

TRANSCRIPT

FAMILY AND COMMUNITY DEVELOPMENT COMMITTEE

Inquiry into the handling of child abuse by religious and other organisations

Melbourne — 11 April 2013

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Mr D. Petherick, chief executive officer, Australian Camps Association.

The CHAIR — On behalf of the committee, I welcome Mr David Petherick, the chief executive officer from Australian Camps Association, here this afternoon. All evidence taken by this committee is taken under the provisions of the Parliamentary Committees Act, attracts parliamentary privilege and is protected from judicial review. Any comments made outside the precincts of the hearings are not protected by parliamentary privilege. Witnesses may be asked to return at a later date to give further evidence. All evidence given today is being recorded and witnesses will be provided with proof versions of the transcript. Please note that these proceedings are not being broadcast.

Mr Petherick, we thank you very much for the submission that you have provided to the committee. The committee is particularly interested in exploring and asking questions in relation to leadership aspects, complaints processes and improvements on prevention of child abuse into the future. Members of the committee will ask questions of you, and you may wish to say something to the committee at the conclusion of that. That also would be appreciated, but I would first like to go to the area of leadership. You are obviously a peak body for a lot of different camping organisations.

Mr PETHERICK — Yes.

The CHAIR — I am just wondering what sort of leadership Australian Camps Association actually plays in relation to those members that may be part of your association, and how your role plays out in relation to their membership. Could you explain to the committee how that is undertaken?

Mr PETHERICK — As you said, we are a peak body of camping organisations, outdoor organisations and some individuals, and each of those organisations has their own governance processes in place. Our role is to provide support and advice to our members, so our role is advisory rather than regulatory.

The CHAIR — Is the support and advice to them in relation to issues that we are raising in our inquiry around abuse and other forms for minors and children?

Mr PETHERICK — Certainly in relation to risk management approaches, it is a feature of our sector that our sector takes a risk management approach to all of those issues of risk, including risks of child abuse; so to that extent part of our role is to share with members best practice through conferences, training, resources on our website and accreditation programs that we have previously overseen. We have had an accreditation program that was our accreditation program for the last 25 years, but we have recently handed it over to the Australian Tourism Accreditation Program to give it a bit more independence. So there is an accreditation program dealing with potential child abuse issues and risk management approaches to deal with those.

The CHAIR — How many members do you have?

Mr PETHERICK — We have 284 full members across Australia, and 203 of those are in Victoria.

The CHAIR — That is a large proportion in Victoria, so there is a high degree of risk associated with those memberships. If you say you are providing guidance to those risk management approaches for those members, could you just explain a little bit more about how you might provide that risk management process to those members? I know that you said through conferences providing them information, but do you do an auditing process, or what do you do?

Mr PETHERICK — There is under accreditation, so of those 203 members in Victoria, 117 are accredited. They would go through an independent verification of their procedures and policies that are in place, but for the others, no. They have membership, but we do not do an audit of them.

Mrs COOTE — David, could just I get some details? You obviously have commercial camps, and I would imagine there is a volunteer component to that as well?

Mr PETHERICK — Yes.

Mrs COOTE — Being a peak organisation, with any issue that comes up that is relevant and topical, would you give leadership on that, have an opinion on and give guidelines?

Mr PETHERICK — Yes. Sometimes our members ring us seeking advice on particular issues that have arisen for them. On issues like this of course we will provide advice and information back to our members on the findings of this inquiry.

Mrs COOTE — If you were hearing that a number of your people were having trouble with their volunteers or they were having trouble with other work staff et cetera, would you then run workshops for those people or would you send out a reminder of the rules of dealing and working with children and those sorts of things? Is that the role you would have as a peak organisation?

Mr PETHERICK — Yes. If trends or issues come to our attention that are happening within camps, we will of course alert our members and use that to remind them and run training if that is appropriate.

Mrs COOTE — Do you have a formal way of registering what those may be? Do they have to report back to you as an obligatory thing, or is it just an ad hoc method?

Mr PETHERICK — We do not have any processes that oblige our members to report issues they have. We hope they do, and we urge them to look at us as a resource to help them if they are having issues, but there is nothing that obliges that. This issue has not been one that has been reported to me in any way through camps.

Mrs COOTE — We have statistics that show that your particular area is very much an area of concern with working with children in that it does attract people who have paedophile tendencies. Do you think that your membership would in fact, going forward, agree to you putting in guidelines that are monitored or which you kept empirical data on? Do you think that is the sort of thing they would welcome from you in your leadership role?

Mr PETHERICK — I think we have the capacity to put in place guidelines through our membership requirements, for example. Our members sign a code of conduct. I am sure my board would be amenable to adding something in there as a requirement that they have appropriate child protection policies, for example. Since I had the phone call in regard to this inquiry I have been in touch with Child Wise. I have had an initial meeting with them, and I have indicated to them that we have multiple roles here. The Australian Camps Association has a program called People Outdoors that runs respite camps for people with disabilities and has done since 1988. Because of that program we have an interest this area, and we have recently passed our Department of Human Services external audit under the one standard around this. I want Child Wise to have a look at People Outdoors and make sure not only that we pass the audit but that we have best practice in place. From that I am also keen to roll out training, advice and support to our members. One is about having our organisation making sure we have best practice, but it is also about what we can roll out to members. Clearly if the advice from them is that it is useful to do that — to provide policies, or drafts, or templates, or tools or training to our members — we will of course do that.

The next step would be if we got advice that it would be a useful thing to highlight it or bring it to the forefront for members by saying that as a condition of membership you must have A, B and C, then I am sure my board would be positive towards looking at that as well.

Mrs COOTE — When a member joins your organisation, do you enforce that they have these guidelines or do you just recommend that they have guidelines?

Mr PETHERICK — No, they have to sign off that they meet certain criteria. One is public liability insurance. They have to send us a copy of their public liability insurance. We ask them to attest that they have booking agreements in place that do not cause double booking and that they follow truth in advertising — that in marketing themselves they are truthful. There is clearly capacity to include in that issues around having a child protection policy in place.

Mrs COOTE — Given that this is such an important issue, do you think going forward that that is probably something you would think was a positive thing?

Mr PETHERICK — It seems so to me, and I rely on the experts to tell me how we can best put that in place. I am aware that from our point of view it cannot just be a policy-driven thing where people have a policy and then your work is done. There clearly needs to be a constant vigilant approach around mismanagement, and so I suppose we are interested in not having members thinking that, for example, if they have done their

working-with-children checks they can relax. It is about how we can make sure they understand — and I believe the vast majority of them do — that there is a constant vigilant approach. That is one arm of a good policy, but there is a suite of other things you need to develop around the culture of your organisation, around reporting and around not just having policies in place but actually having practices in place that support those policies.

I am aware it is not just a simple matter of us saying, ‘Tick this box and everything will be okay’. In fact in my view that could potentially be dangerous, because it might give members the impression that as long as they have the policy they will be okay. I am envisaging, without knowing it, that it will be a suite of things we need to do for members that will include some support developing policies and procedures. Therefore, once we have that suite of policies and procedures that we can recommend to them, we might then say, ‘You now need to sign off that you have implemented all of those policies and procedures’. But again, I will be guided by Child Wise and other people on how best to do that. Yes, I would certainly be happy to recommend that to my board.

Mrs COOTE — David, thank you very much indeed.

Ms HALFPENNY — Following from that — and I guess some of it has already been explained — I think as a parent I have seen that when there are camps advertised there is a little emblem down the bottom that says, ‘We are a member of Camps Association’, and you then assume that there are certain standards. Those camps are considered to be of a higher standard than some that are not in an organisation. Regarding dealing with children, that is not part of the criteria that determine whether you can become a member at the moment. It is more things of a commercial nature, is it?

Mr PETHERICK — Yes, and accreditation is the logo that we would see as camps using to show that they have been externally audited, externally verified, against those kind of criteria. Our program was called Camping with Confidence. It has been around since the 80s, and it has recently merged with the Australian Tourism Accreditation Program. In Victoria, for example, the education department state schools can only use camps that are accredited, either by us or by NARTA, which is the other scheme, the National Accommodation, Recreation and Tourism Accreditation. We would see that as the primary focus for that external audit and for an external review of policies and procedures, rather than membership. You see membership is a way to get people a step towards that, but frankly we would prefer all of our members had undergone accreditation.

Ms HALFPENNY — We have heard in previous hearings that the New South Wales Ombudsman gave a report. I am not sure if you are aware of their work. Basically they receive complaints about allegations of reportable incidences of inappropriate behaviour or criminal behaviour — not so much criminal, because that goes to the police. Would you see that a similar sort of organisation here or across Victoria would also be good for camps in that there would be some extra support and somewhere where camps can report incidents to have them investigated or that complainants can. They may not be of a criminal nature but of an inappropriate nature.

Mr PETHERICK — I think our members would appreciate that, and so would we, having somewhere to go. My view is that overwhelmingly our members want to do the right thing, and sometimes it is about getting support and help to do that. I must say one of the things that came as a complete surprise to me was getting contacted by you to say that you had a report from the Department of Justice that suggested there were some statistical issues. I had not heard of that. It would be good if there was a system — —

Ms HALFPENNY — The working-with-children checks?

Mr PETHERICK — Yes, in relation to working-with-children checks. When I rang them I used the term ‘a red flag’, and they, funnily, said, ‘No, we don’t have a red flag system’. It seems to me it would be good if they did have a system in place. I would want to be one of the first to find out if there were considered to be issues in our sector and not find out this way. I would rather have known about this a year ago.

Ms HALFPENNY — So some kind of report issued as to particular industries and where they fit in a scale in terms of the number of negative reports that have been received?

Mr PETHERICK — Yes, because I was able to find that out once I had a call from this inquiry. When I contacted the Department of Justice they were happy to provide me with where we fit in the hierarchy of that. But it would be good to know if we have issues in any area — not just this area — that the peak body would be contacted, because we would want to take action to address that.

Ms HALFPENNY — Were you saying that the information was not publicly available other than because you had been in contact with this committee, and they gave it to you on that basis? Is it something that you cannot get in a public way?

Mr PETHERICK — I do not know if I could have got it in a public way, but I was completely unaware of it until I had contact from this committee.

Mr McGUIRE — Just to clarify a couple of points, you are saying that there are no compliance standards at the moment to avoid potential sexual abuse?

Mr PETHERICK — It depends what you are saying by ‘compliance standards’. There are some issues in accreditation for those camps that are accredited — they have to have some compliance around managing that and having working-with-children checks — and then there are clearly compliance standards. Whether you are accredited by us or a member of the Australian Camps Association or not, you are required to have a working-with-children check for your staff and volunteers under the law in Victoria. But we do not have as a condition of membership that you must have certain things in place.

Mr McGUIRE — Just going on from there, do you think it might be wise now that you actually move to that position? I am taking what you are saying on face value — that you were not aware of the risk from your area. Do you think this might be an issue that you would just take as a matter of course?

Mr PETHERICK — We were certainly alert that with child abuse there might be an issue in our area, so we have provided advice to members and through the accreditation programs and through that process. But it was not raised with us that the Department of Justice, for example, had an issue with some statistics in their report that they gave to you guys that suggested that there was a higher number of — —

Mr McGUIRE — One hundred and fifty-six people —

Mr PETHERICK — Out of 104 000.

Mr McGUIRE — they were saying were refused working-with-children checks when they went forward for them. What I am saying is that it does put your sector in the high-risk area. That is just a matter of the straight statistics on it. Given that knowledge, and you are saying that you would not mind a red flag system, will you now move to do that? The reason I am saying it is because you are in a leadership position and parents would see that this is an accredited organisation, and therefore they would have extra confidence. I am putting it to you that you have a higher standard to take that initiative.

Mr PETHERICK — We agree. We would expect our members to — and our members do — have policies in place, their own internal policies, around this. But I am saying I am very open to taking that approach, and we will take the advice of Child Wise, which we have elected to work with on this. Given that they are the experts, whatever they suggest we do I will be advising my board to take that action.

Mr McGUIRE — Does the Australian Camps Association support providers in reporting complaints of child abuse? Do you actually support them?

Mr PETHERICK — If they call us, we will provide them with support, whether it is around an incident or an accident in their camp or whether it is around this issue. I have not had anybody call me around this issue, any of our members, but if they did, of course we would provide support and advice.

Mr McGUIRE — Yes, but you understand what I am saying? You do have a code of conduct around advertising and marketing, but this is not in that category, is it?

Mr PETHERICK — No, not at the moment.

Mr McGUIRE — And yet it is a much higher risk because of the damage that can be caused to children.

Mr PETHERICK — Yes.

Mr McGUIRE — And so you will move to fix that issue?

Mr PETHERICK — That is what I am suggesting we will do, yes, and we will take the advice of the experts in how we do that in the way that has the best chance of working in rolling it out to members. We are very keen to do that.

Mr McGuire — As a matter of urgency?

Mr PETHERICK — Yes.

Mr WAKELING — Mr Petherick, thank you very much for your presentation. I will ask at the start: in terms of people who currently join your organisation as a member, what are the membership requirements? What is the expectation, and what criteria do they need to meet in order to become a member?

Mr PETHERICK — It is fairly broad. We have taken a view that we want people working with us and helping to lift their standards, so the requirement is that they have an involvement and an interest in the outdoors and working with people in the outdoors and the benefits that can come from outdoor programs, and they have insurances in place. I think there are only two or three. I am happy to provide them. I have not got them here with me, but I am happy to provide them if it helps. We have a code of conduct that talks about those things, but I do not believe it talks about that. That does not mean we do not think it is important, of course, and that our members are not alert to it, but it is not included in the requirement for membership at this stage.

Mr WAKELING — To pick up on Mr McGuire's question, can you provide an explanation as to why this issue of child abuse and child protection has not been something that your organisation would see as being a key issue that needs to be addressed as part of the accreditation process?

Mr PETHERICK — No, it is a part of the accreditation process. Membership and accreditation are different. Membership is open more broadly, and we then within our membership promote accreditation as a way to have external verification. Accreditation does clearly canvass those issues around child protection and around a risk management approach broadly in your camp, so it is all the risk, and clearly the risk of child abuse is one of those risks. Our accreditation very much squarely does that. Membership is seen very much as an initial first step to being involved in the sector, and it is then that we encourage and promote those external verification processes. That is now. It was through an accreditation program that we managed, but now it is managed independently by the Australian Tourism Accreditation Program.

Mr WAKELING — Under your membership arrangement, are members required to report incidents of abuse against a member of staff to your organisation?

Mr PETHERICK — No.

Mr WAKELING — If your committee or board became aware of a member for whom there was confirmed child abuse occurring, what action, if any, would your board or organisation currently take with that particular member? Would they be terminated?

Mr PETHERICK — That is potentially one of the outcomes, yes. We have a process for complaints against members and members who are not upholding appropriate standards and ethics. If that came to our attention, our board can ask the member to appear before the board and report to the board and it has the capacity to remove them, expel them as members, yes.

Mr WAKELING — Has that happened to your knowledge?

Mr PETHERICK — Not in relation to child abuse, but it has happened, yes.

Mr WAKELING — Right. So to your knowledge there has been no report to you?

Mr PETHERICK — No.

Mr WAKELING — Finally, clearly the education department utilises camps that are members of your organisation.

Mr PETHERICK — Accredited members, yes.

Mr WAKELING — What criteria do they apply or require of your members in terms of ensuring that they meet the guidelines with respect to child abuse?

Mr PETHERICK — They provide us a list of criteria that had to be included for our accreditation to be endorsed by them as meeting their standards. I am trying to remember the nine dot points they had and whether one of them was in relation to child abuse, but whether it was or was not, our accreditation does have requirements around having a child protection policy and having working-with-children checks and police checks.

Mr WAKELING — Finally, are you aware of any member who has failed to achieve accreditation?

Mr PETHERICK — Yes. We have had camps that have not achieved it, yes.

Mr WAKELING — Is that relating to this area of child abuse to your knowledge?

Mr PETHERICK — Not that I am aware of. My understanding is the ones that we have had to say, ‘You do not meet our standards’ have been around whether they have other licence in place or whether they have their events or activities properly inspected or built, and some of the paperwork they might have had or not had.

Mr O’BRIEN — Thank you for coming before us. Following on from the questions, could you just answer generally what do you think is needed in an industry sector, given the red flags that have been identified, for us as a society to reduce the risk of child abuse occurring in the camp and outdoor activity settings?

Mr PETHERICK — We see what we can do around this is to work with, in this case, Child Wise as the organisation we have identified as helping us to roll out training, information and advice to our members. I am confident that our members have processes in place and have policies in place. As part of this I contacted my board members, who are all involved in camps, and asked them if they were aware of any knock-backs around the working-with-children checks. I think one board member said he had had one woman many years ago. She got knocked back because of an incident of violence many years ago, but that was the only case where any of my board members had had a volunteer or a staff person knocked back for a working-with-children check. I also asked them to send me their policies, and they all were able to do that and show me that they have got quite comprehensive policies in place around child protection policies and procedures. I am confident our members have that, but I am still aware that we can do more to help make sure that all members do and make sure they are up to date. We can play a role in getting that information and advice from working with Child Wise in this case and making sure they understand what current best practice is, and they can review their own policies in light of that.

Mr O’BRIEN — Thank you for that. As a leader of your organisation, do you agree that there is an importance placed on leadership and showing initiative, perhaps in answer to Mr McGuire’s question — for example, conducting the self-examination that you have accepted that you will conduct as a result of the red flags that have occurred across your industry?

Mr PETHERICK — Yes.

Mr O’BRIEN — Can you tell us why it is important to provide that leadership?

Mr PETHERICK — I think because our members will look to us for that leadership. We are aware that if we put out a policy, even if it is only our advice, it will be seen as an industry benchmark, I suppose, so we have the chance to talk to our broad membership and look at what they are doing and which of them are conducting best practice and which of them are doing really good work in this area, and we can help share that with the rest of our members. We are also in a position where we can go to somebody like Child Wise and work with them on behalf of our members and push our training, information and advice to our members in an aggregated way rather than each member having to do that, I suppose. That can then feed through into accreditation, if that is the appropriate place to do it.

We have developed a website called Outdoor Business Online, which is a place where we are putting lots of information and advice to support people running outdoor businesses, and not just our members but anyone broadly running outdoor businesses. I think that would be a good place for this advice to go as well. I suppose

we have a position where we can coordinate and collaborate around that kind of advice, and then train and advise our members in what we believe is best practice.

Mr O'BRIEN — Do you agree that such examinations should be independent, but should also be self-initiated so that you are not waiting for complaints to be received, you are actively looking to solve problems before they occur?

Mr PETHERICK — That certainly has been our approach over the years around taking a risk management approach to all the risks involved in camps, so risks around this area and risks around adventurous activities. We have worked hard with members through training and advice and through providing workshops at conferences around the importance of each operator being vigilant around risk and being alert to risk in all its broad areas, so risks around adventure activities, risks around child abuse, risks around food. So yes, all those things are important and we are alert to them, but I think we are very keen to make sure we do everything that we possibly can in this area.

Mr O'BRIEN — Part of that is also to be genuinely accountable, so you have got independent processes that you have identified as well as accountability to the state organisations, being the police and the courts.

Mr PETHERICK — Yes.

Mr O'BRIEN — Does that include full cooperation and dealing with complaints in relation to compensation victims?

Mr PETHERICK — Yes. I believe so. Again I have read through the soft pack and because it has not come up as an issue for us, we have not contemplated the issue of compensation, but certainly full cooperation with authorities is high on our list. If this issue did come up, the first thing we would be wanting to do is report it to the appropriate authorities.

Mr O'BRIEN — Finally, as part of that, where do you place the children who are placed in your care? Where do they sit on the scale of your priorities?

Mr PETHERICK — They are our no. 1 priority.

Mr O'BRIEN — Could you explain why?

Mr PETHERICK — Because that is what we exist for. Our whole sector exists to deliver benefits for those who come into the outdoors, and by and large that is children. It is not only children, but of course it is children, so it is at the forefront of our members' thinking around safety for young people and benefits for young people in activities we do, so it is clearly important to us.

Mr O'BRIEN — As the leader of the organisation, are you happy to stand by those answers and those commitments to guide your organisation into the future to prevent child abuse?

Mr PETHERICK — Absolutely, yes.

The CHAIR — Can I go back to the accreditation question just for a moment?

Mr PETHERICK — Yes.

The CHAIR — For any member that is not accredited, do they publicise that fact?

Mr PETHERICK — Members who are accredited publicise it, and we work at education around the logo that schools will be looking for. The education department's intranet also has a map that pinpoints accredited camps, so principals in schools can easily go to their own intranet and find out which camps are accredited and which are not. Certainly we work to publicise the logo for those that are accredited, so it was Camping with Confidence and it will now be the ATAP logo.

The CHAIR — So for those ones that are not accredited on that map, does that pose a major problem to the education department or anyone using the camps, do you think?

Mr PETHERICK — The education department should not be using those camps. The camps that are not accredited will largely be camps that are run by an organisation for its own internal use and not looking to hire out to the broader community. So the vast majority of camps, because of the education department requirement to only use accredited camps, have gone down the path of being accredited.

The CHAIR — So we would assume that risk management purpose is for children, so for those non-accredited camps, do they by and large not deal with children?

Mr PETHERICK — No, I expect they will. There will be a number of scout camps, for example, which because they only exist for scout troops to use they have not gone down the accreditation process, but my belief is they will still have vigorous internal processes around protecting children.

The CHAIR — Thank you.

Mr McGUIRE — One other question just to nail this point. It beggars belief to me — I think you are speaking in good faith —

Mr PETHERICK — Yes.

Mr McGUIRE — that you are the leader of this organisation and you had no idea that your organisation was at such high risk and that 156 people who had applied for working-with-children checks had been rejected until this committee actually informed you of that. What is the systemic failure there? What has happened?

Mr PETHERICK — I do not know. I think it is out of 104 000 people who had applied since working-with-children checks were in place, something like that.

Mr McGUIRE — Yes.

Mr PETHERICK — So I do not know.

Mr McGUIRE — But you understand — you are saying that you would have liked it if there was a red flag, but no-one flagged it to you. That is the point.

Mr PETHERICK — No, that is correct. Having said that, we have been aware that because we work with children we need to have processes in place, and our members in my view do that. But, yes, we were completely unaware of that. It may have been information that if we had contacted the Department of Justice we may have been able to get, but from my point of view it would be useful to have a red flag system in place where if their statistics showed any kind of bump somewhere that they would contact the peak body so we could take some steps to address it.

The CHAIR — Thank you. Are there any remarks that you would like to make to the committee, Mr Petherick, before we conclude?

Mr PETHERICK — No, I think we are okay, except to the extent I suppose that one of our challenges has been and will continue to be that while camps are responsible for the staff they employ and the volunteers they employ, in Australia the camp system is generally set up that a group comes to the camp as a whole. So the group has already been formed, whether it is a school group or whether it is a community group or a sporting group, and so they come to the camp and hire the camp for a period of time — two to three days — and camp staff and volunteers do not generally have any involvement overnight. The group normally manages the overnight arrangements. The involvement of camp staff and camp volunteers is generally around running activities for the group of children. Typically they would include with the group an adult from the group.

We do not say that means we should be complacent about what we do. We are still fully supportive of having working-with-children checks and having policies in place and are also aware that we need to encourage camp staff and volunteers to be aware that if something else happens within the group that bothers them, that they should report that as well. It is not just the group does what it likes and we ignore whatever they do, but it does mean that we are in a different position. One of our challenges will be that it is relatively straightforward with schools because we know schools have vigorous processes in place around this, but that may not be the case for all community groups. So one of the bits of advice we will be looking for from Child Wise is how do we deal with that. This group comes to us that it is from the sporting club or from a community group of some

sort. We do not have a capacity currently to police check them or do working-with-children checks. That is their responsibility. Within that framework how can we best still have good policies in place and what should we be doing in this area? I will certainly be looking to them to help us in that area.

The CHAIR — Thank you. On behalf the committee, thank you for very much indeed for your time with us this afternoon. We do appreciate it, and your evidence has been most helpful. Thank you again.

Witness withdrew.