



Ella George
Chair, Legislative Assembly Legal and Social Issues Committee

Submitted via email: cofg@parliament.vic.gov.au

Dear Ms George

Questions on notice – Inquiry into the recruitment methods and impacts of cults and organised fringe groups

Thank you for your correspondence of 17 December 2025 requesting that the Commission for Children and Young People respond to questions on notice (QoNs) from the Inquiry into the recruitment methods and impact of cults and organised fringe groups (the Inquiry).

We acknowledge the impacts that abuse, coercive control and other harmful behaviours within organisations can have on children and young people and appreciate the opportunity to contribute to the Committee’s important work.

For clarity, the Commission does not classify organisations under the terms ‘cults’ or ‘organised fringe groups’ and as such does not have data specific to these groups. However, we have had some limited engagement with closed organisations, a broader category in which cults or organised fringe groups could fall, via the administration of our child safety regulatory functions.

Where possible we have directly answered the QoNs. Where our data or experience is limited or less relevant to a question, we have provided insights and identified issues gleaned from our broader work and available evidence including from the Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission) and a recent New Zealand evidence review, *Safeguarding children in closed communities*.

Our responses to the QoNs are attached to this correspondence and contain:

- information about the Commission, the Child Safe Standards and Reportable Conduct Scheme
- introductory remarks
- responses to questions 1–19.

If you require any further information, please contact Rouel Dayoan, Director, Strategy and Engagement ([REDACTED]).

Yours sincerely



Tracy Beaton
Principal Commissioner

13 February 2026

About the Commission

The Commission for Children and Young People (Commission) is an independent statutory body that promotes improvements in policies and practices affecting the safety and wellbeing of Victorian children and young people.

Our functions include:

- providing independent scrutiny and oversight of services for children and young people, particularly in the child protection and youth justice systems
- conducting individual and systemic inquiries into services provided to children and inquiries into services provided to children who have died and were involved with child protection in the 12 months before their death
- promoting the views and experiences of children and young people to increase the awareness of government and the community
- supporting and regulating organisations to prevent child abuse, respond appropriately to allegations of abuse and make sure these organisations have child-safe practices, including by administering Victoria's Reportable Conduct Scheme (Scheme) and acting as one of six co-regulators for the Child Safe Standards (Standards).

About the Standards and Scheme

The Standards and the Scheme are critical components of Victoria's child safety systems. The two schemes work together by driving a culture of child safety and ensuring organisations properly investigate and respond to allegations of inappropriate or abusive conduct towards children.

Victoria was the first jurisdiction to introduce both frameworks to tackle child abuse in organisations and the Commission has been the regulator for the Scheme and the Standards since 2017. The Commission's objectives, functions and powers pertaining to the Standards and Scheme are outlined in the *Child Wellbeing and Safety Act 2005* (CWS Act).

It is important for the Committee to note that, as of 23 February 2026, the Commission will no longer regulate the Standards and Scheme. On this date, responsibility for administering the Standards and Scheme, and associated staff, will transfer to the Social Services Regulator. This reform is part of the Victorian Government's response to the 2025 Rapid Child Safety Review (Rapid Review).

The Standards

The Standards are a compulsory framework that support organisations to promote the safety of children by requiring them to implement policies to prevent, respond to and report allegations of child abuse and harm and to maintain a culture and environment that supports children's safety and wellbeing.

Sectors required to comply with the Standards are prescribed in Schedule 1 of the CWS Act with up to 60,000 organisations across 47 sectors that must comply with the Standards within Victoria. Sectors required to comply with the Standards include charities, religious bodies, youth organisations and schools. This means that cults and organised fringe groups in Victoria would need to fall under the criteria outlined under Schedule 1 in order to be required to comply with the Standards.

Standards regulators must ascertain that an organisation is in scope for the Standards and not excluded (under section 22 of the CWS Act) prior to undertaking any compliance or enforcement action. Understanding the services and facilities provided by an organisation can be challenging when dealing with closed and insular institutions that are unwilling to provide information. The Commission has guidance on its website regarding who is required to comply with the Standards.¹

Currently, the Commission is one of six Standards co-regulators together with the Department of Health, Workforce Inspectorate Victoria, the Victorian Early Childhood Regulatory Authority, the Victorian Registration and Qualifications Authority and the Social Services Regulator.

The Standards require, among other things, that:

- child safety and wellbeing is embedded in organisational leadership, governance and culture
- children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously
- people working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice
- processes for complaints and concerns are child-focused
- physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed
- policies and procedures document how the organisation is safe for children and young people.

The Scheme

The Scheme covers approximately 12,000 organisations that exercise care, supervision or authority over children and the Commission is responsible for administering, overseeing and monitoring the Scheme. These organisations are also required to comply with the Standards and include religious bodies, certain education services and some youth services. Section 16C of the CWS Act contains a provision excluding those organisations that do not exercise care, supervision or authority over children. The Commission has published guidance on its website regarding who is required to comply with the Scheme.²

Organisations must notify the Commission about any allegations of reportable conduct by their workers or volunteers and then investigate these allegations.

Following recommendations from the Royal Commission, the Scheme's central premise is that heads of organisations should conduct investigations into allegations of reportable conduct by their workers or volunteers under the oversight of the Commission.

The Commission independently monitors organisations' investigations and, where appropriate, makes recommendations to improve the responses of those organisations to allegations of reportable conduct. This can include providing guidance before, during and after an investigation. We may:

- request information and updates from the organisation to oversee their investigation
- support and provide advice to organisations to assist them to identify reportable conduct and to report and investigate reportable allegations
- share information with other regulators, the Working with Children Check (WWCC), child protection and law enforcement bodies to help them take action to promote children's safety.

The CWS Act does not provide the Commission with the following in respect of the Scheme:

¹ <https://ccyp.vic.gov.au/child-safe-standards/who-do-the-standards-apply-to-page/>

² <https://ccyp.vic.gov.au/reportable-conduct-scheme/who-does-the-scheme-apply-to/>

- the ability to give directions to the head of an organisation about the conduct of their investigation into reportable allegations or their findings following an investigation
- a role to act as a point of appeal for subjects of allegation, alleged victims or parents and carers
- the ability to substitute findings where the Commission believes the head of the organisation has reached the incorrect finding on the evidence.

Introductory remarks

Children have a right to be safe and feel safe wherever they are. Sadly, the Commission's work frequently involves children and young people who have experienced violence, abuse, neglect and exploitation in different contexts and settings, including in family, community and organisational settings. We know that abuse and neglect, and ineffective organisational and systemic responses, can have a range of profound and lasting negative impacts on victims and survivors, their families and communities.

We also know that an effective response to child abuse and harm involves strong systems for prevention, identification, reporting and responding to allegations and experiences of abuse and harm, and that everyone plays a part in keeping children and young people safe.

As this inquiry and current available evidence (including from a recent New Zealand Oranga Tamariki Evidence Centre rapid evidence review of online international literature on child protection responses in closed communities entitled *Safeguarding children in closed communities*³) has highlighted, children and young people who have experienced abuse, harm and control in cults and organised fringe groups have experienced a range of lasting negative impacts on their lives, wellbeing and opportunities.

The particular dynamics and closed nature of cults and organised fringe groups, and the involvement of parents/carers and families in these dynamics, highlight distinct and uncommon barriers for engagement and responses to children and young people in these contexts.

These distinct characteristics and layered issues highlight the need for specialised, joint responses bringing together a range of relevant skills and expertise.

The structure of cults and organised fringe groups, together with the breadth of issues identified in these organisations, can engage the involvement of a range of laws and administrative, regulatory and enforcement bodies. This includes (but is not limited to):

- Child Protection – investigating matters where it is alleged that a child is at risk of significant harm
- Victoria Police – enforcing criminal law, setting standards for criminal behaviour and facilitating punishment and community protection from individual offenders
- Working With Children Check – excluding those with known safety risks from working with children
- Registration bodies (such as the Victorian Institute of Teachers and Australian Health Practitioner Regulation Agency) – setting standards and enabling oversight of individuals within certain professions (such as teaching and prescribed health professions)
- Child safety regulators – regulating the Standards and the Scheme
- Maternal and Child Health Services- free universal primary health service available for all Victorian families with children from birth to school age
- Australian Charities and Not-for-profits Commission – national regulator for charities.

³ Oranga Tamariki Evidence Centre (2023). [Safeguarding children in closed communities – Evidence brief](#). Wellington, New Zealand: Oranga Tamariki—Ministry for Children.

Addressing the needs, safety and wellbeing of vulnerable children in these contexts is only successful when relevant parts of the system work together with a clear view of what is required to address setting-specific risks and improve outcomes. This requires improved understanding of experiences in cults and high control groups, strengthened understanding of children and young people's support needs, a system-wide joined-up approach to preventing and responding to risk and harm, and crucially, a child-rights approach centring their voices and experiences.

Responses to Questions on Notice

Trends, case insights and organisational learning

1. *What emerging trends or systemic issues has the Commission identified that affect children in highly insular, isolated or high-control environments over recent years?*

The Commission's experience with cults and organised fringe groups has been limited. This is due to the relatively short period that the Standards and Scheme have been in operation along with limitations relating to the scope, intent and powers under both frameworks. This is further compounded by the closed nature of these groups and subsequent low level of engagement.

As mentioned, the Commission does not classify organisations under the categories of 'cults', 'organised fringe groups' or 'closed organisations'. Our data therefore can only speak to broader sectors or general observations, rather than specific emerging trends or systemic issues about these organisations.

Reflecting on available data, the Commission has seen substantial year-on-year increases in mandatory notifications of child abuse under the Scheme (178 per cent increase since the start of the Scheme in 2017). We consider that this increase is likely driven, in part, by an increased awareness of child safety and the Scheme, and improved compliance by duty holders.

However, in certain sectors the Commission has not seen substantial increases in notifications and, as such, believes there is likely under-reporting occurring in within some sectors. Concerns have been flagged by the Commission about religious bodies in this regard.⁴

Drawing on our direct experience as a regulator, a number of closed organisations that exercise coercive control may fall under the scope of the Scheme and Standards and the Commission has had some limited engagement with organisations of this nature. Our experience with these organisations is in line with the findings of the Royal Commission and available evidence,⁵ key issues with engaging with this cohort are:

- the secretive and closed nature of the organisations make them difficult for regulators to find and active engagement for education and capacity building purposes is therefore difficult
- the secretive and closed nature of these types of organisations means that it can be challenging to obtain information about governance structures of these types of organisations with some having interjurisdictional or even international components, this can lead to difficulties identifying the head of entity for the purposes of the Scheme. It can also be challenging to obtain enough information to ascertain whether an organisation falls under the coverage of the Standards or Scheme (or whether they are exempt under sections 16C and/or 22)

⁴ Commission for Children and Young People (2022), [Submission to the Department of Families, Fairness and Housing Review of Victoria's Reportable Conduct Scheme](#), p 15

⁵ Oranga Tamariki Evidence Centre (2023). [Safeguarding children in closed communities – Evidence brief](#). Wellington, New Zealand: Oranga Tamariki—Ministry for Children.

- the secretive and insular nature of these organisations means that the Commission is unlikely to be informed about non-compliance for Standards by members of the organisation or received mandatory reports of alleged child abuse under the Scheme
- these organisations are often suspicious of government, may have traditions and practices that are contrary to the requirements of the Standards and Scheme and therefore do not see the regulatory requirements that apply to them as valid
- for the Standards to be successful an organisation needs to actively engage with them and be committed to driving cultural change – often closed organisations can lack the commitment or motivation to engage with the Standards
- engagement with closed and recalcitrant organisations is a resource intensive process and regulators need to be appropriately funded in order to be able to effectively engage with these groups.

2. *How does the Commission's oversight work describe the particular risk factors for children living in communities where external contact is limited or tightly controlled*

The Commission's risk-based framework is based on the work of the Royal Commission and guides the Commission's assessment of the child abuse risk profile of organisations that we encounter via our regulatory roles under the Standards and Scheme.

The types of risk we consider include:

- the situational risk of activities children are involved in and the opportunities for child abuse to occur
- the vulnerability risk involving the characteristics of children involved in organisations that impact their risk of being abused
- the institutional risk including an organisation's attitudes and culture, policies and practices, and capacity
- the propensity risk involving the risk that likely perpetrators of child abuse are present in an organisation.

Some indicators can signal a very high risk to the safety and wellbeing of children and young people in organisations. Organisations that involve children and young people living in communities where external contact is limited, or tightly controlled, can demonstrate some of these risk factors. Key applicable risk drivers for this type of organisation include:

The culture of the organisation

Certain cultures in organisations can create environments where children are encouraged not to report abuse, or abuse is not addressed when it is reported.

Organisations that have high levels of control over children and/or their families can pose a very high risk of child abuse occurring and not being reported. These are closed or total institutions that have absolute authority over all aspects of a child's or their family's life, or that separate children from the broader community and their external peer and support networks.

The Commission considers that organisations that demonstrate the following characteristics relating to organisational culture pose a very high risk:

- organisations that combine a strong hierarchical structure and require deference to authority and unquestioning trust of leaders
- highly sexualised cultures
- cultures where abuse of children is normalised
- cultures that separate children from the broader community and their external peer and support networks.

Increased vulnerability of children

Some children, because of their circumstances or the nature of the organisation they are engaged with, are at higher risk of vulnerability or harm than the average population of children.

As highlighted by the Royal Commission, for children living in communities where external contact is limited or tightly controlled this may result in a child feeling that if they are forced to leave the organisation or speak out against the organisation, they or their families will be adversely affected. This may lead to a child perceiving that they or their family would be ostracised or rejected by their community if they report or disclose abuse. This can be further compounded by a lack of awareness of their rights, who to contact for assistance, and a learned mistrust of the outside world.

3. *Are there any Royal Commission recommendations that the Commission considers particularly relevant to preventing harm in cult-like or highly insular groups, and that Victoria has not fully realised in practice?*

The Royal Commission did not explicitly make findings or recommendations relating to ‘cults’ or ‘organised fringe groups’, however it did highlight the risk of what it termed ‘closed institutions’. These organisations typically have full control over the children in their care. In these institutions, children are subject to strict rules and procedures, are entirely dependent on the institution, and are isolated from the outside world. The Royal Commission primarily highlighted institutions that fit this type to include youth detention centres, in-patient mental health treatment facilities, and some historical residential homes. However, the Royal Commission also noted that some religious institutions have been identified as having some characteristics of closed institutions.⁶ It included recommendations specific to youth detention and religious organisations,⁷ including that these organisations should be subject to the Standards.

The Victorian Government reported annually on the progress of the implementation of the Royal Commission's recommendations over five years from 2018–2022.⁸ As at 31 December 2022, the Victorian Government assessed that it had completed 85 per cent of recommendations and 15 per cent were in progress.⁹ Formal monitoring has now ceased. The Royal Commission recommended that the Australian Government should initiate a review to be conducted 10 years after the tabling of its final report.¹⁰

The reforms that have been introduced in Victoria as a result of both the Victorian Parliament's *Betrayal of Trust: Inquiry into the handling of child abuse by religious and other non-government organisations* and the Royal Commission have been critical to building the child safety system for all organisations in Victoria, including the Standards and the Scheme as described above.

Child safety systems must continue to evolve to strengthen approaches to preventing and responding to child abuse and harm and be responsive to a growing understanding of emerging issues.

The Victorian Government concluded a review of the Standards in 2019 and implemented new Standards and legislated a new regulatory framework that commenced in 2023. They also concluded a review of the Scheme in 2024 and most recently concluded a Rapid Review of Child Safety Systems in 2025. The Commission participated in each of these reviews. New child

⁶ Commonwealth of Australia, the Royal Commission into Institutional Responses to Child Sexual Abuse, ‘Final Report– Volume 2, Nature and cause’ p 158

⁷ *ibid* Volume 15 and Volume 16

⁸ Department of Justice and Community Safety, [Victorian Government Annual Report 2022 - Royal Commission into Institutional Responses to Child Sexual Abuse](#)

⁹ p 5

¹⁰ Commonwealth of Australia, the Royal Commission into Institutional Responses to Child Sexual Abuse, [‘Final Report – Recommendations](#), Recommendation 17.4, p 62

safety legislation and frameworks are currently being implemented as a result the Rapid Review findings.

The following timeline provides an overview of these reforms.



The Commission will continue to monitor changes to the child safety landscape as part of our ongoing oversight and monitoring role.

The design of child safety systems has also been a growing focus for governments across Australia, with jurisdictions including Tasmania and Queensland recently introducing or in the process of introducing a model of the Standards and Scheme. These states join Victoria, New South Wales (NSW) and the Australian Capital Territory (ACT) as jurisdictions with both schemes in place.

Reportable conduct scheme

4. *What mechanisms does the Commission currently use to monitor compliance with the Reportable Conduct Scheme in organisations that are highly insular, hierarchical, or resistant to external oversight?*
 - a. *What risks or patterns of under-reporting among high-control organisations has the Commission identified, if any?*

As mentioned, the Commission does not classify organisations under these categories. Our data therefore can only speak to broader sectors or general observations, rather than specific emerging trends or systemic issues about highly insular, hierarchical, or resistant to external oversight. See response to Question 1.

5. *What processes does the Commission follow if it forms a reasonable belief that the 'head of organisation' is the subject of a reportable conduct allegation?*
 - a. *How does the Commission ensure there is an independent decision-maker to review allegations where the 'head of organisation' may be the perpetrator or complicit?*
 - b. *Can the Commission provide data for the past five years on the proportion of reportable conduct notifications where the alleged perpetrator held senior leadership status and/or was the identified 'head of organisation' for the last five years.*

Where a notification involves a subject of allegation who is the head of the organisation, the Commission will apply a high level of oversight to the investigation. Dependent on the circumstances of the notification the Commission may choose to request an investigation plan,

risk management plan or conflict of interest plan for these matters. The Commission will also maintain regular contact with the organisation throughout the investigation.

Reportable conduct allegations notified to the Commission about the head of an organisation are not as common as for workers and volunteers in organisations. When the situation does arise it can take some time for an alternate contact to be identified, meaning that the Commission may initially have to contact the head of the organisation about an allegation involving them. In the Commission's submission to the Review of Victoria's Reportable Conduct Scheme (RCS Review), the Commission raised that the Act currently does not adequately address circumstances where a reportable allegation is raised about the head of organisation. The Commission recommended that the Act be amended to 'require the nomination of an alternate head, or a person responsible for performing the role of the head under the Act, where the head of the organisation is the subject of an allegation'.¹¹

The government's final report into the RCS Review noted that there is an opportunity to amend the CWS Act to include a requirement that the head of an entity must ensure the entity has a nominated alternative contact person, in the event that there is a reportable allegation against the head of the entity.¹²

The Commission is unable to provide data on heads of organisations and other senior leadership roles as subjects of allegation as the definition of senior leadership differs between organisations and sectors.

6. *What types of behaviours fall within the scope of 'significant emotional and psychological harm' which may be relevant for the inquiry?*
 - a. *How does the Commission assess the adequacy of the current definition of 'significant emotional and psychological harm' in providing clarity and practical guidance for reporting bodies?*
 - b. *The Commission has developed an Information Sheet on Behaviour that causes significant emotional and psychological harm. What other guidance, illustrative examples or threshold criteria to support assessments of this type of harm have been developed by the Commission?*

The definitions of reportable conduct in other states and territories largely align with Victoria's definition. Given that many larger organisations operate across multiple jurisdictions, it is important that conduct types and thresholds align so far as is reasonably practicable to avoid any confusion and unnecessary regulatory burden. Therefore, any proposed changes to the reportable conduct definitions and thresholds should be carefully considered in this context.

The Commission considers that the current definition of 'significant emotional and psychological harm' is broadly adequate. During the RCS Review, some submissions were received raising concern that the reference to 'any behaviour' in this element of the definition means some behaviours, which may be reasonable in the circumstances, must be reported.

The Commission's guidance goes some way to defining behaviours that shouldn't be reported under this category, including:

- where the conduct relates to lawful and reasonable discipline, such as raising a voice to attract a child's attention and restore order in a classroom
- the giving of medical treatment in good faith by an appropriately qualified person such as a doctor or first aid officer
- where the conduct was reasonable to protect a child from immediate harm.

¹¹ Commission for Children and Young People (2022), [Submission to the Department of Families, Fairness and Housing Review of Victoria's Reportable Conduct Scheme](#), Recommendation 11, p 35

¹² Department of Families, Fairness and Housing (2024), [Review of Victoria's Reportable Conduct Scheme- Final Report](#), p 73

The final report of the RCS Review concluded that while the CWS Act does not set out the above exceptions included in the Commission's guidance, the CWS Act provides that behaviour is reportable where it causes 'significant' emotional and psychological harm. As such, the Commission would be expected to be considering the context and purpose of the scheme and interpreting what may amount to 'significant' emotional or psychological harm, which an organisation must report and respond to within this context.¹³

The Commission's information sheet¹⁴ outlines a 3-step process to guide organisations in deciding whether behaviour has caused significant emotional or psychological harm for the purposes of the Scheme. Step 1 supports organisations to identify the worker or volunteer's behaviour. Examples provided include:

- doing certain things (e.g. acts, gestures or communication)
- a *one-off* or a *series of behaviours* (i.e. children can experience harm from behaviour that happens once, or cumulative harm from behaviours that might not be harmful in isolation)
- behaviour that *is linked* to another type of reportable conduct (i.e. a sexual offence, sexual misconduct, physical violence or significant neglect), or behaviour that *is not linked* to another type of reportable conduct (e.g. persistent verbal abuse, coercive or manipulative behaviour, hostility towards, or rejection of, a child, humiliation, belittling, scapegoating or racism).

The information sheet also provides guidance on finding the behaviour either intentional or reckless, as part of an investigation.

The Commission has also issued the following additional guidance and examples relating to assessing the threshold for significant emotional or psychological harm:

- an extensive Guide for Organisations Investigating a Reportable Conduct Allegation¹⁵
- Understanding the Reportable Conduct Scheme On-Demand Video (Section 3)¹⁶
- Information Sheet 2: What is reportable conduct under the Reportable Conduct Scheme?¹⁷

7. How would legislative clarification, statutory examples, or further guidance improve reporting consistency and compliance with the Scheme?

The Commission, in its submission to the RCS Review, outlined a number of proposed amendments to the Scheme that would improve reporting consistency and compliance with the Scheme.¹⁸ Key examples include:

- clarification regarding the application of the Scheme to former employees
- that the definition of reportable allegation be amended to make it explicit that any person can form a 'reasonable belief' that the conduct may have occurred and that the head of organisation need not agree with that belief in order for the definition of reportable allegation to be met.
- that the CWS Act be amended to clarify that overly personal and intimate conduct in relation to a child can constitute sexual misconduct even where there is no finding that the conduct was for sexual arousal or gratification.
- that the Commission receive improved compliance and enforcement powers.

¹³ *ibid* p 58

¹⁴ [Information sheet 18: Behaviour that causes significant emotional and psychological harm](#)

¹⁵ [Guidance for Organisations Investigating a Reportable Conduct Allegation](#)

¹⁶ [Understanding the Reportable Conduct Scheme Video](#)

¹⁷ [Information Sheet 2: What is reportable conduct under the Reportable Conduct Scheme](#)

¹⁸ Commission for Children and Young People (2022), [Submission to the Department of Families, Fairness and Housing Review of Victoria's Reportable Conduct Scheme](#)

8. *How does the Commission assess whether an organisation's internal investigation processes are sufficiently robust, impartial and child-centred?*
- a. *What is the Commission's perspective on reforming the Reportable Conduct Scheme to allow it to recommend independent investigators to organisations?*
 - b. *What mechanisms exist to identify and mitigate risks associated with internal assessment or investigation allowed under the Scheme?*

The Commission currently requires that an independent investigator be used for investigations into reportable allegations. An independent investigator means an independent body or person (who can come from within the organisation) with appropriate qualifications, training or experience to investigate reportable allegations. Our *Guidance for Organisations Investigating a Reportable Allegation*¹⁹ outlines that organisations should consider appointing an external independent investigator when:

- the organisation cannot identify anyone within the organisation with suitable experience and/or training to conduct the investigation
- internal workers, contractors or volunteers have a conflict of interest
- the investigation cannot be conducted internally within a reasonable timeframe
- the investigation is complex and beyond the skills, capability or experience of internal workers (for example, the allegation relates to multiple incidents, alleged victims or stakeholders).

The Commission, as part of its risk-based regulatory approach, assesses a number of key factors relating to an organisation's ability to conduct a robust, impartial and child-centred investigation. Upon receiving a notification, the following elements are considered when deciding the level of oversight that the Commission will apply to the matter:

- the resourcing available to the organisation to conduct the investigation
- the policies, systems and procedures the organisation has available to support an investigation
- information available relating to the organisations level of engagement with the Commission, the Scheme and the Standards
- the complexity of the allegation (including whether the allegation related to a head of organisation).

This approach is intended to support the Commission to focus on cases involving higher risks to children and young people, and to increase the likelihood of a robust, procedurally fair investigation. When the Commission is concerned about an organisation's ability to conduct an investigation we apply a higher level of oversight, which may include:

- early engagement with the organisation on the development of their investigation plans
- requesting risk-management and conflict of interest plans from the organisation
- increased contact with the organisation as it prepares for and undertakes the investigation (including monitoring whether the organisation is effectively managing risks to children and young people during the investigation).

9. *What minimum competencies or certifications do you recommend for individuals conducting reportable conduct investigations?*
- a. *What oversight, auditing, or compliance measures does the Commission use to confirm that organisations engage appropriately qualified investigators?*

¹⁹ [Guidance for Organisations Investigating a Reportable Conduct](#), p 6

b. *What additional support or sector-wide training is being considered to lift investigative capability where needed?*

The Commission has worked to improve capability among organisations subject to the Scheme through the direct engagement in the form of presentations and webinars as well as by developing guidance including:

- detailed guidance for organisations investigating a reportable allegation.²⁰
- a suite of guidance to assist organisations in including children and young people in reportable conduct investigations²¹
- tailored guidance to assist religious organisations²²
- a video explaining the investigation process.²³

The Commission also provides direct feedback to organisations as part of performing its function of supporting and providing advice and overseeing the investigation of reportable allegations. The Commission examines findings received from heads of organisations, together with the reasons for findings and evidence and, where required, and provides advice to improve any future investigations.

Since the start of the Scheme, we have seen improved responses to allegations of abuse with a lift in the standard of investigations in many organisations, particularly those with high volumes of notifications to the Commission.

The Commission has continued to look at ways to improve the capacity of organisations to conduct investigations. We focus on addressing areas of key concern and note that we have continued to observe issues with organisations properly engaging children and young people in investigations, along with organisations not adequately identifying grooming behaviour by subjects of allegation. We acknowledge that further work is required to raise the capacity of organisations in the aforementioned areas in particular.

The Commission does not approve, accredit or recommend independent investigators or investigation bodies. Our position is that organisations who choose to use an independent investigator should undertake their own inquiries to make sure the investigator has the right qualifications and/or experience before appointing them to conduct an investigation.

However, to assist organisations when appointing an external investigator, our guidance²⁴ advises that key considerations relating to competencies and certifications include:

- the investigator's certificate and/or qualifications; a Certificate IV in Government Investigations is highlighted as appropriate
- the proposed investigator's skills and experience, in particular their experience in conducting investigations involving children
- the proposed investigator is screened to ensure they are appropriate to work with children, including checking whether they have a Working With Children Check
- a referee check with a person who has knowledge of the investigator's experience, conduct and ability to undertake an investigation involving children.

Identifying at-risk children and young people

10. How does the Commission assess the adequacy of processes or systems in identifying children who have minimal engagement with services?

²⁰ [Guidance for Organisations Investigating a Reportable Conduct](#)

²¹ [Including children and young people in reportable conduct investigations](#)

²² [A Guide for Faith Communities on the Reportable Conduct Scheme](#)

²³ [Reportable Conduct Scheme videos, section 5](#)

²⁴ [Guidance for Organisations Investigating a Reportable Conduct](#), p 6

- a. *What gaps or blind spots, if any, has the Commission identified in relation to children who are primarily educated or socialised within the family unit or a small community group?*
- b. *What concerns, if any, has the Commission identified about children with no regular contact with mandated reporters?*

In Victoria there are a number of important mechanisms that place duties on, or enable individuals to report incidents of child abuse. They include:

Mechanism	Who must report?	What must be reported?	Report to?
Failure to Disclose	<u>All adults</u>	All adults <u>must</u> report if they form a reasonable belief that a sexual offence has been committed by an adult against a child. This includes communications or observations formed during religious confessional.	Victoria Police
Failure to Protect	<u>Person in authority</u> in prescribed organisations including religious organisation and charities	Persons in authority must report if they know of a risk of child sexual abuse by someone in the organisation.	Victoria Police
Mandatory Reporting	Certain professional groups including people in religious ministry (meaning a person appointed, ordained or otherwise recognised as a religious or spiritual leader in a religious institution). (<u>Any person</u> who believes a child is in need of protection may make report to Child Protection.)	Mandatory reporters must report if they form a reasonable belief that: <ul style="list-style-type: none"> a child has suffered, or is likely to suffer, significant harm as a result of physical injury or sexual abuse, and the child's parents have not protected or are unlikely to protect the child from harm of that type. 	Child Protection Services at the Department of Families, Fairness and Housing
Reportable Conduct Scheme	<u>Head of organisation</u> must report any alleged reportable conduct to the Commission within 3 days of becoming aware of the allegation. (<u>Any person</u> can make a public notification about reportable conduct to the Commission)	Any allegation that an adult employee has committed child abuse or child-related misconduct as follows: <ul style="list-style-type: none"> Sexual offence Sexual misconduct Physical violence Behaviour that causes significant emotional or psychological harm to a child Significant neglect to a child <p>Employees include Minister of religion, office holder, religious leader or volunteer.</p> <p>This requirement applies to all allegations of reportable</p>	Commission for Children and Young People

Mechanism	Who must report?	What must be reported?	Report to?
		conduct regardless of whether the alleged conduct occurred inside or outside of the organisation.	

In addition to the above reporting requirements there are important systems in place to enable the sharing of information across organisations that engage with children and young people. For example, the Child Information Sharing Scheme (CISS) and Family Violence Information Sharing Scheme (FVISS) both enable a broad range of information sharing entities (ISE's) to share information to support child wellbeing or safety.

The Commission has not examined the adequacy of these processes or systems in identifying children who have minimal engagement with services. However, we note that effective processes and systems to identify at risk children and young people are dependent on children being visible and engaging with those systems and adults acting protectively. A lack of visibility of children means a lack of ability to identify and assess risk.

The *Safeguarding children in closed communities* evidence brief noted that the assumptions on which child abuse reporting regimes are based may not apply in closed communities. The claims may not be identified and investigated through normal avenues and social contacts, such as via teachers, neighbours, or friends of the family, and the accused may not cooperate in taking action.²⁵

11. What guidance does the Commission provide to services on hearing directly from children whose circumstances may restrict independent communication with authorities?

The Commission does not provide specific guidance on hearing directly from children in closed organisations.

The Commission provides guidance aimed at all organisations about hearing directly from, and empowering children and young people. Our advice reflects the requirements and principles contained in the CWS Act, including those outlined at section 5 (Principles for children).

We have published a number of resources, including:

- A Guide for Creating a Child Safe Organisation²⁶
- An Empowerment and Participation Guide²⁷
- The Child and Youth Engagement Framework²⁸

12. What indicators of non-physical harm, such as coercive control or indoctrination, does the Commission identify as needing better integration into child safety and wellbeing frameworks?

The CWS Act which states that 'any behaviour that causes significant emotional or psychological harm to a child' is a type of reportable conduct. Non-physical harm, such as coercive control or indoctrination may fall under this definition. However, there are thresholds to consider when assessing this type of conduct. Significant emotional or psychological harm must be identified, and a clear link must then be established between the behaviour and the harm.

²⁵ Oranga Tamariki Evidence Centre (2023). [Safeguarding children in closed communities – Evidence brief](#). Wellington, New Zealand: Oranga Tamariki—Ministry for Children, p 14

²⁶ [A Guide for Creating a Child Safe Organisation](#)

²⁷ [Empowerment and participation: A guide for organisations working with children and young people](#)

²⁸ [Child and Youth Engagement Framework](#)

The Commission has published an information sheet to assist organisations in applying the thresholds associated with this conduct type.²⁹

The Commission considers this conduct type would cover non-physical harm, such as coercive control or indoctrination. However, as previously mentioned, the Scheme primarily relies on organisations to report and investigate allegations. For organisations that are closed and not engaged with the Scheme, we suspect that there is extensive underreporting and the Commission rarely is informed of matters from these organisations.

Improving community engagement

13. *What targeted education, outreach or culturally informed engagement strategies does the Commission have for children and young people in closed communities?*

An important part of the Commission's role is to guide organisations to understand and meet the requirements of the Standards and the Scheme to help them keep children safe. We take a holistic approach, focusing attention on the culture and systems of organisations through the Standards, as well as providing oversight to ensure individual allegations of inappropriate or abusive conduct towards children are properly reported and investigated through the Scheme.

We use multiple channels, including social media, our website, and subscriber-based emails, to share resources and guidance materials with professionals working with children and the broader community, including children, young people, parents and carers.

Complementing this work is our proactive sector-based approach to capacity building, including religious organisations. We do this by partnering with key stakeholders with broad reach, such as peak bodies, and actively working together to build knowledge about the Standards and Scheme, and about their legislative obligations. We have developed child safety resources specifically for religious and faith-based organisations and translated resources to support engagement and capacity building in diverse communities.

While the Commission uses sector-based approaches, it does not currently have specific outreach and engagement strategies relating to children and young people in closed communities.

14. *What approaches or models does the Commission consider effective for building trust and early rapport with communities that have low institutional engagement or are hard-to-reach?* a. *How could clearer points of contact or dedicated outreach roles enhance early engagement with hard-to-reach communities/organisations?*

We note that the *Safeguarding children in closed communities* evidence brief highlights that internationally, documentation on effective intervention strategies to safeguard children in closed communities is limited. However, it does provide some insights into potential strategies to employ when engaging with these groups, including the importance of engaging multiple experts, taking time to build rapport and understand the structure and beliefs of the community.

As discussed, the Commission has minimal experience engaging with closed organisations via its role as a regulator for the Standards and Scheme. Before engaging with closed organisations, the Commission would need to be aware that the organisation exists and is required to comply with the Standards or Scheme. This often does not occur with closed organisations as, by their nature, we are unlikely to receive information from them or have access to information relating to the services they provide.

²⁹ [Information sheet 18: Behaviour that causes significant emotional and psychological harm](#)

Both the Standards and Scheme require a level of engagement from organisations in order to be effective. For most closed organisations, we need to engage with the organisation to drive cultural change for the regulatory frameworks to operate effectively. This necessary engagement is challenging in closed organisations. In particular engagement with organisations with an active distrust of government or authority can pose safety risks for frontline staff, requiring a range of expertise and resourcing currently beyond the Commission's capacity alone.

Broader capability and policy

15. *How does the Commission view the effectiveness of Victoria's current child safety and wellbeing frameworks sufficiently recognise risks associated with high-control, closed or cult-like environments?*
 - a. *How might clearer definitions or risk categories assist in identifying and responding to these situations?*
 - b. *In what ways could specialised capability or training enhance effectiveness in this area?*
 - c. *What evidence/data does the Commission have regarding barriers to reporting in high-control/insular organisations?*
16. *Are current information-sharing and data-linkage settings adequate to identify children who have unusually low contact across multiple systems?*
17. *How effective are current legislative thresholds for gaining entry/access, and assessing the safety of children in settings where visibility is limited?*
18. *What supports does the Commission consider essential for children and young people transitioning out of high-control or closed environments?*
 - a. *How does the Commission view the adequacy of transition planning and ongoing support for older adolescents (16–18 years) who may remain vulnerable to high-control dynamics but are nearing service boundaries?*
19. *Reflecting on the outcomes of the Royal Commission into Institutional Responses to Child Sexual Abuse's findings about institutional accountability and child-safe culture, what specific governance or oversight features that could be strengthened to better detect and respond to harm within cult-like or high-control group settings?*
 - a. *In what ways might new statutory duties or powers ensure safe access to children in high-control environments?*

The Commission's concluding remarks respond to questions 15–19.

While we have not specifically examined the effectiveness of child safety and wellbeing frameworks (or broader legislative and regulatory frameworks) in recognising risks associated with high-control, closed or cult-like environments, we acknowledge this is a significant area of concern requiring attention.

Information highlighted in this inquiry, including from the lived experience of members of cults and high-control groups, provide important insights to inform strengthened system responses to risks and experiences of harm and abuse by children and young people in vulnerable circumstances.

Victoria's child safety and wellbeing frameworks recognise that everybody plays a role in keeping children and young people safe. The systems that have been established and evolved in Victoria, including those resulting from the *Betrayal of Trust* inquiry and the Royal Commission have formed critical frameworks for preventing, identifying, reporting and responding to child abuse and harm. We have raised general issues and opportunities for improvement as part of reviews of these systems.

However, at a base level, for these systems to work effectively and recognise alarm bells, they need to be able to see and engage with children. A lack of visibility of children means a reduced ability to identify and assess risk. As we have previously referenced, assumptions on which child abuse reporting regimes are based may not apply in closed communities.

Through this inquiry and from the available evidence, we understand that the secretive, insular and closed nature and dynamics of high control cults and organised fringe groups poses unique challenges for government service providers, reporting frameworks and regulators. Our limited engagement with closed organisations aligns with the observations in the Royal Commission and the *Safeguarding children in closed communities* evidence brief, and we suspect under-reporting of allegations of abuse in organisations among certain sectors, including religious organisations.

To effectively respond to the issues posed by cults and high control groups, there is a need for the range of systems (child safety and broader systems) to be aware of the particular structures and dynamics of these groups and the experiences of children and young people engaged in them.

Specialised capabilities

Given the unusual circumstances and the specific dynamics in cults and high control organisations, (including the closed nature and possible safety risks to gaining access), specialised capability and expertise is important to develop

Given the breadth of issues identified in cults and high control groups and the associated broad range of systems and services required to address these issues, it may be the case that no singular agency holds the relevant capability and expertise to effectively engage. Rather, a joined-up response that brings together relevant expertise and skill, coupled with an approach to improve knowledge and awareness of the dynamics of closed organisations, may be a more appropriate model for addressing the broad ranging risks and harms associated with these organisations.

Limited available evidence points to the need for integrating a variety of experts to respond to children in closed communities and the need for time, and strategies, to develop working alliances and trusting relationships with victims and their parents.

A joined-up systems response

The particular institutional and regulatory issues presented by cults and organised fringe groups can reach broader than child safety and wellbeing issues and therefore may require a coordinated approach from multiple government agencies.

An effective response requires strong collaboration and information exchange between services engaging with vulnerable children and young people. This should occur at a systemic level, looking holistically at the needs of children and their families. This may involve Child Protection, child safety regulators, health, housing, education, disability and mental health services. Where an immediate risk exists Victoria Police play a critical role in responding.

Regulatory engagement with insular and closed organisations (including cults and organised fringe groups) is challenging and resource intensive. Outcomes from implementing the Standards and Scheme are most effective when organisations are engaged and committed, and they focus on preventing child abuse and ensuring effective responses to allegations of abuse and harm. These frameworks are therefore not always the most appropriate frameworks for addressing immediate risk to children within insular and closed organisations.

Rather, a coordinated multi-agency model may be more suitable when responding to immediate concerns raised about a cult or organised fringe group, comparable to models used in emergency management. In practical terms, when concerns about a cult or organised fringe group are identified and it is believed that children are at risk, identified relevant agencies with suitable skills and expertise could come together under an agreed protocol, outlining guiding principles and roles and responsibilities, to plan and coordinate engagement with children, families and organisations.

Effectively managing the broader risks associated with insular and closed organisations that exercise coercive control over their members (such as cults and organised fringe groups) may require further work to map out, and develop strategies to address, the overarching drivers that lead to the establishment of these organisations, along with a multi-agency and inter-jurisdictional approach to identifying and managing existing risks. This may require multiple regulators and government agencies (depending on the circumstances) and a central coordination agency to ensure effective coordination.

There are currently existing frameworks in place, that attempt to take a cohesive government approach to managing complex and multifactorial societal issues that may be useful to consider in developing an approach. These may be of interest to the Committee when assessing how to manage the risks and issues posed by cults and organised fringe groups. Key examples are:

- National Strategy to Prevent and Respond to Child Sexual Abuse³⁰
- Victoria's Strategy for Preventing and Countering Violent Extremism³¹
- Family Violence Multi-Agency Risk Assessment and Management Framework (MARAM)³²

The above frameworks take a holistic approach to managing a societal risk. They are designed to build and enhance partnerships across government and community, and to proactively seek to understand emerging trends and contemporary research. These frameworks seek to ensure that all relevant services are effectively identifying, assessing and managing risk, consistent with their roles in the service system.

Support and empowerment

Support for children within, and transitioning out of, cults and organised fringe groups should be guided by the children and young people with lived experience and advice from other experts. We note the range of impacts highlighted in this inquiry's questionnaire, including psychological harm, personal restrictions and physical harm. Support responses should address these impacts.

Drawing from other approaches to support responses may be useful, for example work of the Royal Commission, and subsequent National Office for Child Safety Practice guide for workers and organisations³³ which points to the importance for supports to be:

- holistic, developmentally appropriate and trauma-informed
- therapeutic, empowering and recovery oriented
- understanding of the specific impacts of the harm and institutional dynamics and responses
- culturally informed
- helpful in navigating various supports and service systems.

The negative impact of abuse and coercive control within cults and organised fringe groups can persist for many years. We have seen through our work the need to ensure continuity of support for children and young people experiencing trauma and disadvantage, including as they transition into adulthood. Support needs do not simply stop when a person turns 18. Any joined-up systems approach should recognise this and ensure that ongoing support is available for young people who continue to experience vulnerability and require further assistance to effectively integrate into broader society.

³⁰ National Office for Child Safety (2021), [National Strategy to Prevent and Respond to Child Sexual Abuse 2021-2030](#)

³¹ Department of Justice and Community Safety (2025), [Victoria's Strategy for Preventing and Countering Violent Extremism 2025-2028](#)

³² Family Safety Victoria (2018), [Family Violence Multi-Agency Risk Assessment and Management Framework](#)

³³ National Office for Child Safety (2024) [Engaging with victims and survivors of child sexual abuse: A practice guide for workers and organisations](#)