

Inquiry into the Handling of Child Abuse by Religious & other Organisations

Submission by the Islamic Council of Victoria
15th April 2013.

Acknowledgements

Thank-you for the invitation to make a submission to the 'Inquiry into the Handling of Child Abuse by Religious and other Organisations. We welcome the opportunity to comment on the Inquiry into the Handling of Child Abuse by Religious and other Organisations with reference to the Victorian Muslim community and believe it is long overdue.

Members of the Executive Committee of the Islamic Council of Victoria have put this submission together. We would like to acknowledge the support and open dialogue that has taken place in the Muslim community over a very short time frame to collate information for this submission. We are aware of its shortcomings and look forward to the opportunity to review this document, consult more extensively with our community, and compile research that is relevant to understanding the Handling of child abuse by religious and other organisations within the Muslim community.

We acknowledge that our presentation at this inquiry might be confronting for some members of our own community given the sensitive nature of the topic concerned, but we believe it is imperative we prioritise the protection of children from abuse and ensure the provision of effective services to adults and or children who have experienced child abuse. One child abused is one too many.

We acknowledge that there is a great deal more to learn about the Handling of child abuse within Muslim based community organisations. We view this submission as the first in a line of discussions and discussion papers that will be presented before the Family and Community Development Committee on the topic of handling child abuse within the Muslim community.

Statement of Sympathy

The Islamic Council of Victoria wishes to express its deepest sympathies to the adults of all faith based, ethnic and indigenous communities who experienced significant abuse, neglect and trauma whilst in the care of institutions that were set up to “protect” them when they were children. We acknowledge that the system of care lacked the necessary structures and support to keep children safe and as a result many children were mistreated and abused. We also acknowledge that the absence of structures in place to allow victims of abuse to report the abuse and have it handled properly by the authorities at the time. We believe their stories of abuse are true. We pray that these individuals regardless of faith or cultural background can find the strength to disclose their stories if they believe this is the best thing for them, and get access to the type of support they need to heal and move forward in their lives.

We also hope that the victims of child abuse can find support and acceptance from the Muslim community. We encourage victims of child abuse from within the Muslim community to come forward and approach the relevant agencies to be heard, to be believed and get access to the professional care you deserve.

A brief overview of organisations within the Victorian Muslim Community

The Islamic Council of Victoria ('ICV') is the peak body for Muslim organisations in Victoria. The ICV represents Victoria's more than 90,000 Muslims, through its 47 member and affiliate organisations located throughout metropolitan Melbourne and rural Victoria. There is a total of 152,000 Muslims living in Victoria, which is 33% of the total number of Australian Muslims and 2.8% of total Victorian community.

The ICV is a peak umbrella representative body formed 40 years ago to advocate on behalf of member societies and the Muslim community at large and for such enquiries.

The traditional and overwhelming majority base of members are mosques and Islamic centres and recently new specific causes such as homelessness, foster children, concert support, youth and women's groups have taken up affiliate membership. The ICV liaises with all major groups and areas in the Muslim community, such as schools and in particular with the Victorian Board of Imams.

Institutions within the Muslim community

For the purpose of this inquiry, the institutions that are related to the 'terms of reference' are:

Religious Organisations

- Mosques.

Non-government Organisations

- Islamic Schools (P-12)
- Religious Weekend schools
- Youth groups and organisations

General comments regarding victims of Child abuse.

1. The Islamic Council of Victoria has no record of contact by any single adult who has experienced child abuse whilst in the care of State or Church based institutions. Consultations within the community have revealed there are members of the Muslim community today who experienced child abuse whilst in the care of the State or Church based institutions. We believe this enquiry will seek to address the handling of child abuse as pertaining to those organisations and that submissions have been made by those organisations.

2. The Islamic Council of Victoria has no record of contact by any single adult who has experienced child abuse whilst in the care of religious organisations in the Muslim community or other non-government organisations within the Muslim community. Consultations within the community have revealed there are members of the Muslim community today who have experienced child abuse whilst in the care of some organisations within the Muslim community.

At this time we do not have documented evidence from specific victims but we hope that in bringing to light the anecdotal evidence we have, that this will pave the way for victims of child abuse to be heard and supported and that organisations both religious and non-government within the Muslim community be supported to further develop and implement practices and policies that significantly minimize the the risk of child abuse occurring to another Muslim child again.

Mosques

- Mosques in the Muslim community are independently operated.
- Each Mosque will have its own committee of management.
- Each committee of management serves a term and members of that particular mosque elect them into those positions.
- There is no clergy structure within Islam.
- The committee of management who are community members appoints the Imam of each mosque.
- The functions of the Imam in his respective congregation is to lead the prayer in the mosque, lead the congregational prayer on Fridays, celebrate marriages, attend other ritual celebrations such as births, Islamic festivals, resolve disputes between community members, provide advice and spiritual counselling and perform funeral and burial rites.
- Most Imams are married with children and work outside of the mosque setting to support their families.
- Some Imams are full time employees of the mosque.
- Some Imams volunteer their time full time to the service of the mosque.
- Imams are directly accountable to the committee of management.
- There is no confessional structure in Islam.
- Imams are not bound by any form of confidentiality to conceal the actions of a perpetrator of child abuse or any other crime. It is possible they might take a personal decision to keep a crime hidden, but Islamically the emphasis is on 'restoring the harm' to the victim, even if this means advising the perpetrator to hand themselves into the police.

Practices that reduce the risk of the mishandling of child abuse cases.

- Should an allegation of child abuse occur, the risk of a cover up would be slim because members of the mosque committee change over every few years and they are members of the public. This type of information would be difficult to conceal and committee of management are not tied to or accountable to any hierarchical religious structure.

- The committee of management in mosques and the Imams have very little direct contact with children and if they do it is in the presence of the child's family members.
- Imams are directly accountable to the committee of management. Imams can be terminated from their position for misconduct. They are not reassigned to another mosque. However should a complaint occur similar to any employee in any organisation, Imams may move states or countries and try to get a job in another community or mosque.
- There has been some improved over the last 5 years as Imams have been offered training by various organisations around topics such as child protection, domestic violence, adolescent development. The Imams are very open to such training but they are 'time poor'.
- The Islamic Council of Victoria works closely with the Board of Imams (BOI) providing them support where possible.

Practices that increase the risk of mishandling of child abuse cases.

- We know the majority of Imams in Melbourne have had no training in human services, child protection, counselling, psychology, social work, pastoral care, despite them fulfilling duties that would align them with many of the above disciplines. We believe that lack of formal education and training about child abuse and many of the other social issues affecting the Muslim community are not handled appropriately. Not because of ill-intent, rather a lack of information and education and training across these areas. We believe if child abuse cases came to the attention of Imams, victims or victim's families may not be given the most accurate advice or referred onto other social service agencies that are best suited to provide support.

Policies within mosques to handle allegations of Child Abuse

- Should an allegation of child abuse occur, we speculate there are no policies in place that would support effective handling of this type of crime.
- We suspect few Imams would have a working with children check.

Non-government organisations

Islamic schools

- Islamic schools have policies and procedures in hiring of staff and making the appropriate police checks of their staff that are registered teachers. Non-registered staff is also asked to comply with police and working with children checks.
- We acknowledge mandatory reporting requirements are in place in schools.
- We cannot be certain to the extent which every school follows these laws.
- Some schools review their mandatory reporting policies every year with staff and up skill their staff in this area to remind them of their responsibilities towards students.
- Child first Protocols Shared are in staff rooms, they have network drive access (access to online learning)
- Child first posters are around the schools, pinned in every staffroom
- Schools involve religious teachers in reviewing concepts of child protection but from an Islamic point of view, which emphasizes the right of a child to be safe from harm.
- Principals we consulted with believed it is important to set a precedent and expect strict adherence to these policies and procedures in handling allegations and incidents of child abuse. It is noted that we did not speak with all Principals in all Islamic schools. It is possible there are differences in how they adhere to the policies and procedures in the handling of allegations or incidents of child abuse.
- Teachers and counsellors are encouraged to bring allegations of child abuse directly to the school Principal who often takes the lead contacting Child First or DHS. Teachers and counsellors also contact Child first and DHS.
- The school leadership sets climate of professionalism in handling child abuse.
- Importance of creating a culture of child protection within school staff.
- Educating the parent community around reporting requirements. Ongoing parent engagement to reduce feelings of betrayal should DHS become

involved with a family. This gets worked through with educating parents and supporting them through the situation.

- Having male and female counsellors in the schools increase the likelihood of disclosure of child sexual abuse.
- We are aware that Islamic schools have relationships with local police should they need to report child abuse
- We are aware that Islamic schools have relationships with Child First should they need to clarify concerns about child's welfare or report child abuse.
- The majority of Islamic schools have Welfare and counselling teams assisting teachers and administrators to become aware of cases of child abuse and to provide referral or direct treatment to these children.
- All Islamic schools have a pastoral care and welfare team or welfare person that we would hope take some lead in addressing issues of child abuse should they be made known
- We would like to acknowledge the Islamic schools that we approached who were very cooperative with our request for information that has helped us put this submission together.
- Should an allegation be made about a staff member, schools have strict policies of managing severe misconduct. Operation level reported to the Board immediately.

We are aware that there is a need to consult with the following organisations regarding practices and policies regarding the handling of child abuse by the following non-government organisations within the Muslim community.

- **Religious Weekend schools**
- **Youth organisations**

Risk Factors

We would like to verify the presence of an array of factors that would increase the risk of child abuse occurring within the Muslim community. These risk factors are specific to the developmental stage of the Muslim community and the infancy of certain types of infrastructure within the community. Some of these risk factors are culturally specific and cannot be generalised across all Muslim communities, given our community is culturally and linguistically diverse.

The presence of the following risk factors that would make disclosure of child abuse very difficult for victims who are also Muslim.

- Many community members when asked do not believe that child abuse could occur within the Muslim community because it goes against the fundamental rights of a child as set out in the religion of Islam.
- Disclosure of abuse among the many Muslim communities that represent huge cultural and ethnic diversity is likely to be compounded by the impact of cultural and not religious imperatives arising from honour/respect, modesty and shame/embarrassment, which have a considerable influence on how children will behave, on what is acceptable to be discussed among families and what is not. These concepts are also likely to impact on how disclosure by a child to an adult is received, supported and pursued.
- There is not a shared understanding within the Muslim community as to the definition of 'child abuse'. Certain practices might be perceived as culturally acceptable and certain organisations may have provided their members with limited to no training around laws pertaining to child abuse or mistreatment. We believe Islamic schools are an exception to this point.
- This lack of clarity may also prevent child victims from disclosing until they reach an age whereby they come to identify the behaviour they might have experienced as a child as falling into the category of 'child abuse'.
- Child sexual abuse is perceived as so abhorrent a practice it is a taboo topic across many ethnic cultures of many people who identify as being Muslim. We would like to make the distinction that it is not a taboo topic to discuss as a Muslim.

- The risk of disclosure of child abuse decreases where there is greater taboo about the subject of abuse. The risk of disclosure increases where the topic of child abuse, particularly child sexual abuse is not taboo and where the concept of “personal modesty” (awrah) is stronger.
- Concepts of corporal punishment differ across cultures
- The Muslim community is under-resourced when it comes to social services and also when it comes to advocates for an array of social problems faced by the Muslim community.
- Lack of Muslim Professionals in the areas of Psychology, Social Work, Child Protection, human Services are not there to act as advocates and community educators around topics such as child abuse, domestic abuse,
- New and Emerging infrastructure that has placed more emphasis on construction of buildings rather than investment into people resources, such as student welfare teams or social service personnel.

Protective factors

- No taboo in Islam when it comes to addressing child abuse or educating community members about it.
- It is common practice that Protective behaviour concepts are taught to many children when young about personal and private body space linked with the concept of modesty (“awrah”).
- The varied practices of segregation between genders reduces the opportunity for predators of children to be alone with them. We are well aware it does not completely eliminate risk.
- Most Islamic schools have instituted qualified counsellors or Psychologists who are more familiar with concepts of child abuse and who are in a position to commence the development of services to educate staff and families in keeping kids safe and providing them with appropriate support or referral should an allegation of abuse surface. It is to be noted that some schools do not have school counsellors and this is often related to schools being unable to fund these roles, not find the right professionals who are appropriately qualified for the job and the low priority given to these roles. Significant development in this area has taken place in the last 5 years.

Recommendations

Community Engagement

- We highly recommend more support be provided to the Islamic Council of Victoria to enable us to continue with Community consultations at various levels, to better understand the risk and protective factors associated with our community.
- The ICV believes it is important to better connect with Muslim Human Service professionals and other professionals who work with Muslim clients to further understand the barriers faced by clients and community members in regards to the handling of child abuse.
- The ICV believes it is important to continue the discussion with Muslim organisations, including Imams, youth group leaders, Islamic schools and weekend religious schools who work with Muslim children to further understand the challenges they face in the handling of child abuse.
- The ICV believes it necessary to support the development of better governance structures of mosques and member societies, which includes policy development around child protection and working with children legislation, emergency management and OHS.

Mosque Settings

- Policies and procedures to keep children safe and to report child abuse are absent from mosque settings. This needs to be addressed.

Islamic Schools

- Islamic schools in Melbourne's North have recently commencing Inter-Islamic school cluster meetings between Principals of which one objective is to share policies and procedures. This would also include the sharing of policies and procedures between the Islamic schools that have been successful in creating a school culture that ensures the responsible handling of allegations and incidents of child abuse. We would like to see these type of cluster meetings between Islamic and or government or other independent schools in other regions.

Mainstream Social Services

- “Any increased understanding of other cultures by practitioners and policymakers does not remove one’s obligation to apply critical understanding to one’s own culture. In particular, it does not remove the need to reflect on eurocentric aspects of cultures from which most social work theory and practice originate. Alongside developing an understanding of Australian Muslims, diversity in adherence to Islam and the interplay between Australian and ethnic cultural practices, one needs to review the extent to which one’s own practice and policies may deter people from accessing relevant services.
- Mainstream social services don’t record religion, so we have no way of accessing accurate data about Muslims use of the social service sector.
- DHS does not record religion, so we have again no way of collecting accurate data of Muslim children who have been impacted by child abuse and are a) in DHS care or b) in the DHS system.
- Cultural competence training among mainstream social services to work to effectively engage and work therapeutically with Muslim communities and Muslim community members.
- Cultural competency training should be offered at all undergraduate university training programs (Human Services, Psychology, Social Work, Youth Work, Community Services).
- There are very limited social services providing direct services to the Muslim community especially as it pertains to supporting victims of child abuse.

Muslim Social Services

- There is a dearth of social services within the Victorian Muslim Community. There is a significant shift in the Muslim community, particularly a trend with the 2nd & 3rd generation is away from bricks-and-mortar type investments and towards social services. The ICV tends to auspice and partner individual events and programs as support to communicate their message to the wider community. The demand and interest from Muslim women are ever increasing. This has shaped and will continue to shape the nature of future social services within the Muslim community. We need to continue to investigate the feasibility of social services within the Muslim community.

- Closely linked to advancing social services in the Muslim community is community education around the importance of young people taking up social service oriented training and professions. These community members act as bridges between professions and communities that have not greatly been engaged in the service system. More Muslim social workers, child protection workers, Psychologists, Mental health and human service professionals do translate into increase uptake of services offered from those professions.
- The ICV will be shortly commencing (April 2013) a Support Office role that will be able to provide information and referral for Muslim women and families in crisis and will be a central point of contact for Muslim victims of child abuse.

Research

- Australian Research documenting evidence of Muslims who have been abused when they were they children in State or Church Based care.
- Australian Research documenting evidence of Muslims who have been abused when they were they children in Islamic organisations within Australia.
- Australian Research investigating child abuse within Muslim communities in Australia
- Australian Research investigating barriers towards disclosure of child abuse, including child sexual abuse within the Muslim community

Supporting Muslim Victims of child abuse.

- Increased community awareness programs of child abuse, prevention and intervention strategies.
- An Information kit for victims of child abuse be made available through the Islamic Council of Victoria informing them of their legal rights and of avenues to access culturally competent social services.
- Better coordination of social services and advocacy around child abuse that pertain to Muslim community members.

Muslim Community Engagement in the Inquiry.

One needs to review the extent to which this committee's own practice and policies may deter communities from contributing to the Inquiry itself.

We are aware that the Family and Community Development Committee found it difficult to gain submissions from the Muslim community. We recommend a meeting between the FCDC and the ICV to look at the potential barriers and processes to aid inclusion.

After communicating with your office on several occasions that we would be making a submission to this inquiry, we did not find it acceptable to be contacted again and being threatened with a subpoena to make a submission. We do not consider this relationship building.

We would like to also recommend greater preparation time be given to volunteer religious or other organisations to consult with their community organisations and be able to invite members who have been affected by child abuse, the time to make their own submission or contribute to the Islamic Council's submission. Advertising in mainstream tabloids is not an effective way to engage CALD community member or CALD organisations participation in this submission.

Prepared by Executive Committee members of the Islamic Council of Victoria.

15th April 2013.