

Submission to the  
Family and Community Development  
Committee, Parliament of Victoria

Inquiry into Handling of Child  
Abuse by Religious and Other  
Non-Government Organisations



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In 2005, Hetty was announced as a finalist for the 2006 Australian of the Year Awards – she is the recipient of two Australian Lawyers Alliance Civil Justice Awards (2003, 2004) and was named a finalist in the 2008 Suncorp Queenslander of the Year Awards. She was awarded a Paul Harris Fellowship in 2010 and is a Fellow of the Australian Institute of Community Practice and Governance (March 2010). In early 2009, Hetty was recognised as one of approximately 70 outstanding leaders throughout the world, receiving the prestigious annual Toastmasters International Communication and Leadership award.

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# About Bravehearts Inc.

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Our **Mission** is to stop child sexual assault in our society.

Our **Vision** is to make Australia the safest place in the world to raise a child.

Our **Guiding Principles** are to at all times, do all things to serve our Mission without fear or favour and without compromise and to continually ensure that the best interests and protection of the child are placed before all other considerations.

Bravehearts has been actively contributing to the provision of child sexual assault services throughout the nation since 1997. As the first and largest registered charity specifically and holistically dedicated to addressing this issue in Australia, Bravehearts exists to protect Australian children against sexual harm. All activities fall under 'The 3 Piers' to Prevention; Educate, Empower, Protect – Solid Foundations to Make Australia the safest place in the world to raise a child. Our activities include but are not limited to:

## **EDUCATE**

- ◆ Early childhood (aged 3-8) 'Ditto's Keep Safe Adventure' primary and pre-school based personal safety programs including cyber-safety.
- ◆ Personal Safety Programs for older children & young people and specific programs aimed at Indigenous children.

## **EMPOWER**

- ◆ Community awareness raising campaigns (Online and Offline) including general media comment and specific campaigns such as our annual national White Balloon Day.
- ◆ Tiered Child sexual assault awareness, support and response training and risk management policy and procedure training and services for all sectors in the community.

## **PROTECT**

- ◆ Specialist advocacy support services for survivors and victims of child sexual assault and their families including a specialist supported child sexual assault 1800 crisis line.
- ◆ Specialist child sexual assault counseling is available to all children, adults and their non-offending family support.
- ◆ Policy and Legislative Reform (Online and Offline) - collaboration with State Government departments and agencies.

Bravehearts Inc. is a National organisation, it is a registered Public Benevolent Institution, registered as a Deductible Gift Recipient, operates under a Board of Management and is assisted by State based Community Regional Committees, Executive Advisory Committees and a Professional Finance Committee.

# Introduction

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Child sexual assault is a hidden but significant problem in every community in Australia.

Approximately one in five children will experience some form of sexual exploitation before the age of 18 (James, 2000; Center for Disease Control and Prevention, 2006). Experts estimate that less than one in ten of these children will tell. Research tells us that in 70-90% of the time offenders are known and trusted by the child and/or their families (National Child Protection Clearinghouse, 2005).

In 2009, the Council of Australian Governments (COAG) endorsed the *National Framework for the Protection of Australia's Children 2009-2020*, which not only outlined that all organisations and governments had a responsibility to protect children against harm, but also emphasised the need to address child sexual separately and distinctly from other forms of child harm. Traditionally, child sexual assault has been 'lumped in the same pot' as child abuse and neglect. However, while all forms of abuse and assault are harmful to children it is important to take child sexual assault 'out of the 'pot' as the dynamics are fundamentally different. Recognising these differences is necessary to effectively address, respond to and prevent child sexual assault.

Some of the important differences include:

- Acts of **child abuse and neglect** are generally unplanned, re-active and are generally aligned with socio-economic and/or family dysfunction issues and are comparatively predominant in areas of social disadvantage.  
**Sexual assaults** against children are almost always pre-meditated, involving predatory acts of grooming, manipulation, self gratification and exploitation, and occur widely across the various socio-economic areas.
- **Child abuse and neglect** more commonly involve the infliction of pain, violence and aggressive force.  
**Child sexual assault** more commonly involves manipulation, intimidation and sexual contact.
- **Child abuse and neglect** are nearly always perpetrated by a parent or primary caregiver (in an estimated 90% of cases).  
**Child sexual assault** is generally perpetrated by a male (in excess of 90% of cases) and more likely to be perpetrated by someone known to the child or their family (research varies but commonly finds between 85% and 95% of the time). Of those offenders known to the child most commonly the offender is not living with the child (approx 70%).
- **Child abuse and neglect** offences are almost always intra-familial.  
**Child sex assault** offences are commonly extra-familial as well as intra-familial.
- **Child sexual assault** always involves the three S's: **Shame; Silence; Secrecy**

The responses of religious and other non-government organisations in dealing with concerns of child sexual assault are crucial to both providing effective and supportive environments for victims to speak out and to provide a broader culture of protection and safety.

As part of its Mission to 'Make Australia the Safest Place in the World to Raise a Child', and in line with the Council of Australian Governments (COAG) *National Framework for the Protection of Australia's Children 2009-2020*, Bravehearts developed 'The 3 Piers' to Prevention approach for the protection against child sexual assault and to provide a basis for assessing how Australia and other countries are progressing in creating child-safe communities.

'The 3 piers' as defined by Bravehearts are:

1. Educate: All children receive effective personal safety education.
2. Empower: All adults are trained, aware and motivated.
3. Protect: All systems of community and government engage effectively.

We believe that adopting this approach will provide religious and non-government organisations with the necessary framework for addressing concerns of child sexual assault and provide for a more effective response for handling allegations and concerns within the organisational context.

### **Recommendations to the Inquiry**

Specifically, it is Bravehearts' position, that this must be an holistic approach and our recommendations for this current Inquiry are:

Recommendation 1: National research should be conducted on the extent and response to child sexual assault in religious and other non-government organisations, as well as more generally in the community.

Recommendation 2: Mandatory risk management and child protection policies, founded on the principles of 'the best interest of the child' and based on a clear duty of care, to be enforced in all religious and non-religious organisations that are child-focussed.

Recommendation 3: The mandatory reporting of sexual assault, within religious (including within the confessional) and non-religious organisations. This is particularly relevant, but not exclusively so, when children are involved and there is a risk of ongoing offences. Includes:

- Clear reporting processes are in place, with a primary focus on the victim's interest and wellbeing.

- Reporting processes must operate through the same legal processes as the rest of the community. Both child and adult survivors should be directed towards, and afforded the same legal opportunities as the rest of the population.

Recommendation 4: Alternative reporting options should operate where a victim does not wish to proceed or be identified, but which will facilitate the passing on of information regarding alleged offenders and offences to police.

Recommendation 5: The availability of specific training on identifying and responding to child sexual assault.

Recommendation 6: The availability of specialised personal safety education programs for children and young people.

# The Problem of Child Sexual Assault

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While the prevalence of child sexual assault in religious and other non-government organisations is not well documented, we know that churches and child-focused organisations are particularly vulnerable to the problem of child sexual assault, as there is an extensive involvement of work with children and young people.

Most children know their perpetrator, with research suggesting between 10-30% of offenders are known to the child or their family (National Child Protection Clearinghouse, 2005). Sullivan and Beech's (2004) study of child sex offenders found that 15 percent chose their occupation (e.g. clergy, teaching, child care) exclusively so they could sexually exploit children and a further 41.5 percent admitted that this was part of their motivation. In 2000, the Eros Foundation found that during the 1990s Australian courts dealt with nearly 450 individual child sexual assault matters involving clergy and church officials.

(For general statistics on the issue of child sexual assault, please see Appendix A)

The question on how religious and non-religious organisations respond to allegations, disclosures or concerns of child sexual assault is one that must be addressed on a national level.

One of the greatest challenges for organisations seeking to address concerns of child sexual assault is the need to understand and overcome the silence, secrecy and shame that surrounds this crime. Child sexual assault strongly relies on silence; in order to keep offending perpetrators need secrecy. Within organisations this can operate at two levels, (1) silencing of victims and (2) silence within the organisation:

1. Offenders usually put a great deal of effort into ensuring that a child remains silent. Apart from promises, threats and bribes, offenders also take advantage of the child's powerlessness by presenting a distorted or false view of what is happening.
2. Cultural silencing of child sexual assault within religious and non-religious organisations is just as insidious and has provided offenders with 'permission' to continue harming children.

Historically, and often in more recent times, religious and organisational responses to disclosures or concerns of child sexual assault have come under much scrutiny. If we are to successfully confront the issue of child sexual assault, challenging the culturally and historically entrenched response of secrecy and silence to child sexual assault is imperative.

We recognise that the shame, secrecy and silence surrounding child sexual assault does not just exist within organisations, but also more broadly in families and the community.

Although we recognise this is outside of the scope of the current inquiry, we believe that a broader research agenda needs to encompass not only the extent, prevalence, prevention and system responses to child sexual assault in religious and other non-government, but also more broadly investigate the issue of child sexual assault in the community.

Recommendation 1: National research should be conducted on the extent and response to child sexual assault in religious and other non-government organisations, as well as more generally in the community..

# Risk Management and Child Protection

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It is every organisation's responsibility to do their best to protect the children who they come in contact with. This is true whether harm or potential harm is internal or external to the organisation.

There are a number of organisational factors, particularly relevant to religious and non-government organisations, that are associated with greater risk of child sexual assault. Research has shown that the following factors increase risk within an organisation:

- Staff being alone with a child: Environments where staff members have the opportunity to be alone with a child or children are high risk.
- Lack of staff accountability: Lack of transparency and accountability (both internal and external) create organisations where there is a high risk of problems and concerns being unidentified and/or hidden.
- Lack of professionalism: Staff professionalism should be regulated to ensure integrity and increase compliance with organisational policies.
- Poor policies and procedures: Organisations with no or poorly written policies and procedures increase the risk of employing high risk staff.
- Risky physical attributes: Opportunities to harm children are increased in organisations which are closed and create isolation from the outside. The physical structure of an organisation plays an important role in creating 'safe environments' for children and young people.
- Accountability independence: The lack of external scrutiny is a high correlate to the high risk level organisations.
- Inadequate resources: Inadequate funding and resources increases the likelihood that organisations will slip in terms of positive staffing and oversight practices. These organisations tend to not prioritise instituting effective policies and procedures.

Strong child protection policies and a risk management focus must be the cornerstone to any organisational approach to protection against child sexual assault and the appropriate response to concerns and disclosures.

This approach is founded on the following principles:

- Organisations have a moral and legal responsibility to protect children within their care.
- Organisations have been, are and will continue to be vulnerable to child protection concerns until the issues are brought into the open.
- Organisations without child protection policies, guidelines and risk management strategies are more vulnerable to attracting offenders to their organisation.
- Organisations without child protection policies, guidelines and risk management strategies are more vulnerable to false or malicious accusations.
- Organisations without child protection policies, guidelines and risk management strategies may be more vulnerable to civil action.

Child sexual assault is both a private and a public problem. For the survivors, alleged perpetrators and the institutions involved, there are quite obvious and legitimate private interests in ensuring that the processes used are private and confidential. Documented organisational processes (such as the Catholic Churches *Towards Healing* and the Anglican Churches' *Protocol for Dealing with Complaints of Sexual Harassment, Sexual Assault or Sexually Inappropriate Behaviour*) provide for confidentiality.

However, these private interests in confidentiality need to be balanced with the victims and the public interest in transparency and accountability.

There is a close link between transparency and accountability directed towards education and prevention. Each allegation of sexual assault is an opportunity to educate a sometimes unbelieving community about the extent and consequences of child sexual assault and how it may be prevented. The horrific crime of child sexual assault is effectively hidden when allegations are dealt with internally and privately.

Many allegations involve the sexual assault of not just one particular survivor, but disclosures can lead to information about other victims. Parkinson (2003) makes the observation that sex offending against children is often long-term and involves many offences. This may well mean that the number of offences coming to light is a small fraction of the number actually committed by each perpetrator. This means that an organisational process that focuses on the needs of one complainant may well address their concerns, but not those of other survivors.

There are clearly implications for the community's interest in ensuring the protection of potential future victims as well.

The public has also become aware of the common practise by organisational heads to cover up for the offender, to move known offenders around parishes, schools and institutions. This has the impact of allowing sex offenders to continue to sexually exploit children. There are recorded cases where critical information about the offender's past history was not disclosed to those in charge of the new diocese, parish or school.

The implications of such an approach are clear – allegations are cloaked in a veil of secrecy and offenders are provided with the opportunity to continue their path of sexual predation in a new community and with new victims.

Organisations need to ensure that the policies and processes that are in place for dealing with concerns or disclosures place the best interests of the victim and the protection of children and the community above all else.

In Queensland, all organisations that involve substantial contact with children need to have a risk management policy in place. This has been a mandatory requirement for organisations regulated by the *Commission for Children and Young People and Child Guardian Act (2000)* since January 1, 2007.

To comply with the minimum standards under the Act the risk management strategy must include:

- A policy with a statement of commitment to the safety and well-being of children and the protection of children from harm;
- A Code of Conduct for interacting with children and young people;
- Recruitment, training and management procedures for staff (including appropriate employment screening – i.e. blue cards and registers of staff who hold blue cards);
- Reporting guidelines and directions for handling disclosures and suspicions of harm;
- A policy for managing breaches of the risk management strategy;
- Policies and procedures for compliance with blue card legislation;
- Risk management plans for high risk activities and special events; and
- Strategies for communication and support such as
  - Information sheets for staff, volunteers and parents about policies, procedures and Codes of Conduct, and
  - Training materials and strategies to help staff, volunteers and parents identify and manage risks of harm.

We would support that such minimum requirements be considered for implementation in organisations across the country.

Recommendation 2: Mandatory risk management and child protection policies, founded on the principles of ‘the best interest of the child’ and based on a clear duty of care, to be enforced in all religious and non-religious organisations that are child-focussed.

# Mandatory Reporting

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Cultures of silence and secrecy pervade many religious and non-religious organisations, often under the veil of protecting the privacy of the victim and/or the rights of the accused. This silence serves only to permit child sexual assault to continue unchecked and permit offenders to continue with the sexual exploitation of children within the organisation.

The biggest problems arising out of the current processes across many religious and other non-government organisations include unclear or inappropriate processes for reporting with a lack of transparency, inadequate accountability, and an insufficient preventative/educative focus.

Particularly in relation to religious organisations, there is a great cynicism about the internal processes and policies that are used to deal with allegations of child sexual assault, and there is certainly a reluctance to trust the internal procedures of organisations that have in the past shown to only act when they are made accountable in a legal sense.

This distrust is evident every time there is further disclosure of covered up sexual assault in religious organisations. There is a perception amongst sectors of the community that churches interests are more focussed on the public relations and legal liability aspects of allegations against clergy or religious rather than in seeking to achieve healing, restoration and just settlements for survivors.

The introduction of mandatory reporting would require the reporting of child sexual assault to police when there has been a disclosure or allegation or where there is reasonable ground to suspect a child has been, or is being harmed. The concept of 'reasonable grounds' can be difficult to comprehend. Generally, reasonable grounds are a belief that a child may be in need of protection based on situations where:

- A child states that they have been sexually assaulted or abused.
- A child states that they know someone who has been sexually assaulted or abused (sometimes the child may be talking about themselves).
- A relative, friend, acquaintance or sibling of the child, states that the child has been sexually assaulted or abused.
- Professional observations of the child's behaviour or development lead the mandated professional to form a belief that the child has been sexually assaulted or abused.
- Signs of sexual assault or abuse lead to a belief the child may have been abused.

Mandatory reporting legislation clarifies the actions of those who suspect a child is being harmed and removes any concerns in regard to confidentiality issues. Some advantages of mandatory reporting are:

- Increased protection of children
- Clarifies community and government expectations about reporting

- Reduces discretion of professionals as to whether or not they should report
- Sexual assault and abuse and neglect are criminal offences that need to be dealt with appropriately
- Harmful effects of child sexual assault and child abuse are minimised when intervention takes place as soon as possible

### **The Silence of the Confessional**

Under 37.3 of *Towards Healing* there is a requirement of the mandatory reporting of any knowledge of child sexual assault, with regard to Australian State and Territory laws:

37.3 All Church personnel shall comply with the requirements for mandatory reporting of child abuse that exist in some States/Territories, and State or Territory law regarding the reporting of knowledge of a criminal offense must be observed. The appropriate Church authority shall also be notified of any such report.

However, the Catholic Church has over thousands of years, and continues to, uphold the seal of confessional as sacrosanct under Canon Law. The breaking of the seal of confessional is considered so serious by the Catholic Church that for a priest to divulge anything told to them in confession, is a matter for automatic excommunication. On the most part, Australian courts have respected the sanctity of the confessional (there was a private member's Bill introduced in the South Australian parliament aimed at making it mandatory for priests to report information about child sexual assault, even that learned about through the confessional; the Bill was amended in early April 2005 so as not to force priests to breach the confidentiality of the confessional).

This is clearly of concern from a child protection perspective, where the Church has limited (if any) accountability under criminal law. The need to for the Church to reform itself is clear if there is to be a zero tolerance for child sexual assault and no sanctuary for child sex offenders. Certainly with the issue of child protection, secular law should over-ride any Church law and there should be no exemptions. We believe that for most parents, if their child was being sexually assaulted and the offender confessed to a priest, they would want the authorities to know about it. This is particularly relevant, but not exclusively so, to on-going sexual assault.

We believe that any and all allegations of child sexual assault should be reported to the Police. The idea that, for example, Christians should tell it to the Church rather than going to the Police has often led to failures to protect children.

- Where the victim is still a child and the organisation becomes aware or has concerns that a child is being sexually harmed, we all have a responsibility to put the protection and safety of children first. Any form of sexual behaviour by an adult towards or with a child is always sexual assault, is always a crime and must always be reported immediately to the police. Allegations of child sexual assault must not be investigated internally, and in particular neither the child/young person or the accused should be questioned by the organisation.

- Where the victim is now an adult, the organisation should encourage the adult victim to disclose to the Police, and provide them with support to do so. For adult victims who are not confident to report to Police, an alternative process needs to be put in place to assist them. Bravehearts Sexual Assault Disclosure Scheme has been running successfully since 2001 and provides an ideal model for organisations to access (see below).

Recommendation 3: The mandatory reporting of sexual assault, within religious (including within the confessional) and non-religious organisations. This is particularly relevant, but not exclusively so, when children are involved and there is a risk of ongoing offences. Includes:

- Clear reporting processes are in place, with a primary focus on the victim's interest and wellbeing.
- Reporting processes must operate through the same legal processes as the rest of the community. Both child and adult survivors should be directed towards, and afforded the same legal opportunities as the rest of the population.

### **Bravehearts Sexual Assault Disclosure Scheme**

In recognition that some victims are reluctant to proceed down the criminal path by reporting to the Police, Bravehearts puts forward that alternative reporting options must be available,

Fear of not being believed or supported extends beyond reactions from friends and family. Many individuals fear the process of reporting the offences to the police. Given that the societal perceptions on reporting to the police is quite a negative one, coupled with the invasive nature that is inherent in police interviews regarding sexual assault reporting, it is understandable that individuals can find the prospect of reporting their experiences to the police a daunting task. In fact, it is well known that individuals seldom report sexual assault crimes to the police.

It appears the biggest detriments to reporting are: the victims fear of not being believed; the victims themselves are generally not comfortable with, or trusting of, authority figures and that: the victims themselves are increasingly isolated by their own fear, shame and self persecution. It has become very clear that many elements make up the reasons why victims of child sexual assault do not report to the police. These include:-

- Fear of being a lone complainant and not having validating co-complainants
- Fears that their story will not be believed or validated.
- Fear and lack of faith in authority figures;
- Anxiety about society's general intolerance and lack of support/understanding;
- Fear that disclosure will turn them into a social leper - society labelling the victim a probable abuser;
- Concerns about confidentiality, losing control of the situation; and
- No confidence or gratification in the sentencing / justice outcomes.

Bravehearts Sexual Assault Disclosure Scheme (SADS) was initially created as a way to provide a safer and less confronting way for individuals who had experienced child sexual assault to report their experiences to the police, providing a reporting avenue that did not require giving a detailed statement, nor direct police contact. It was hoped that by giving people who had experienced child sexual assault a non-confronting reporting avenue that this would help create an opportunity to reduce the silence and shame that can be experienced by individuals when they disclose, and at the same time increase the number of offenders being reported to the authorities, which might otherwise not have come to the attention of the police.

SADS was developed with the support of a working party, including Queensland Police Service, former Queensland Crime Commission, former Criminal Justice Commission, Attorney General's Office, Commission for Children and Young People, the Public Defenders and the Department of Public Prosecutions. The Scheme provides individuals an anonymous avenue to report their experiences to the police, while giving them complete control over any possible future police contact in relation to their information. Due to the nature of child sexual assault, individuals often feel a sense of powerlessness over their situation. SADS was designed with the hope that this avenue may help reinstate some of the power back to the individual, and in turn, help to provide information on alleged perpetrators to the police.

SADS operates nationally and is outlined in the following dot points:

- A survivor (or an organisation) contacts Bravehearts to participate in the Scheme.
- Two forms (linked by a common identification number), a Proof of Identity declaration are sent to the 'discloser'.
  - Form A only seeks information on the person making the disclosure. Form A and the Proof of Identity are returned to Bravehearts and stored in a secure safe.
  - Form B seeks information on the alleged offender and offence (no questions on this form identify the discloser). Form B is returned to Bravehearts, who then forward the Form to the appropriate Police jurisdiction.
- Police can assess the information and contact Bravehearts' Advocacy Officer (citing the SADS number on the Form) when they wish to speak to the discloser
- When the Police contact Bravehearts we then contact the discloser, letting them know that the Police are interested in speaking to them, what this means and seeking permission to pass on their name and contact details to the Police.
- If the discloser is happy to speak to the Police their details are passed on and Police can establish whether or not an investigation is possible. If the discloser does not wish to speak to the Police, the information they provided remains in the Police system as intelligence.

SADS has operated since 2001, with Queensland and New South Wales Police recently mirroring the Scheme to another format encouraging victims of rape to likewise disclose. An internal evaluation of SADS was completed in 2008 and demonstrated the unique need and positive outcomes provided through the program for survivors..

While SADS is available to all survivors or concerned individuals, it has particular appeal to (1) survivors of historical child sexual assault and (2) survivors and family members of survivors in small or remote communities.

In addition Bravehearts believes that the program could be utilised by religious or other non-government agencies to report concerns where an adult victims does not wish to come forward to the police.

Recommendation 4: Alternative reporting options should operate where a victim does not wish to proceed or be identified, but which will facilitate the passing on of information regarding alleged offenders and offences to police.



## Specialised Training & Awareness

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While positive steps can be taken in empowering and building resiliency in our children – lessening their vulnerability to child sexual assault, it is equally as important that these programs are complemented by programs highlighting the responsibility adults play in keeping children safe. Adults should be taking proactive steps to protect children from this significant risk. It is unrealistic to think that a young child can take responsibility for keeping themselves safe. Adults are the ones who need to prevent, recognise and react responsibly to child sexual abuse.

Research suggests that many adults are unaware of effective steps they can take to protect their children from sexual assault (NAPCAN, 2010). Most do not know how to recognise signs of sexual assault and many do not know what to do when sexual assault is suspected or discovered.

Adults involved in organisations that have regular and ongoing contact with children and young people need to have an understanding of the dynamics of child sexual assault, including the indicators and the barriers to speaking out. In order to properly address concerns or disclosures by children in their care, such training should be an integral component of the organisation’s child protection and risk management policy.

**Recommendation 5: The availability of specific training on identifying and responding to child sexual assault.**



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Educate Empower Protect  
Our Kids

## Personal Safety Education Programs

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Public awareness of the problem of child sexual assault has grown to a point whereby concerns have emphasised the need for widespread preventative programs to be implemented. In 1997 the Woods Royal Commission recommended a focus on the “broad community education programs including information on children’s rights, empowering children to speak out, to say NO to adults, to understand their bodies and their rights around the touching of their bodies”. In line with this, a strong feature of the published research on personal safety programs has been the evidence that suggests that preventative strategies are far more cost effective than trying to fix the problem after the fact.

Providing children with personal safety education has the effects of not only building resiliency in children and young people and reducing their vulnerability to sexual exploitation, but it can foster a cultural environment in organisations that they are proactive in preventing sexual harm to children.

Programs like Bravehearts’ *Ditto’s Keep Safe Adventure School-based Program* have the overall objective to help educate children in the fundamental principles of personal safety in a gentle, non-confronting way, using language and concepts that children, teachers and parents can feel comfortable using. The main aims of these programs are to provide teachers, children, and parents with appropriate language to discuss the topic of personal safety comfortably, assist children with the development of resiliency and protective factors, and empower children to disclose information on any unsafe situation.

The promise of child sexual assault and child abuse prevention is that it effects savings in several important areas. The most obvious savings are, of course, in the lives of the children who will not suffer the devastating effects of sexual assault or child abuse. Beyond their benefit, we accrue both tangible and intangible dividends as a society. We benefit when children grow into their potential as full contributors to the life and fabric of society. Finally, through prevention we can save the staggering amounts of money spent annually dealing with the consequences.

Recommendation 6: The availability of specialised personal safety education programs for children and young people.
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# Attachment A: Realities of Child Sexual Assault

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## **General statistics on child sexual assault:**

### Prevalence:

45% of females and 19% of males have been the victim of 'non-contact inclusive' child sexual abuse and 39% of females and 13% of males have been the victim of 'non-contact exclusive' child sexual abuse (Goldman & Padayachi 1997).

It is estimated that 1 in 4 girls and between 1 in 7 and 1 in 12 boys are victims of sexual abuse (James, 2000).

Research has estimated that up to 45 per cent of females and up to 19 per cent of males have been victims of sexual abuse during their childhood. (Queensland Crime Commission, 2000)

Girls and boys of all ages are sexually abused and victims are sometimes toddlers, young children and even babies (NSW Child Protection Council, 2000).

13% of calls to the New South Wales Rape Crisis Centre were related to child sexual assault (Sun Herald, 8<sup>th</sup> January 2006. p.7).

Adult retrospective studies show that 1 in 4 women and 1 in 6 men were sexually abused before the age of 18 (Center for Disease Control and Prevention, 2006)

Research shows a staggering 45% of women aged 18-41 were sexually abused as children by family members (30%), friends or family friends (50%) or strangers (14%). 75% of the abuse involved some contact, most of which was shockingly severe (Watson, 2007).

A University of Queensland study found that 10.5% of males and 20.6% of females reported non-penetrative child sexual assault before the age of 16 and 7.5% of males and 7.9% of females reported penetrative child sexual assault before the age of 16. (Mamun, Lawlor, O'Calloghan, Bor, Williams. & Najman, 2007)

Australian Bureau of Statistics report that 25% of victims of 'all' sexual assaults reported are aged between 10 and 14 (Australian Bureau of Statistics, 2009).

Price-Robertson, Bromfield and Vassallo's (2010) summary of Australian prevalence studies estimates that four to eight percent of males and seven to 12 percent of females experience penetrative child sexual abuse and 12 to 16 percent of males and 23 to 36 percent of females experience non-penetrative child sexual abuse.

### Disclosure & Reporting:

A 1998 study involving 400 clients of Family Planning Qld, found 55% of all the women in the sample had experienced childhood sexual assault before the age of 16. Only 36% of those who had experienced assault had ever told anyone of those events prior to their disclosure during the study interview. Only 8 victims (3.5%) had taken legal action against their offenders and only five were aware of the outcome of those actions (two

offenders were convicted, two had no further action taken and one resulted in a criminal record only) (Queensland Criminal Justice Commission, 1999).

About half of the victims of child sexual assault never report the assault to another person and many do not disclose until they reach adulthood (Queensland Crime Commission, 2000).

Project Axis sought information from 66 non-government schools about their policies for dealing with suspected child sexual assault - only six had a specific policy in place. Of the 51 community groups contacted only three had established any policy for handling suspicions or disclosures of child sexual assault (Queensland Crime Commission, 2000).

169 child sex offenders who admitted having committed at least one sexual offence against a child later disclosed offences concerning 1010 children (748 boys and 262 girls) of which only 393 (38.9%) were reported to have been associated with official convictions (Smallbone & Wortley, 2000).

One in five parents who were aware that their child had been sexually assaulted did not report the assault (Smallbone & Wortley, 2000).

One in three people in NSW suspect a child they know has been sexually assaulted but 43% of those did not report the abuse to authorities (Department of Community Services, 2006).

One third of people surveyed felt they only had a minor role to play in protecting children (Department of Community Services, 2006).

78% of people surveyed had some hesitation about whether they would be able to identify abuse or neglect if they came across it (Department of Community Services, 2006).

#### Offenders:

The age profile of offenders in sexual assault varied with the nature of the crime. Overall 23% of sexual assault offenders were under age 18 and 77% were adults. Juveniles were a substantially smaller proportion of the offenders in forcible rape (17%) than in sexual assaults with an object (23%), forcible fondling (27%) and incidents of forced sodomy (36%) (Bureau of Justice Statistics, 2000).

International research suggests that sex offenders are generally older than most other types of offenders. The mean age of over 9,000 sex offenders was found to be 36 years (Hanson, Gordon, Harris, Marques, Murphy, Quinsey & Seto, 2002).

Most children know the perpetrator with studies estimating between 10-30% of offenders were strangers (National Child Protection Clearinghouse, 2005).

Non-biological family members (stepfather or mother's defacto) are disproportionately represented as child sex offenders. For example, Russell (1989) reported that girls living

with stepfathers were at a markedly increased risk: 17% had been sexually assaulted compared with 2.3% of girls living with biological fathers (National Child Protection Clearinghouse, 2005).

European researchers found that 78% of offenders charged with downloading or possessing abusive images had sexually assaulted children prior to, or soon after viewing images. On average, each offender had assaulted up to 30 different children (Personal correspondence with Professor Freda Briggs 5<sup>th</sup> January 2006).

Female sex offenders are responsible for 6% of all reported cases of sexual assault against children (ChildWise study, cited in The Australian, 7<sup>th</sup> March 2006)

Men were by far the greatest perpetrators of sexual assault, responsible for 663 cases compared to only 63 (8.7%) by women (Department of Child Safety, 2007).

For the offence of sexual assault 34% of defendants were aged 45 and over (Australian Bureau of Statistics, 2007)

### Impact

Adults abused during childhood are:

- more than twice as likely to have at least one lifetime psychiatric diagnosis
- almost three times as likely to have an affective disorder
- almost three times as likely to have an anxiety disorder
- almost 2 ½ times as likely to have phobias
- over ten times as likely to have a panic disorder
- almost four times as likely to have an antisocial personality disorder (Stein, Golding, Siegel, Burnam & Sorenson, 1988)

Young people who had experienced child sexual abuse had a suicide rate that was 10.7 to 13.0 times the national Australian Rates. A recent study of child sexual abuse victims found 32% had attempted suicide and 43% had thought about suicide. (Plunkett, Shrimpton & Parkinson, 2001)

It has been well-documented that the sexual abuse of children has a range of very serious consequences for victims. Zwi et al. (2007) list depression, post-traumatic stress disorder, antisocial behaviours, suicidality, eating disorders, alcohol and drug misuse, post-partum depression, parenting difficulties, sexual re-victimisation and sexual dysfunction as some of the manifestations of child sexual abuse among victims.

Young people who had experienced child sexual abuse had a suicide rate that was 10.7 to 13.0 times the national Australian rates. A recent study of child sexual abuse victims found 32% had attempted suicide and 43% had thought about suicide (Plunkett & Shrimpton, 2001).

Young girls who are sexually abused are 3 times more likely to develop psychiatric disorders or alcohol and drug abuse in adulthood, than girls who are not sexually

assaulted. (Day, Thurlow, & Woolliscroft, 2003; Kendler, Bulik, Silberg, Hettema, Myers, & Prescott, 2000 )

Among male survivors, more than 70% seek psychological treatment for issues such as substance abuse, suicidal thoughts and attempted suicide. (Walrath, Ybarra, Holden, Liao, Santiago, & Leaf, 2003)

A University of Queensland study found that women who experienced penetrative child sexual assault had on average a significantly higher body mass index (Mamun, Lawlor, O'Calloghan, Bor, Williams, & Najman, 2007)

Compared to those with no history of abuse, annual health care costs were 16% higher for women who reported childhood sexual assault. (Bonomi, 2008)

Women with a history of sexual abuse were more likely to use mental health services, pharmacy services, primary care services and speciality care. (Bonomi, 2008)

Access Economics, Monash University and the Australian Childhood Foundation found that child abuse costs the Australian community between \$10 billion and \$30 billion each year (Australian Childhood Foundation media release, 3<sup>rd</sup> September 2009)

Rates of suicide was significantly higher for child sexual assault victims than comparison groups, with child sexual assault victims 18.09 times more likely to commit suicide (Cutajar, Mullen, Ogloff, Thomas, Wells, & Spataro, 2010).

Rates of accidental fatal overdoses was significantly higher for child sexual assault victims than comparison groups, with child sexual assault victims 49.22 times more likely to commit suicide (Cutajar, Mullen, Ogloff, Thomas, Wells, & Spataro, 2010).

Although most (77%) child sexual assault victims did not have an official criminal record, child sexual assault victims were 4.97 times more likely than their peers from the general population to have been charged with an offence and this difference remained significant for both male and female victims (Ogloff, Citajar, Mann, & Mullen, 2012).

# Attachment B: Article submitted to Catholic Leader

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## A New Nirvana

Silence, Secrecy and Shame (the three S's) are the sex offender's best friend and the child's worst enemy. The three S's have been coveted and nurtured within our Churches, and therefore our culture, for centuries.

The time has now come to head down a different path.

For a person who has a sexual attraction to children, a place where they can live and work without having to endure the pretence of a wife, a family and a white picket fence is bliss. It is a place where those in the greatest need, the most vulnerable children and families in society, are drawn. It is a place where people believe completely and do not question. It is a place that is respected and does enormous good work in the community. A place that is trusted. It is in this place that children frequent because their parents and carers are confident that they will be safe from harm.

For the paedophile, this is Nirvana.

In this place the offender enjoys the trust and respect of the community and of his peers - he not only fits into this society, he is revered. Here he will enjoy unfettered access to respect, faith and vulnerable children - and he will abuse all of it without a moments thought.

For many such offenders, the Catholic Church was such a place.

And if he does get caught, if a child, a parent or a peer does disclose, he can rely on this Institution to protect him. It must do so to enable the continuance of its good works and to protect the reputation of its good priests, nuns, parishioners and others who are the overwhelming majority within its ranks.

It is at this point that issues' of faith, morality, religion and culture are relegated to the backburner to make way for issues of finance, law and business - a thing I call *Jesus Incorporated*. It is at this point that the ugly and shameful subject of child sexual assault, the guilt, the fear, the victims loyalty to the church - particularly when compounded with a powerful and aggressive opponent in the all-mighty *Jesus Incorporated*, take over - together they will surely silence all those who would threaten the bank balance or the perverse sanctity of this cruel denial and ostracism.

No wonder then that the Catholic Church has attracted so many offenders over so many decades - and so much distain.

But it is not the religion; it is the business culture that has nurtured them.

The toxicity of *Jesus Incorporated* has bled as though through blotting paper into the veins of the enormous good works and the tens of thousands of good people of the Catholic Church.

It is not just critical for Catholics and Christians generally that the Catholic Church regain its credibility and pride, it is critical to the whole of our society. It is time the

good priests, nuns, parishioners step up to the plate and stand squarely, proudly and publicly in the corner of the child. In doing so they will attract the unbridled admiration and support of the general community.

Times have changed and the Church simply must change with it. People expect more. The truth is that we all need more. There is a huge festering hole in the soul of our nation that is crying out to believe again. To believe in humanity, to believe in good, to be proud to belong – to again find hope and faith - without ridicule.

We need a Church with a failsafe moral compass, a transparent and pro-active advocate for a future where children and human dignity are protected as a matter of priority.

The time has come for all of society, our churches, our organisations and our families, to protect our 'reputations' by believing, supporting and defending the children and ousting the offenders - the reverse of what has been our past response.

Nothing less will honour the sanctity of childhood and the importance we must all place on our duty to defend it, without exception, every time – no matter what.

Our Society needs a strong Christian faith – it is the glue that sticks us together.

Our culture is based on Christian values; it is imbedded in our laws, our culture and our moral compass; but it is under enormous threat. At no time before has all of this been under so much pressure than now, not just in Australia but all over the world.

Importantly, it is also now, more than ever, that we need the churches strong – our moral compass is in danger of losing direction completely.

We all need the Catholic Church to rebuild its reputation and reclaim a proud place in our society.

My experience with those harmed by clergy and otherwise by sexual assault in religious settings over my sixteen years of working in this field, has been that it is not money the victims want.

First they come asking for belief, for support, for comfort but when that is denied, when they feel abandoned by their faith and feel ostracised by their God, the despair and anger starts to creep in.

It is at this point that they have every right to feel violated, not only by the offending priest, but also by the church (under the guise of *Jesus Incorporated*) and by their faith.

There is very little left to hang on to at this point, except anger and retribution – or death.

There is no greater power than that vested in the person that holds our personal belief system and soul in their hands. With this gift comes an equally powerful responsibility. The time has come for the Catholic Church to exercise this responsibility and throw open its doors to accountability and transparency.

The Catholic Church is in crisis all over the world but here in Australia we have an opportunity to reverse this trend. Here the Church has an opportunity to lead the way to the future, a future grounded in transparency, and pro-active responses to this issue.

Here the Catholic Church has an opportunity to contribute to making Australia the safest place in the world to raise a child. It has an enormously crucial role to play. The question is, will it be ready to face the future or will it stubbornly bury its' head in the past.

On behalf of all the children of Australia I hope the Catholic Church will embrace a future built on the moral teachings of its Bible.

We can build a new Nirvana – this time for the 59,000 Australian children who be sexually assaulted each year and who are relying on the Catholic Church to get this right.

Hetty Johnston  
Founder and Executive Director  
Bravehearts Inc.