinpeter et al. conducted an investigation into social workers in the U.S. and found that increased training for child welfare supervisors improved their competency in dealing with both supervision, and complex cases of child welfare (2003).

The Office of the Child Safety Commissioner in Victoria (now the Commission for Children and Young People) notes that ‘child-safe organisations [should] emphasise and implement training opportunities and strategies that equip people to do their job well’, and that there should be regular training in specific areas (2007).

Child Wise has been conducting training in child safe organisations through the award winning ‘Choose With Care®’ model for nearly 15 years. It is our experience that such training, while highly effective in the short term in increasing vigilance and improving organisational capacity in responding to child abuse, requires regular ‘refresher’ training to have a long term effect. Feedback from organisations has been routinely positive.

There have been a number of occasions where our training has directly led an organisation’s representatives to identify child sex offenders operating through their programs. Our training helped these organisations to develop an open and aware culture, and in this environment a greater understanding of child abuse allowed representatives to identify grooming and abusive behaviours. As a result, they were supported and felt empowered to raise their concerns and expect action to be taken.
Organisations must also ensure mechanisms are in place for continued learning and education of representatives on-site. There are a number of ways this can be implemented without substantial effort, including:

- Policies, procedures, and handbooks that are readily accessible for representatives both in hard-copy and digital formats;
- Flow charts and posters that are displayed around the organisation (in appropriate areas and formats) that provide information to representatives, clients, and children on: child abuse, reporting and complaints procedures, and responding to disclosures;
- Codes of conduct and professional boundaries that are clearly articulated, displayed, and regularly reinforced (through supervision or periodic performance evaluations). Minor breaches of codes of conduct or professional boundaries are treated as an opportunity to educate representatives of appropriate behaviours; and
- Induction and orientation systems that are current (reflect actual practice and policy of the organisation) and be readily available – new representatives should be able to undergo an induction before formally beginning their position.

Adequate training, resources, and positive supervision are critical to the creation of a child safe organisation (Krantz & Frank, 1990).

Additionally, Child Wise believes there is a need for standardised training for each industry that works with children – for instance, social workers should be required to obtain qualifications that are of the same standard across each state and territory of Australia. This is supported by the findings of the NSPCC (1991), recommendations by CAPRA at Monash University (Goddard, 2013), and could be facilitated by a ‘professional association for those professions that currently do not have one [that] would help determine matters like curriculum, student staff ratios, and research agendas in training institutions, as well as build professional identity, status and public trust’ (Bessant, 2004).

Child Wise has provided training at schools in Victoria where teachers (who are mandatory reporters) are unaware of their roles and function. After conducting a three hour training program to one particular school service discussing the abuse types, including the indicators and reporting processes, a teacher stated that she still didn’t see why she needed to attend such training. This teacher, who has been part of the schooling system for over 10 years, is indicative of many teachers who have had little training in their own tertiary education, ongoing training at school, and/or other development opportunities. Not only must mandated reporters understand their responsibilities, but they must also understand the signs and indicators of child abuse through training and education – only when this understanding is in place can they fulfil their obligations as mandatory reporters. It also supports Higgins’ claims on the importance of regular, ongoing training (2001).
Child Wise believes that all qualifications for people who will work with children should include mandatory training on understanding child abuse – it is only when people understand the risks and their roles that they become receptive to their duty of care. The earlier this understanding can be achieved, the more likely people moving into fields that care for children will contribute to an open and aware culture.

This is a complex issue, requiring negotiation between industry bodies, training institutions, and State and Federal governments. Yet it is essential to ensuring that representatives of organisations are equipped with the knowledge required to protect children, and enabling organisations to develop child safe cultures.
Standard 11 – Complaints & Disclosures

The lack of clear and transparent procedures or policies for reporting and investigating a claim of organisational abuse is one of the major barriers to the reporting of abuse within institutions and organisations (Westcott, 1991). Lerman noted that ‘under-reporting is a typical feature of organisational abuse’ (1994). This is a situation that in many ways has improved at most organisations, though there are still clear obstacles to the reporting of abuse. Studies have repeatedly found that staff and management ‘have ignored signs of abuse and dismissed or failed to act upon disclosures by children’ (Sullivan & Beech, 2002).

In a concern especially true of religious organisations, while ‘some organisations have put in place strategies to more effectively handle allegations of abuse, these have not necessarily alleviated public unease, as they commonly fail to see the public as a legitimate stakeholder and consider internal inquiries adequate’ (Altobelli, 2003). The risks of internal inquiries or investigations being the sole means of responding to an allegation are incredibly high – it may cause further trauma and harm to the victim, damage evidence, prejudice future investigations, and alienate or traumatise organisational staff.

The failure to implement or maintain transparent and accountable complaints and disclosure policies within organisations is a situational weakness that offenders can exploit – representatives will be unsure of actions to take, of processes to follow, or behaviours to report, leading to an environment where the crime of child abuse can take place. By improving these systems child abuse can be prevented (situational crime prevention), and child abuse can be minimised and reduced (the public health model with secondary and tertiary interventions).

Child Wise, through our own research, and by including the work of White & Hart (1995), Beyer, Higgins & Bromfield (2005), and the Centre for Disease Control (2007), argues that the following things should be taken into account when an allegation against a representative is made:

• The ‘best interest of the child’ should guide all responses to complaints, disclosures, or allegations (United Nations, 1989);
• The needs and rights of the adults involved, and the reputation of the organisation should be considered;
• Keep an open mind – it is not the role of the organisation to judge the truth of any allegation, or to conduct an investigation. As soon as there is a credible complaint, disclosure, or allegation made that is a criminal or child protection matter, the organisation must refer to the appropriate authorities (i.e. child protection, the police);
• Check and follow the agency’s procedure manuals;
• Organisations should consider the best interests of the child and the nature of the allegations when deciding what actions to take. If serious, it may be appropriate to suspend the representative on full pay, or it may be enough to change their shift or duties while an investigation is undertaken;
• Listen carefully to the child without making suggestions or asking leading questions (this is detailed further below);
• Keep clear and confidential records of who said what, when, what actions are taken, and why;
• Obtain advice about dealing with media enquiries;
• Never do nothing: children rarely lie about abuse, and even suspicions of abuse may help the authorities to build a wider understanding of an individuals actions – it is possible an offender has had a number of allegations made against them; and
• Obtain immediate legal advice if allegations are made against an organisation and consult the union or professional association where appropriate.


Essentially, a reporting procedure needs to identify:
• What to report – disclosures or indicators of abuse, inappropriate behaviour as defined by the code of conduct,
• When to report – concerns must be reported immediately,
• Who to report to – designated manager, a child protection officer, external authorities,
• How to report – both verbal and written/documentined means for reporting should be provided, and
• Follow-up – knowing the process that will be followed after a report is made.

(Child Wise, 2004)

Each organisation needs to define what behaviours that are appropriately dealt with internally and what behaviours require reporting to the authorities. For example, if a youth tells a sexually risqué joke, it may be enough to inform a supervisor and/or the youth’s caregiver, provide the youth with guidance, redirection, and instruction, and/or file an incident report. However, if an incident takes place where a youth or employee forces sexual contact with a youth, this should always be reported to the appropriate authorities in accord with the procedures outlined in internal policies and guidelines.
If a representative breaches a policy, such as having contact with youth outside of the organisation or developing ‘special’ relationships with particular children, the organisation must act, even if actual child sexual abuse is not suspected. ‘The consequences of violating policies should be explicit and violations should be addressed immediately’ as this will help to define and limit potentially abusive behaviours across the organisation (CDC, 2007). However, if abuse is suspected, it should be reported to authorities immediately.

Clear and transparent complaints and reporting processes are vital – when representatives do not know how a complaint or allegation will be handled they are far more likely to say nothing (Sullivan & Beech, 2002). Strong leadership from management, and a focus on the best interests of the child, will help to overcome these barriers but ultimately if the process is deemed to be fair and open, representatives will have enough confidence in the complaints process to raise concerns.

‘Yes, they do [raise concerns] and have done in the past. Because their primary concern is for the child. We’re very good at that.’ – CEO, community service organisation, 2013.

Child Wise has found that having a Child Safety Focal Point around child protection within each organisation to be a useful way of ensuring processes and procedures are consistent. This may be a team of people, or a single Child Safety Representative, depending on the size and activities of the organisation. It is also important that representatives have an alternative way to report; in case they do not feel comfortable approaching the focal point (for instance, their line manager, the CEO).

**Responding to a disclosure**

The idea that the disclosure process is a systematic, defined and constrained event is an organisational construction. From the child’s point of view, they have had little control over when and how a disclosure occurs, ‘particularly in terms of timing, information flow, and awareness of what was going on’ (NSPCC, 1991).

Organisations and society tend to assume that a disclosure of abuse is a one off event, occurring in a discrete period when they approach an adult to reveal an incident or pattern of abuse. Realistically, it is a process, occurring over a series of events, detectable through astute observation of the child and their behaviour, as well as the behaviour of colleagues. Creating child safe and welcoming organisations is important because they will ‘not only reduce the chance of it [the abuse] happening, but will make it more likely that children can be observed and listened to in small doses’ (NSPCC, 1991).
Often a long period of time is required to develop a relationship with a child to the point that they feel comfortable revealing abuse to an adult, and a hint that a person is not really interested or needs to be doing something else will damage the chances of the child coming forward (Ross, 1990). Child Wise believes that representatives can best show their care and concern for the child by:

- Listening carefully to what they are saying,
- Telling the child you believe them,
- Telling them it is not their fault and that they are not responsible for the abuse,
- Letting the child know you will make a report to the appropriate authorities so they can help stop the abuse, and
- Telling the child you are pleased they told you.

(Child Wise, 2004)

It will be detrimental to both the child’s wellbeing and future investigations if the person a disclosure has been made to:

- Makes promises they cannot keep, such as promising they won’t tell anyone,
- Pushes the child into giving details of the abuse (asking direct questions of the child may prejudice and subsequent investigation), or
- Discussing the circumstances of the child with others not directly involved in helping and responding to disclosures.

(Child Wise, 2004)

At the same time, it is important to clarify certain areas if a representative is unsure what a child means when they say certain things. For example, a girl attending kindergarten had repeatedly told representatives at the organisation that when it was nap time, she was scared of the tickle monster. Later, it emerged that the child was referring to sexual abuse she was experiencing at the hands of a family member. The representatives did not pick up on the cues, and if they had, or if they had asked sensitively ‘when you say the tickle monster, what do you mean?’, the abuse may have been identified and stopped far earlier.

Part of being a child safe organisation means making complaints and disclosure policies and procedures easily available. Child Wise recommends that organisations develop flow charts, for both representatives and children, that detail the process followed and how decisions are made.
‘Part of our duty of care is a requirement [for everyone] to follow mandatory reporting procedures.’ – Early Years staff member, community service organisation (2013).

A serious commitment to dealing with child sexual abuse means organisations must adopt standards more rigorous than those provided under current laws (Altobelli, 2003) – including the laws around mandatory reporting. Mandatory reporting varies across the states, and it is Child Wise’s position that only organisations that act as if all representatives were mandated to report will they have a truly child safe environment. This must be tied to organisational disciplinary procedures and codes of conduct, and, eventually, be enforced by national legislation and regulations. The final section of this submission details Child Wise’s recommendations on this.

Complaints, grievances, and disclosure policies should not be viewed in isolation but as part of a wider process – they must be tied to codes of conduct and professional boundaries, and disciplinary procedures; supported by clear roles and responsibilities, and robust supervision processes.
Standard 12 – Legal Responsibilities

Organisations are morally and legally responsible for the wellbeing of children in their programs. The Standards are designed around the ‘best interests of the child’ principle, situational crime prevention tools, and public health interventions to prevent, minimise, and reduce child abuse within organisations. The Standards are far more robust than current legislative or regulatory requirements.

However, organisations need to be aware of, and document clearly, the legal and regulatory environment in which they operate, and must ensure they comply with all current legislation and industry specific regulations, including mandatory reporting. This includes Federal and international laws when/if the organisation has operations overseas (in particular, laws around child sex tourism or pornography, where offenders can be persecuted within Australia for offences committed overseas).
Section 3 Testing Child Safe Strategies

Child Wise’s role and function for over 21 years has been to design programs and strategies to prevent, reduce, and minimise child abuse within organisations. There is a need, however, for greater understanding of the problem of child abuse and testing of models to ensure they are tailored and effective across all aspects of the organisational setting. Completing further research and testing in various industries are both critical to guaranteeing the efficacy and applicability of child safe strategies.

This section will highlight the areas of the Standards (‘child safe strategies’) that need further evidence or research, and will also propose a pilot program for testing the Standards as a means of creating a child safe organisation.

Areas for research

As was noted in Section 2, ‘child maltreatment in the context of organisations has been generally under-researched, and has mostly focused on sexual abuse’ (Higgins, 2004). Child Wise recommends that there be specific research into organisational abuse, including:

- Prevalence – what is the incidence of child abuse within organisations, including where a groomer/offender has made first contact through an organisation but committed offences later or offsite;
- Characteristics – where such abuse has occurred, what were the characteristics of the organisation. This should include the environmental conditions of the organisation as a whole, the abuse type, and how/where the abuse itself occurred; and
- Awareness – what are current levels of understanding and knowledge of child abuse and maltreatment, and associated risks, especially for organisations? It is Child Wise’s experience that for organisations without a child protection focus, this awareness is often very low – systematic research needs to be conducted to confirm this.

The lack of knowledge about forms of child abuse other than child sexual abuse necessitates further research, and research into the nature of ‘co-occurring’ abuse types – where physical, emotional, sexual, and neglect, etc. can overlap and further influence the vulnerability of children.

There needs to be more research to ‘understand possible nexuses between location and prevalence’ of child sexual abuse in Indigenous communities (crowded living conditions, poverty, substance addiction, etc.) (Irenyi, et al., 2006). The same is true of all highly vulnerable children – greater research needs to be undertaken in the disability sector, amongst CALD groups, and for children who have already suffered some form of abuse.
Richardson, Higgins & Bromfield argue that ‘there is an absence of evidence that knowledge and skill acquisition translates into behaviour that actually reduces the likelihood of abuse’ by conducting child personal safety programs (2005). It seems likely that such programs will positively influence children’s ability to resist and lower their risk of abuse, but there should be further research to confirm this.

A number of other issues have been identified by Beyer, Bromfield & Higgins as important priorities for future research. Child Wise believes an understanding of these issues will contribute to more effective program design. They include:

1. An examination of the circumstances in which organisational child abuse has occurred to inform about criminogenic organisational environments (Wortley & Smallbone u/d);
2. Collection of data on current practices and experiences to build a database that may increase the validity of any actuarial risk assessment tools that may be developed in the future;
3. Testing of psychological assessment tools currently used on known intra and extra-familial child abusers to establish if they would screen out abusers from among a general population (Crime and Misconduct Commission, 2004);
4. Identification of the characteristics and behaviours of ‘professional’ (fixated) child sex perpetrators to better understand their motivations to abuse children within the work setting - essential to comprehensive child protection in schools, and other agencies (Sullivan & Beech, 2002);
5. Investigation into organisational abuse investigation practices – for example, research to identify the views of those involved in investigations to better inform procedures and practices (Barter, 1999);
6. Identification of methods to better monitor the prevalence of organisational child abuse; and
7. Collection of data that would assist better targeting of crime prevention strategies and development of best practice guidelines for building capacity in organisations.

(Beyer, Higgins & Bromfield, 2006)

Additional Research

There should also be further research into offender treatment and rehabilitation – there is some evidence that perpetrators of child sexual abuse have the lowest recidivism rate of any category of crime except that of murder. If true, this would suggest that earlier identification of, and interventions for, potential or actual child sex offenders will limit the chances of them offending or repeat offending against children. This is a tenuous link, and further research should be conducted in this area.
Pilot Program

This section is not intended to be a fully realised proposal for a pilot program, but to outline the fundamental elements that should be considered in any pilot designed to test the Standards.

The lack of any serious baseline data on child abuse within organisations will make conducting a pilot program difficult, and a pilot will be required to measure success against assumptions embedded in the strategies it is intended to test. To account for these gaps there should be a detailed assessment using both qualitative and quantitative methods of the organisations included in any pilot program. It should examine (this is not intended to be an exhaustive list):

- Representative knowledge of child abuse indicators and signs,
- Representative knowledge of child abuse impacts,
- Representative knowledge of grooming behaviour,
- How likely representatives are to report child abuse,
- How open and accountable representatives view the organisation and its management,
- Incidents of child abuse that have occurred in the organisation and how they were handled,
- Current levels of policies, procedures, and documentation, and how they align with practice, and
- Evidence of enforced boundaries and supervision of representatives.

Child Wise recommends that such a pilot program should be tested against a minimum of three industries, all of which should have different areas of work. These should include:

- One which works directly with children who are at risk – for instance, child protection focused organisations with services such as residential care;
- One which works with children daily but does not have a child protection focus – for instance, child care organisations. This should include at least one organisation that works with a highly vulnerable population such as disabled children; and
- One which does work that may impact on children but does not have daily interactions with them – for instance, an adult sporting organisation that occasionally volunteers with children.
Ideally, there should be a range of organisations for each area – there will be varying levels of effort involved in meeting the Standards across these broad industry groupings, and a pilot should assess how effective they are with that in mind. The organisations selected should be national organisations with operations in a number of States or Territories, so that the Standards can be implemented at multiple levels within the same organisational structure and culture. This is important to establish their effectiveness at developing a child safe culture throughout an organisation, rather than at any one site.

Once the industries and organisations have been selected, a pilot program should:

- Identify a body or organisation(s) equipped to oversee the implementation of the Standards and their components,
- Require that the participating organisations implement the Standards as part of an internal regulatory framework (Section 4 provides greater detail on possible self-compliance systems),
- Include regular training of representatives at all levels, as appropriate to the organisation’s activities/scope of work,
- Ensure support and advice be given to participating organisations as they implement the Standards and any obstacles they encounter,
- Include a certification or accreditation program similar to that identified in Child Wise’s CAP Model (outlined in Section 1), and
- Run for a three year period.

Immediately following the completion of the pilot, and again one year following its conclusion, the detailed assessment to establish baseline data should be re-conducted. This will be necessary for evaluating the Standards’ effectiveness.
There is no easy way to assess a preventative model such as the Standards. It will always be difficult to establish the number of cases of abuse that may have been averted; a problem exacerbated by the lack of understanding about organisational abuse. If the gaps in research identified above are filled in, it will help to design and tailor prevention-focused interventions more effectively.

It is Child Wise’s experience that the Standards currently provide the best model for creating child safe organisations – they are based on 21 years of work in the field and have been tested against research, theory, and practice. A properly conducted pilot program with clear benchmarks and realistic expectations is an important step in identifying how they may best be implemented, and, if necessary, adjusted for a national scheme. This process of refining the Standards should be continued through a National Child Abuse Prevention Strategy, as detailed in the following Section.

**Pilot Program**

‘Child Safe Organisation’ Accreditation

**Year One**
- Identification of industry participants
- Baseline data assessment
- Implementation of the Standards
  - Training for Management, Board Members, & the Executive
  - Training for all representatives
  - Policy & Procedure development assistance
  - Internal systems development assistance
  - Ongoing support and advice
- Self-Assessment Compliance - End of year one

**Year Two**
- Accreditation Site Visit - External Assessment
- Ongoing Training, support, and self-compliance

**Year Three**
- Accreditation Site Visit - External Assessment
- Ongoing Training, support, and self-compliance
- Conduct baseline data assessment - End of year three

**Follow-up**
- Conduct longitudinal baseline data assessment
Section 4 Implementing Child Safe Strategies in Practice

Introduction

In 2005, the Community and Disability Services Ministers’ Conference adopted the National Framework: Creating Safe Environments for Children. From this process, a number of Schedules were developed, including Guidelines for Building the Capacity of Child-Safe Organisations and An Evidence-based Guide for Risk Assessment and Decision-making when Undertaking Background Checking. The recommendations and objectives were adopted by State and Territory Ministers, but were did not lead to a comprehensive regulatory or legislative environment for organisations working with children. Nor did they establish independent monitoring or enforcement of this objectives.

Protecting Children is Everyone’s Business: National Framework for Protecting Australia’s Children 2009-2020 has taken a longer term, incremental approach with support from community, government, and non-profit groups. It is a strong document, with wide-ranging goals. However, it fails to provide an outcome on child safe organisations, with only one area of child-focused work identified as requiring National Standards (National Priority – developing National Standards for Out of Home Care). The absence of any mechanism to developing overall Standards or an independent body to oversee the process is a major flaw in this Framework.

Any organisation who currently attempts to make themselves ‘child safe’ does so without a comprehensive regulatory framework or compliance system. There are industries which have limited requirements to meet regulations around protecting children (for instance, the childcare industry in Victoria has strong regulations in some areas), but none consider the full range of child safe strategies reflected in Child Wise’s 12 Standards.

In the absence of clear and comprehensive regulations, community service organisations have been implementing internal mechanisms, often with the assistance of external or industry leaders. Yet ‘the development of a set of common principles or framework alone is rarely enough to change the practices of organisations or provide a credible signal of quality’ (Lloyd, Calvo & Laybourn, 2010). To ensure that organisations adopt a set of common principles (i.e. the Standards) and change their practices to become truly ‘child safe’, a system for compliance is needed, which must be supported by an external monitoring body.
As has been argued elsewhere in this submission, the need for a National Child Abuse Prevention Strategy to protect children in organisations must involve harmonisation across all industries that work with children, and across all States and Territories. This can no longer be done incrementally, with gaps in requirements and regulations across jurisdictions – it must be a unified system.

Child Wise believes that the national approach to OHS provides an example of how these National Child Abuse Prevention Strategy can be implemented. Attempts to harmonise OHS standards across all states and territories proceeded in fits and starts – National Standards were developed, but there was inconsistent adoption of provisions in many of their elements for a long period of time (Safe Work Australia, 2012).

In 2008, Ministers of Workplace Relations agreed upon the need for model legislation, and COAG subsequently signed an agreement to facilitate its development. To drive this work and the implementation of model laws, an independent body (Safe Work Australia) was formed. It led to:

- A National Review of all existing processes, and the creation of a draft Model Act,
- A period of public comment and discussion on the draft Model Act,
- A revision of the draft Model Act, and
- An endorsement at the Ministerial level of the Model Act.

(Safe Work Australia, 2012)

The Model Act then led to each State and Territory passing legislation that harmonised the approach their regulatory bodies (i.e. WorkCover, WorkSafe, etc.) were required to take.

Child Wise believes that this shows that a national regulatory approach to child abuse prevention in organisations can be achieved. We recognise that the Standards detailed in this document are high level, and require tailoring to ensure their applicability across industries – a consultative process such as that taken for OHS harmonisation, headed by an independent statutory body, is vital to facilitate that. It is essential that any National Child Abuse Prevention Strategy be consistent in its requirements in all States and Territories – there are many national organisations that would struggle to implement different requirements in all the areas they operate.

Child Wise recommends that in addition to adopting a model such as the Standards, a National Child Abuse Prevention Strategy must include a number of key features.
A national system for preventing child abuse needs to consider the broader problem, and should not be limited to creating frameworks and regulations for organisations. To prevent the abuse of children within organisations requires addressing the problem in the community as well: attitudes and situations in the private and public realms can create vulnerable children or attitudes and cultures within organisations that allow child abuse to occur. This is a far broader problem than the abuse that is perpetrated at, or facilitated by situations within, organisations and institutions. While it is beyond the remit of the Royal Commission to examine the prevalence and types of abuse outside the organisational context, any national approach to the issue must address all aspects of child abuse.

A suggested structure with roles and responsibilities for such a national approach is illustrated in the flow chart on the following page, and is subsequently explained in more detail. Child Wise does not consider it to be the only possible method of implementing a National Child Abuse Prevention Strategy, however it does illustrate how one may be established, and the key features required to make it successful.
National Independent Body
‘Child Safe Australia’

State, Territory, & Federal Ministers
State & Territory Regulatory Body Representatives
Advised by State, Territory, and Federal Child & Youth Commissioners

Develop a Model Act
Oversee National Standards, and develop industry specific regulations
Oversee, monitor, and support State & Territory Regulatory Bodies
Create a Central Reporting Mechanism
Run community awareness campaigns

State & Territory Regulatory Bodies
‘Child Safe Implementation’

Independent, statutory bodies

Accreditation of organisations and institutions
Provide support and assistance to organisations and institutions
Act as an intermediary for the Central Reporting Mechanism

Organisations and Institutions
‘Child Safe Organisations’

Comply with the National Standards and industry specific regulations
Preventative Monitoring
Reactive Monitoring
National Independent Body – ‘Child Safe Australia’

‘Child Safe Australia’ should be made up of the relevant State, Territory, and Federal Government Community Service Ministers, and include representatives from the State and Territory Regulatory Bodies (detailed below). It should receive advice from the Child & Youth Commissioners (State, Territory, and National), but must be independent of them – their role is to advocate for children and should not be involved in monitoring organisations who work with them. It is important to include Ministers and Commissioners responsible for the Disability and Indigenous Sectors as they represent some of the most vulnerable groups of children. It should be the responsibility of COAG to formalise the make up of this body.

‘Child Safe Australia’ should be responsible for developing a Model Act for the National Child Abuse Prevention Strategy. This should occur through a public consultation process, including Governments, NGOs, community service organisations, and the wider public. As with the OHS harmonisation process, it should aim to assess each industry based on the National Standards and then to develop and determine regulations specific to each industry.

For instance, a childcare organisation will need to meet (and demonstrate how it meets) the Standards in ways that are different from the requirements for schools, religious groups, or Scouting bodies. Each industry and organisation should be required to meet the Standards in relation to their specific activities and undertakings. ‘Child Safe Australia’, as a national and independent body, would be best suited to determining how these requirements can be established.

‘Child Safe Australia’ should also aim to harmonise Child Protection approaches and legislation across Australia, including departments responsible for early interventions. Child Wise again recommends that the Royal Commission considers the work of ARACY – *Inverting the Pyramid: Enhancing systems for protecting children* on the need to shift the focus to early interventions (2009).

‘Child Safe Australia’ should oversee, monitor, and support the State and Territory Regulatory Bodies in their work. It must also support State and Territory Governments as they work to implement a Model Act.
‘Child Safe Australia’ should also monitor and oversee a Central Reporting Mechanism for collecting information on complaints, allegations, and incidents of abuse that occurs within organisations. This is further detailed below in ‘State and Territory Regulatory Bodies’, but serves two purposes:

- To address gaps in knowledge about abuse types, prevalence, and incidents within organisations and institutions; and
- To assist in ensuring organisational compliance with the Standards and regulatory requirements.

There is evidence that shows well designed public awareness campaigns can positively influence attitudes to child sexual abuse (Andrews, McLeese & Curran, 1995; Weiss & Tschirhart, 1994; Horsfall, Bromfield & McDonald, 2010). ‘Child Safe Australia’ should also run National Awareness Campaigns to address community ignorance and complacency about the risks and incidence of child abuse, what to do when it is suspected or disclosed, and how to prevent it.

State and Territory Regulatory Bodies – ‘Child Safe …’ (NSW, Vic, QLD, etc.)

The States and Territories should establish independent, statutory bodies responsible for implementing the recommendations of ‘Child Safe Australia’, and any legislation that the States and Territories promulgate in response to a Model Act.

These bodies should be responsible for the accreditation of organisations and institutions through monitoring compliance with the Standards, conducting site visits, and following up and investigating complaints or incidents of child abuse within organisations or institutions. A proposed approach to this is detailed under ‘Accreditation and Compliance Systems’ later in this section.

These bodies should also provide support and assistance to organisations and institutions in becoming child safe and in implementing child safe strategies.

They should also act as an intermediary for the Central Reporting Mechanism at ‘Child Safe Australia’, referring incidents, complaints, and allegations that occur at organisations to the central body. They should be responsible for ensuring organisations and institutions report promptly, and include all relevant details, including:

- What the allegation/incident was,
- When it was made,
- What action was taken, and
- In what situation it occurred.
This should be considered as part of a ‘no fault’ system, where the organisation is encouraged to report all allegations or incidents – building a picture of how organisational abuse can be prevented. It may be necessary to ensure the details, when stored, are de-identified. It will also enable the State and Territory Regulatory Bodies to investigate incidents and compliance issues, and provide support for organisations to ensure better systems can be put in place to prevent child abuse.

**Organisations and Institutions**

The responsibilities for organisations and institutions will be to comply with the National Standards and any industry specific regulations determined under the Model Act. This should be through two forms of monitoring (both of which are covered in more detail under the section ‘Accreditation and Compliance Systems’):

- Preventative Monitoring – self, peer, or third party; and
- Reactive Monitoring – complaints handling, reporting to regulatory bodies.

Organisations and institutions should be provided with support from the State and Territory Regulatory Bodies, and representatives at these organisations and institutions should be required to undergo regular training.

**Accreditation and Compliance Systems**

Designing a compliance system is a complex task, and one which should be conducted through the ‘Child Safe Australia’ consultation process. In an ideal world, the Regulatory Bodies would conduct regular external audits of every organisation that works with children to accredit them as being ‘child safe’. Child Wise recognises that this would be a highly impractical and costly approach to building child safe organisations, and so we recommend a multilayered approach to monitoring and compliance. Using our experience in conducting the ‘Child Safe Organisation Certification’ Program, Child Wise believes there are a number of key features that are required to make a compliance and accreditation system effective.
Accreditation

Gugerty argues that a key factor in designing compliance processes is providing a ‘signal of quality’ to stakeholders (such as clients) through an accreditation system or process (2009). Such a process should publically disclose the findings from the organisational assessment, and should include effective sanctions should the criteria not be met. These sanctions should sit on a sliding scale, and may include:

- Recommendations for corrective action but confidential,
- Recommendations for corrective action but made public,
- Financial penalties,
- License suspension, or
- Suspension of license publicised.

Adapted from Lloyd, Calvo & Laybourn, (2010)

Compliance

To ensure accreditation is relevant and effective, mechanisms also need to be developed that provide monitoring and, where necessary, enforcement of the Standards. There are two types of monitoring for compliance that should be considered.

Preventative Monitoring

This should involve self-compliance mechanisms, and third party monitoring of compliance.

Self-compliance should consist of documentation assessment (i.e. child protection policies and complaints procedures), checklists, representative surveys, external beneficiaries/stakeholder assessments, and include the views of children. This process could be facilitated by a third party, but must go to the Regulatory Body for assessment and approval.

Third party monitoring of compliance should be conducted periodically by the Regulatory Body itself – based on the self-compliance process or incident/complaint reporting, it should identify organisations that require site visits and representative interviews to assess compliance. It should also, like OHS/WorkCover, include random site inspections.
Reactive Monitoring
This should be a complaints mechanism which requires organisations and institutions to report any incidents, allegations, or complaints of child abuse or grooming behaviour. It should specify if the abuse or behaviour has been occurring within the organisation, as a result of contact made at the organisation, or independent of but observed by representatives of the organisation. Any accreditation should be contingent on complying with this external complaints mechanism. Importantly, it must not replace existing (or future) requirements to report to child protection or the police.

There should be consideration given for making the external complaints mechanism a ‘no-fault’ system, similar to that used in flight regulation – if two planes have a ‘near miss’ incident, they are required to report without blame being placed on the pilots. Such an approach would encourage organisations to be open about their internal processes and incidents, enabling them to prevent, reduce, and minimise child abuse. The Regulatory Body would then have the ability to recommend changes to the way an organisation conducts its activities and provide support to enhance their preventative and protective measures.

Self-compliance cannot work without oversight, for compliance and reporting is reliant on organisational cultures. Standards will help to develop a positive compliance culture, as will a no-fault approach to reporting centrally. Yet enforcement and external monitoring is required to reinforce this culture, as it will ensure resistant organisations improve their systems and management styles will become more open and accountable.

We can no longer rely on haphazard approaches to building child safe organisations – there must be a unified National Child Abuse Prevention Strategy, with independent statutory bodies at the Federal, and State and Territory levels. They must ensure the harmonisation of legislation and Standards across all industries and jurisdictions, and have the power to assess, accredit, and sanction all organisations and institutions that work with, or come into contact with, children.
Section 5  The Standards as a Universal Framework

As identified in Section 4, it is Child Wise’s contention that the Standards should be a universal framework for a child safe organisation. The same section also outlines how the Standards are a high level framework which may need to be adapted by ‘Child Safe Australia’ to create specific regulations to account for differences in the type and level of contacts with children across various sectors and industries.

In regards to religious institutions (and all religious bodies, including the Catholic Church), Child Wise believes that the Standards will be able to ensure a child safe organisation, if properly implemented and externally monitored and enforced. It is worth noting, however, that the particular environmental conditions that can allow for child abuse to occur have flourished in religious organisations, in particular within the Catholic Church. It is also of note that these bodies have internal cultures that continue to exhibit high levels of secrecy and resistance to change. Overcoming these obstacles will be extremely challenging – strong external monitoring and changes to internal management structures will make successful implementation of the Standards more likely.
As discussed in Section 1 & 2 under Standard 5 – Clear Boundaries and Standard 8 – Support & Supervision, there is a clear need for codes of conduct and professional boundaries, reinforced by the support and supervision of representatives, and has disciplinary processes tied to those boundaries. Considered in Section 4, it is Child Wise’s recommendation that as part of the National Child Protection body there be enforceable measures to ensure organisations and institutions have these elements in place.
Section 7 Governance, Management, & Leadership

The role and characteristics of governance and management leadership in building child safe organisations was covered in Section 1 and Section 2, in particular Standard 1 – An Open & Aware Culture and Standard 8 – Support & Supervision. As noted earlier, a key feature of a child safe organisation is that the management styles are open and egalitarian (Department of Health, 1992; Hughes, 1985; Lawson, Ambros & Clough, 1986). Beyond simply being a feature, the management and governance style of the organisation is critical in creating and maintaining a child safe culture.

Where management and organisations fail to be open and accountable, secretive organisational cultures develop – creating the conditions for child abuse and grooming to take place. As discussed in Section 4 of this submission, by implementing an enforceable, National Child Abuse Prevention Strategy, management and governance will be forced to become more open and accountable. Where there is resistance to change, training, education, and external monitoring will help to overcome these obstacles and build a child safe culture.

Child Wise recommends that management, boards, and all representatives responsible for the governance of an organisation should be required to attend regular training on child safe organisations – this should go beyond just the signs and indicators of child abuse and should include how to develop internal systems and implement the Standards. This will help to foster an accountable and open management and governance structure.
Section 8 Additional Enforceable Requirements

Child Wise does not recommend any additional enforceable requirements specific to organisations and institutions, other than those already provided in previous sections. It should be emphasised, however, that any legislation or regulations designed to protect children must be extended to cover all organisations with a duty of care for children. For instance, the law in Australia does not consider that Priests to be ‘employees’ of the Catholic Church. While Child Wise is not in a position to make recommendations around individual laws that need to be changed to account for all discrepancies or gaps of this nature, there are likely to be a range of legislative changes required at the State, Territory, and Federal levels to ensure that the Standards apply equally to all organisations in all jurisdictions. ‘Child Safe Australia’, in drafting a Model Act, should consider and account for these changes.

The following section details supplementary recommendations for ensuring children are protected within organisations – these extend beyond the organisational or institutional sphere but do have an impact on their workings.
Supplementary Recommendations

Throughout this submission there have been a number of recommendations and comments beyond the immediate areas of interest for the Royal Commission. This section is intended to explain them in more detail.

Whole of community approach

As discussed in Section 2, a prevention strategy which aims to prevent, reduce, and minimise the abuse of children in organisational settings can only be considered comprehensive when it also targets whole communities (Higgins, 2004). This means that the wider attitude to child abuse within a community will affect how it is viewed at an organisational level, and within that organisation. Greater knowledge and understanding in the general community will improve the chances of detecting child abuse. It will also increase the likelihood of an organisation employing representatives who are already committed to an open and aware culture.

A proven strategy for raising community awareness is to run educational campaigns across a range of media. Media-based marketing campaigns focusing on child abuse and maltreatment have the potential to assist in the prevention of child abuse (World Health Organisation, 2006). The aim should be to target change in social environments, broader communities, and social policies and legislation, rather than trying to change individual behaviour (Horsfall, Bromfield & McDonald, 2010; Donovan & Henley, 2003). As noted by Richardson, Higgins & Bromfield, ‘research suggests that community education campaigns can be effective at raising awareness of child maltreatment issues, and can promote behavioural change in terms of disclosures and reporting of child maltreatment’ (2005).

An aspect of child abuse prevention that has not previously been raised in this submission is the role of parents and caregivers in preventing organisational child abuse. They spend the most time with their children, and are most likely to notice changes in behaviour or attitudes that may indicate they have been subject to abuse or grooming. By educating parents and caregivers (and the broader community) and by raising awareness of what to do and how to respond to suspicions of abuse, the impacts and incidence of child abuse at organisations can be dramatically lowered through early detection and intervention.
Child Wise runs a training program for parents and caregivers called ‘Wise Up’, designed to teach the topic of child abuse sensitively, dealing with signs, indicators, and types of abuse, and teaching how to respond to disclosures. The feedback has been highly positive, and we consider such programs to be vital elements in preventing child abuse within, and outside of, organisations and institutions.

**Mandatory reporting for all**

Child Wise recommends that the current mandatory reporting system should be harmonised across the States and Territories, and that it should be expanded to cover all representatives who work with, or through their work, come into contact with, children. Anyone who works with children should be considered to have a duty of care for their protection, and to look after their best interests. By mandating that they report any concerns, suspicions, or knowledge of child abuse, there will be an equal expectation of roles, and better protection for children.

**A National Working With Children Check**

As outlined in Child Wise’s submission to the Royal Commission on Issues Paper 1, Child Wise recommends that a National WWCC scheme should be established. This will help to deter convicted paedophiles and child sex offenders from attempting to access children’s organisations by the expedient of changing their name or moving from one State to another. This system should be overseen by ‘Child Safe Australia’.

**Improve Child Protection systems**

The abuse of children outside of organisations, while by far the largest area in which abuse occurs, is beyond the scope of the Royal Commission’s area of focus. Child Wise believes that the child protection system and its response to child abuse within, and outside of, organisations, must be considered.

There have been many calls for increased funding, support, and staffing levels to respond to the increase in substantiations of child abuse within Australia. ARACY, in *Inverting the Pyramid: Enhancing systems for protecting children*, has identified the need to shift the focus on child abuse away from the tertiary interventions (after the abuse has occurred), to primary and secondary interventions – by preventing abuse and early interventions for vulnerable children (2009). Changing the paradigm from being reactive to focusing on preventative, early interventions is critical in preventing abuse within, and outside of, organisations.
Child Wise believes that a National Child Abuse Prevention Strategy, headed by ‘Child Safe Australia’ (as discussed in Section 4 of this submission) should also be responsible for the following areas:

- Standardising and harmonising child protection systems across the States and Territories, including a shift in focus to early interventions and prevention;
- Developing Model Acts in partnership with Governments to ensure a focus on early interventions and stronger primary intervention systems;
- Proposing a standardised training and accreditation system for all people and professions that work with children across all States and Territories; and
- Monitoring and overseeing a National Working With Children Check system.

Such an approach is vital to ensuring that organisations and the wider community can prevent, reduce, and minimise child abuse.
Appendix 1

Australian Institute of Family Studies
‘What is child abuse and neglect?’ - June 2012
Copyright: Commonwealth of Australia
References in this appendix are not reflected in the reference list for this submission, as it is an external document.

Child maltreatment refers to any non-accidental behaviour by parents, caregivers, other adults or older adolescents that is outside the norms of conduct and entails a substantial risk of causing physical or emotional harm to a child or young person. Such behaviours may be intentional or unintentional and can include acts of omission (i.e., neglect) and commission (i.e., abuse) (Bromfield, 2005; Christoffel, et al., 1992). In this paper, the terms “child abuse and neglect” and “child maltreatment” are used interchangeably.

Child maltreatment is commonly divided into five main subtypes:
- Physical abuse;
- Emotional maltreatment;
- Neglect;
- Sexual abuse; and
- The witnessing of family violence.

Although there is a broad consensus regarding the different subtypes of maltreatment, disagreement exists about exactly how to define these subtypes. In the absence of universal definitions of child abuse and neglect, different professional fields have developed their own definitions. There are medical and clinical definitions, social service definitions, legal and judicial definitions, and research definitions of child maltreatment. Each professional sector tends to emphasise the facets of maltreatment that are most salient to their own field. For example, medical definitions highlight the physical symptoms of a child rather than the abusive or neglectful behaviours of a perpetrator, while legal and judicial definitions focus on those aspects of parental behaviour and child symptomatology that provide the best evidence for a successful prosecution (Bromfield, 2005; Feerick, Knutson, Trickett, & Flanzer, 2006).

The definitions provided in this paper are broad and research-based. They focus less on the specific harm caused to the child, and more on the abusive behaviours of the perpetrator. This approach sidesteps much of the detail and disagreement regarding the cut-off points at which specific behaviours (e.g., rejecting a child) become child maltreatment. The current definitions are too broad to be used in specific settings (such as a courtroom or child protection agency), but are detailed enough to incorporate many of the complexities involved in this area of research.
Definitional issues

A number of complex issues need to be considered when trying to define a form of maltreatment. For example:

- Definitions of child maltreatment reflect cultural values and beliefs. Behaviour that is considered abusive in one culture may be considered acceptable in another (e.g., corporal punishment).
- Parental behaviour that is appropriate at one stage in a child’s development may be inappropriate at another stage of development (e.g., the level of supervision needed for toddlers versus adolescents).
- The potential perpetrators of maltreatment need to be defined, so as not to inadvertently exclude particular behaviours and contexts. However, disagreement exists over whom should be included as potential perpetrators in the definitions of certain maltreatment subtypes (e.g., Should definitions of child sexual abuse include child and adolescent perpetrators?).
- Researchers often use categorical definitions of child maltreatment (i.e., a child is either maltreated or not maltreated). However, this approach fails to acknowledge that abusive and neglectful behaviours can differ markedly in terms of severity, the frequency and duration of occurrence, and the likelihood that they will cause physical or emotional harm.
- Child maltreatment can be defined either using abusive or neglectful adult behaviours (e.g., the definition of child physical abuse would comprise parental behaviours such as hitting or shaking), or by the harm caused to the child as a result of such behaviours (e.g., child physical abuse would be indicated if the child displayed physical symptoms such as bruising or swelling).
- Although perpetrator intent to maltreat a child is often a useful indicator of child maltreatment, there are a number of instances where abuse or neglect can occur even though the perpetrator did not intend to commit it (e.g., neglectful parents may have had no intention of neglecting their children). (Bromfield, 2005; Feerick, et al., 2006; US National Research Council, 1993)
**Physical abuse**

Generally, child physical abuse refers to the non-accidental use of physical force against a child that results in harm to the child. A parent does not have to intend to physically harm their child to have physically abused them (e.g., physical punishment that results in bruising would generally be considered physical abuse). Depending on the age and the nature of the behaviour, physical force that is likely to cause physical harm to the child may also be considered abusive (e.g., a situation in which a baby is shaken but not injured would still be considered physically abusive). Physically abusive behaviours include shoving, hitting, slapping, shaking, throwing, punching, kicking biting, burning, strangling and poisoning. The fabrication or induction of an illness by a parent or carer (previously known as Munchausen syndrome by proxy) is also considered physically abusive behaviour (Bromfield, 2005; World Health Organization [WHO], 2006).

**Emotional maltreatment**

Emotional maltreatment is also sometimes called “emotional abuse”, “psychological maltreatment” or “psychological abuse”.

Emotional maltreatment refers to a parent or caregiver’s inappropriate verbal or symbolic acts toward a child and/or a pattern of failure over time to provide a child with adequate non-physical nurture and emotional availability. Such acts of commission or omission have a high probability of damaging a child’s self-esteem or social competence (Bromfield, 2005; Garbarino, Guttmann, & Seeley, 1986; WHO, 2006). According to a popular conception by Garbarino et al. (1986), emotional maltreatment takes five main behavioural forms:

- Rejecting: the adult refuses to acknowledge the child’s worth and the legitimacy of the child’s needs;
- Isolating: the adult cuts the child off from normal social experiences, prevents the child from forming friendships, and makes the child believe that he or she is alone in the world;
- Terrorizing: the adult verbally assaults the child, creates a climate of fear, bullies and frightens the child, and makes the child believe that the world is capricious and hostile;
- Ignoring: the adult deprives the child of essential stimulation and responsiveness, stifling emotional growth and intellectual development;
- Corrupting: the adult “mis-socializes” the child, stimulates the child to engage in destructive antisocial behaviour, reinforces that deviance, and makes the child unfit for normal social experience. (p. 8)
It is worth noting that some researchers classify emotionally neglectful behaviours (e.g., rejecting, ignoring) as a form of neglect. This does not pose a problem, as long as researchers explicitly indicate under which maltreatment subtype they record such behaviours. There is certainly common conceptual ground between some types of emotional maltreatment and some types of neglect, which serves to illustrate that the different maltreatment subtypes are not always neatly demarcated (see the section in this paper on “The relationships between the different maltreatment subtypes”).

**Neglect**

Neglect refers to the failure by a parent or caregiver to provide a child (where they are in a position to do so) with the conditions that are culturally accepted as being essential for their physical and emotional development and wellbeing (Broadbent & Bentley, 1997; Bromfield, 2005; WHO, 2006). Neglectful behaviours can be divided into different sub-categories, which include:

- **Physical neglect**: characterised by the caregiver’s failure to provide basic physical necessities, such as safe, clean and adequate clothing, housing, food and health care;
- **Emotional (or psychological) neglect**: characterised by a lack of caregiver warmth, nurturance, encouragement and support (note that emotional neglect is sometimes considered a form of emotional maltreatment);
- **Educational neglect**: characterised by a caregiver’s failure to provide appropriate educational opportunities for the child; and,
- **Environmental neglect**: characterised by the caregiver’s failure to ensure environmental safety, opportunities and resources. (Dubowitz, Pitts, & Black, 2004)

**Sexual abuse**

Defining sexual abuse is a complicated task. Although some behaviours are considered sexually abusive by almost everyone (e.g., the rape of a 10-year-old child by a parent), other behaviours are much more equivocal (e.g., consensual sex between a 19-year-old and a 15-year-old), and judging whether or not they constitute abuse requires a sensitive understanding of a number of definitional issues specific to child sexual abuse.
A very general definition of child sexual abuse has been proposed by Tomison (1995): “the use of a child for sexual gratification by an adult or significantly older child/adolescent” (p. 2). Similarly, Broadbent & Bentley (1997) defined child sexual abuse as: “any act which exposes a child to, or involves a child in, sexual processes beyond his or her understanding or contrary to accepted community standards” (p. 14). Sexually abusive behaviours can include the fondling of genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object, fondling of breasts, voyeurism, exhibitionism and exposing the child to or involving the child in pornography (Bromfield, 2005; US National Research Council, 1993).

However, unlike the other maltreatment types, the definition of child sexual abuse varies depending on the relationship between the victim and the perpetrator. For example, any sexual behaviour between a child and a member of their family (e.g., parent, uncle) would always be considered abusive, while sexual behaviour between two adolescents may or may not be considered abusive, depending on whether the behaviour was consensual, whether any coercion was present, or whether the relationship between the two young people was equal (Ryan, 1997). Thus, in this paper, different definitions are presented for each class of perpetrator: adults with no familial relationship to the child, adult family members of the child, adults in a position of power or authority over the child (e.g., teacher, doctor), adolescent or child perpetrators, and adolescent or child family members.

**Adults with no familial relationship to the child**

Any sexual behaviour between a child under the age of consent and an adult is abusive (the age of consent is 16 years in most Australian states; see Age of Consent Laws for a more detailed discussion). Therefore, in Australia, consensual sexual activity between a 20-year-old and a 15-year-old is considered abusive, while the same activity between a 20-year-old and a 17-year-old is not considered abusive.

**Family members of the child**

Any sexual behaviour between a child and an adult family member is abusive. The concepts of consent, equality and coercion are inapplicable in instances of intra-familial abuse.
Adults in a position of power or authority over the child

Sexual abuse occurs when there is any sexual behaviour between a child and an adult in a position of power or authority over them (e.g., a teacher). The age of consent laws are inapplicable in such instances due to the strong imbalance of power that exists between children and authority figures, as well as the breaching of both personal and public trust that occurs when professional boundaries are violated.

Adolescent or child perpetrators

Sexual abuse is indicated when there is non-consensual sexual activity between minors (e.g., a 14-year-old and an 11-year-old), or any sexual behaviour between a child and another child or adolescent who - due to their age or stage of development - is in a position of power, trust or responsibility over the victim. For example, any sexual activity between a 9-year-old and a 15-year-old would be considered abusive as the age difference between the two children leads not only to marked developmental differences, but also disparities in their levels of power and responsibility within their relationship. Another example of abuse due to an imbalance of power would be sexual activity between two 15-year-olds, where one suffers an intellectual disability that impairs their ability to understand the behaviours that they are engaging in. Normal sexual exploration between consenting adolescents at a similar developmental level is not considered abuse.

Adolescent or child family members

Sexual abuse occurs when there is sexual activity between a child and an adolescent or child family member that is non-consensual or coercive, or where there is an inequality of power or development between the two young people. Although consensual and non-coercive sexual behaviour between two developmentally similar family members is not considered child sexual abuse, it is considered incest, and is strongly proscribed both socially and legally in Australia.

Witnessing of family violence

The witnessing of family violence has been broadly defined as “a child being present (hearing or seeing) while a parent or sibling is subjected to physical abuse, sexual abuse or psychological maltreatment, or is visually exposed to the damage caused to persons or property by a family member’s violent behaviour” (Higgins, 1998, p. 104). Narrower definitions refer only to children being exposed to domestic violence between intimate partners.
Some researchers classify the witnessing of family violence as a special form of emotional maltreatment. However, a growing number of professionals regard the witnessing of family violence as a unique and independent subtype of abuse (as it is presented in this paper) (e.g., Bromfield, 2005; Higgins, 2004; James, 1994). Regardless of the classification used, research has shown that children who witness domestic violence tend to experience significant disruptions in their psychosocial wellbeing, often exhibiting a similar pattern of symptoms to other abused or neglected children (Kitzmann, Gaylord, Holt, & Kenny, 2003; Tomison, 2000)

**Additional forms of child maltreatment**

As well as the five main subtypes of child maltreatment, researchers have identified other types, including:

- Foetal abuse (i.e., behaviours by pregnant mothers that could endanger a foetus, such as the excessive use of tobacco, alcohol or illicit drugs);
- Bullying, or peer abuse;
- Sibling abuse;
- Witnessing community violence;
- Institutional abuse (i.e., abuse that occurs in institutions such as foster homes, group homes, voluntary organisations such as the Scouts, and child care centres);
- Organised exploitation (e.g., child sex rings, child pornography, child prostitution); and
- State-sanctioned abuse (e.g., female genital mutilation in parts of Africa, the “Stolen Generations” in Australia). (Corby, 2006; Miller-Perrin & Perrin, 2007)

**The relationships between the different maltreatment subtypes**

Although it is useful to distinguish between the different subtypes of child maltreatment in order to understand and identify them more thoroughly, it can also be slightly misleading. It is misleading if it creates the impression that there are always strong lines of demarcation between the different abuse subtypes, or that abuse subtypes usually occur in isolation. There is a growing body of evidence to suggest that maltreatment subtypes seldom occur in isolation; the majority of individuals with a history of maltreatment report exposure to two or more subtypes (Arata, Langhinrichsen-Rohling, Bowers, & O’Farrill-Swails, 2005; Higgins & McCabe, 2000; Ney, Fung, & Wickett, 1994). Additionally, some acts of violence against children involve multiple maltreatment subtypes. For example, an adult who sexually abuses a child may simultaneously hit them (i.e., physical abuse) and isolate or terrorise them (e.g., emotional abuse). Similarly, when parents subject their children to sexual or physical abuse, how can the emotional harm and betrayal of trust implicit in these acts not also be thought of as a form of emotional maltreatment?
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Child Wise would like to thank the Commissioners for the chance to contribute to the valuable work of the Royal Commission.
Organisations have a moral responsibility to ensure children are safe in their care.

Child abuse is preventable.