

Royal Commission Into Institutional Responses to Child Sexual Abuse



SCOUTS
AUSTRALIA

*The Scout Association of Australia
Incorporated by Royal Charter*

**SCOUTS AUSTRALIA SUBMISSION TO THE ROYAL
COMMISSION**

ISSUES PAPER 3 – CHILD SAFE INSTITUTIONS

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On behalf of Scouts Australia (Scouts) and each of the State and Territory Branches of Scouts Australia, Scouts has welcomed the Federal Government's decision to establish a Royal Commission into institutional responses to instances and allegations of child sexual abuse in Australia.

We are now pleased to contribute further to the Commission's work through our submission on the "Child Safe Institutions" – Issue Paper 3

BACKGROUND OF SCOUTING IN AUSTRALIA:

Scouts Australia is one of the 191 members of the World Organisation of the Scout Movement (WOSM) that has over 30 million members worldwide. In Australia Scouting operates as a federation with each State and Territory, referred to as a Branch, operating through its own entity either incorporated by an Act of Parliament or under corporations or associations legislation..

Scouts Australia is the peak body of Scouting in Australia and is recognized by WOSM as the entity that holds the rights for the delivery of the Scout program in Australia. Scouts Australia is responsible for the strategic direction of Scouting in Australia and the coordination of the Branches to achieve Scouting's mission. Apart from the National office staff the membership of Scouts Australia consists of representative from all the Branches.

The aim of Scouting is to encourage the spiritual, physical, intellectual, emotional and social development of young people to enable them to become resilient, self confident and responsible citizens. This aim is achieved through non-formal education programs that are outdoors based and that inspire young people to do their best and to always be prepared.

Scouting is the largest youth organisation of its kind in Australia and is represented in most communities around the country. Scouting is an inclusive organisation with its members coming from a variety of cultural, religious and socio-economic backgrounds. It also encourages participation of youth members with intellectual or physical disabilities. In Australia Scouting is a family-based organisation which provides 53,000 youth members, aged six to twenty six, with fun and challenging opportunities to grow and flourish

Scouts Australia has over 14,000 adult volunteers who hold either uniformed leader roles or act in a support capacity in non-uniformed roles. Volunteers are usually parents of youth members and are required to undertake membership suitability check and induction training before working with youth members. Scout volunteers are supported by a relatively small number of paid staff located in each state.

As a Registered Training Organisation Scout Australia delivers a nationally standardized training curriculum to its volunteers both face to face and via E-learning.

THE SAFETY AND WELLBEING OF THE CHILDREN IN OUR CARE:

Scouting in Australia is committed to providing a safe environment for youth members participating in the Scout program. Scouting has a Duty of Care to its youth members, their parents or guardians and to visitors to provide, to the best of its ability, a safe environment that protects them from physical or emotional harm. Scouts encourages its members to recognise situations which may lead to abuse, to be able to assert the right to resist the abuser, and to report any abuse with confidence

Scouting has a zero tolerance policy on child abuse and a policy of reporting any allegations of child abuse to the police or relevant authority. Although the practical application of this policy varies slightly from Branch to Branch all have agreed not to undertake “prima facie” investigations of allegations but to report them directly to the relevant authorities for investigation.

The fundamental principles of Scouting require that all adults in Scouting live by the Scout Promise and Law and the Code of Conduct, where respect for others is paramount. Scouts Australia expects adherence to the Code of Conduct from all adults engaged in or supporting the Scout program. In Scouting, child safety and wellbeing is embedded within all aspects of the Scout program and is not seen as a standalone issue.

To reinforce its commitment to ensuring a child safe environment Scouts Australia is developing an E-Learning induction module on child safety that will be undertaken by all adults wishing to join Scouting. The module will clearly state Scouting’s expectations of prospective adult members. It is anticipated that additional modules will be developed to better inform and educate existing Leaders and Commissioners in processes and procedures associated with child protection and wellbeing.

Further all Branches have developed, or agreed to develop, their own reporting policy and promote it to their members. They have also agreed to appoint a nominated person within the Branch to whom reports should be made. On receipt of a report the nominated person will be required to notify relevant State authorities.

Where a Branch is registered as a mandatory reporting entity as defined by law then that Branch must follow the mandatory reporting process as outlined, as well as notifying the nominated person within Scouting.

SCOUTS AUSTRALIA RESPONSE TO QUESTIONS RAISED IN ISSUES PAPER 3:

Of particular interest to the Royal Commission is:

1. *The essential elements of establishing a ‘child safe organisation’ that protects children from sexual abuse in an institutional context. In particular, are there core strategies that should be present and others that are less critical?*

Scouts Australia believes the critical elements for establishing a child safe environment should include;

1. Clear and easily understood policies on child safety
2. A well-defined membership recruiting and suitability checking process
3. National police checks on all volunteers wishing to work with children
4. Compliance with relevant State legislation in regard to working with children
5. The ability to easily check the organizations compliance with child safety legislation
6. Ensuring that all members are trained in the requirements for maintaining a child safe environment with training to include;
 - (a) The definition of Child Safety in the Organizational context
 - (b) Membership obligation of in creating a child safe environment
 - (c) How reports of child abuse are to be made
 - (d) What action to expect if allegations or observations of child abuse are made
 - (e) Who is the nominated child safety officer
7. Establishment of a continuous review process for improving and updating of policies, procedures and communication processes.

8. Practical demonstration of ongoing support for the child safe policies by the organisation's leadership
9. Regular and open discussion both internally and with external organisations on issues concerning child safety and child safety best practice

2. *The evidence base for the range of strategies associated with making an organisation 'child safe'. Does this evidence base extend to the physical environment?*

As an organisation that uses outdoor recreational and adventurous activities to deliver its youth program, Scouting has always focused on physical safety of young people. Along with nationally adopted guidelines and procedures all Branches have comprehensive safety standards and procedures and all activities are risk managed.

Additionally, Leaders are trained and qualified in the appropriate disciplines and skills before they are allowed to conduct activities. Youth section leaders are required to be qualified Certificate III level (VET) in Leadership Support whilst outdoor activity leaders are required to be qualified in the appropriate level III (VET) guide competencies/skills in Out Door Recreation.

Where possible all Scouting activities should be supported by a minimum of two adults with one holding the appropriate level of training required to run the activity. Further if the activity is consider high risk, such as rock climbing there is a requirement for additional adult support.

3. *How should the effectiveness of 'child safe' strategies be tested?*

A process of continual review should be under taken in consultation with both internal and external stakeholders. Scouts Australia has implemented a national review panel to review its child safe strategies and plans to engage with a creditable external organisation to validate its processes and procedures as well as to keep up to date with child safe best practice.

4. *How 'child safe' policies and procedures work in practice.*

In Scouting, child safe policies and procedures are regarded as a high priority and are embedded in all the processes and practices of the Organisation.

Recruitment of volunteers and staff:

Recruitment of suitable volunteers and staff is a critical part of the process in helping create a child safe environment in Scouting. Each adult wishing to join Scouts is required to undergo a national police check and successfully completed the appropriate WWC checks relevant to their State. Additionally all new members are required to undergo internal suitability checks including a face to face interview with a selection panel.

Adult training:

The adults working directly with young people are critical to keeping young people safe and providing a safe environment. Generally, these are the people who will observe or hear of possible child abuse, either from the young people themselves or from parents or colleagues. It is critical that these adults have a clear understanding of the organisation's expectations of them as far as child safety is concerned including, :

- What child abuse is in all forms
- What is acceptable and unacceptable behavior of adults in the organisation
- How they should respond to the observation or allegations of child abuse
- Where they can find people to advise them on what they need to do

- To whom they must report observations or allegations of child abuse

Generally introductory training for volunteers focuses on the behavioral aspects of how people should react if they suspect, observe or hear allegations of abuse. Recently Scouts Australia has decided to extend this training to be more proactive and to include information similar to the mandatory reporting requirements of South Australia.

Comment:

Overall the training process works well although quality of training does vary from Branch to Branch. It is expected the E Learning and the use of technology will improve consistency in this area.

Scout Code of Conduct:

The Scout Code of Conduct was written into National Policies and Rules (P&R) in 1996 and from its inception has been the key Scouting policy in regards to the management of adults. The Code of Conduct, a copy of which is signed and agreed to by each adult joining Scouting requires all adult members to report breaches of the Code and failure to do so can lead to summary dismissal.

Comment:

This is a very important document within Scouting as it demonstrates the organisations commitment to child safety and indicates to members that there will be consequences if the Code of Conduct is breached.

5. *Should there be a universal framework for a 'child safe organisation' or should strategies be specifically tailored to particular types of institutional settings?*

The variety of organisations working with young people is huge as is their role in the development of young people. However, at a high level it is believed that the things that need to be considered in regard to child safety are similar so a universal framework should be possible. The differences will probably be in the "how to" detail. From our experience it would seem that the following framework could be universal

- Child safe policies
- Translating these policies into actionable strategies and activities to support all aspects of child safe policies.
- Training of personnel in the policies and strategies, and establishing communication processes to keep all stakeholders informed
- Selecting and managing the organisation's personnel, both staff and volunteers
- A review process ensuring continuous improvement
- Independent review of an organisation's policies and procedures

6. *The role of staff performance management systems and disciplinary processes in a 'child safe organisation'.*

There needs to be a clear published process for people within an organisation to report instances of observed or heard allegations of child abuse as soon as they arise. The report should be dealt with outside the normal performance review reporting and disciplinary processes and should go directly to the nominated person within the organisation who has been trained to handle such reports.

That person should immediately report allegations to the appropriate child protection authority or police for investigation. The alleged abuser should be immediately suspended until such time as the allegation is proven or rejected by the appropriate authorities.

7. ***The role and characteristics of governance and management leadership in creating and maintaining a 'child safe' organisational culture.***

It is critical that the senior leadership of the organisation recognizes that a child safe environment is of the highest priority for Scouting and that it ensures that all adult members abide by its Policies and Rules.

8. ***Should there be any additional enforceable requirements for institutions or particular institutions to maintain a 'child safe' environment?***

Reporting:

Currently child safe legislation, where it exists, varies significantly from State to State which makes it difficult for national organisations like Scouts to have one uniform set of policies covering all Branches.

Although Scouting has an internal mandatory reporting process for allegations of child sexual abuse which sees these allegations immediately passed to the appropriate authority for action the benefit of having a harmonized national approach to reporting would lead to consistent practices in each state and territory.

Accreditation:

Additionally Scouts recommends a national independently accessed accreditation process whereby organisations could obtain a "Child Safe" accreditation based on their process and procedures. This accreditation would be of particular value for parents who are seeking clarity over an organisation's commitment to creating a child safe environment.

The accreditation could deal with matters such as

- (a) Recruiting staff and volunteers
- (b) Child Safe training of all personnel with access to youth and/or their records
- (c) Procedures for the conduct of activities/contact with youth.
- (d) Reporting process for suspected and alleged abuse (where not mandated).

National Working with Children's Card:

Scouts Australia would strongly recommend that a national approach be adopted to develop a Working with Children's Card process to replace the existing state based systems. This recommendation would ensure that there is a consistent nationwide approach as to how the check is conducted and to whom the card would be issued.

Ultimately a National WWC Card would eliminate the necessity for organisations like Scouts to request that a new member also obtain a national police check.