



## **ATTACHMENT 2**

**THE SCOUT ASSOCIATION OF AUSTRALIA  
VICTORIAN BRANCH**

**YOUTH PROTECTION PROGRAM**

**By the**

**BRANCH PERSONNEL COMMITTEE**

Amended August 1994  
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## **INTRODUCTION**

1. The *Aims & Principles* of The Scout Association are set out in Policy Organisation and Rules: -

- 1.1 (1) The Aim of The Scout Association of Australia is to encourage the physical, intellectual, emotional, mental, social and spiritual development of young people so that they may take a constructive place in society as responsible citizens and as members of their local, national and international communities.
- (2) The Principles of Scouting, as identified by the Founder, are that Scouts should serve God, act in consideration of the needs of others and develop and use their abilities to the betterment of themselves and their families and the community in which they live.

Consistent with those objectives and with a growing community awareness of the existence of child abuse within society, the Association has developed the program described in this document, to help protect youth members against such abuse and to provide assistance if and when a case of child abuse is suspected or reported. The program builds upon pre-existing Scout procedures and practices, so that what follows contains much that will be familiar to many readers.

Like all human programs this one will benefit from regular constructive review. To assist in this, suggestions and criticisms are invited - they can be directed to the Chairman, Branch Personnel Committee, The Victorian Scout Centre, PO Box 190, Carlton South 3053.

## 2. **GUIDING POLICY**

The Victorian Branch of the Association has enunciated the following policies: -

### 2.1 **Youth Protection Program**

This policy is being implemented on the basis of an on-going and extensive awareness programme throughout the Branch. It will impact at both the adult and youth level and requires the strict adherence to the Code of Conduct for adults in Scouting.

### 2.2 **Policy Statement on Child Molestation**

#### 2.2.1 **Definitions**

For the purpose of this Statement: -

"Adult" includes any person of or over the age of 18 years who is a member of the Association, or currently seeking to become a member, or who takes part in activities of youth members in any capacity. The term is not restricted to uniformed personnel or to those holding officially recognised positions in echelons of the Association.

"Child" includes any person under the age of 18 years at the relevant time.

"Youth Member" includes any child who is or was a member of the Association or who is or was attending Association activities.

- 2.2.2 The Association and all adults have an obligation to protect children against molestation or abuse, including sexual abuse by adults.

- 2.2.3** The Association and all adult members of the Association will endeavour to ensure that this obligation is observed particularly in respect of members of the Association or people reasonably regarded as closely linked to the Association.
  - 2.2.4** Should adults form a belief, by indicators shown by a youth member, such as physical signs or changes in behaviour or is confided in that abuse had taken place outside Scouting, the guidelines as set out in paragraph 2.3 are to be followed.
  - 2.2.5** It is important to put the rights of children first, whilst recognising the rights of others (including the presumption of innocence, rights under the laws of defamation and the rules of natural justice). This policy is intended to provide guidance on how the obligations can be met and the rights of individuals balanced, if and when they conflict.
- 2.3** Recognising that accusations or suggestions of improper conduct are easily made and that the reputations of innocent people can unjustifiably suffer detriment as a result, and also recognising that few people have ready knowledge and experience to equip them to investigate and finally determine any such allegation, the following guidelines are laid down for all adult members of the Association: -
- 2.3.1** Any report or allegation of child molestation or abuse made against an adult is to be consciously and deliberately assessed by a member becoming aware of it.
  - 2.3.2** If it is not reasonably regarded as being without any foundation the member is to: -
    - 2.3.2.1** Report it to his or her Region Commissioner or to a higher echelon of the Association for assessment of any action that should be taken in pursuit of the obligation referred to at Para 2(a); and
    - 2.3.2.2** Report it to appropriate law enforcement authorities (Unless the case obviously does not warrant this step).
  - 2.3.3** In assessing what action, if any, should be taken, District, Region or Branch Personnel will have regard to: -
    - 2.3.3.1** The paramount need to protect the child concerned and other children
    - 2.3.3.2** The fact that neither the Association or its members can usurp the role of a court in determining guilt or innocence
    - 2.3.3.3** The rights and duties pertaining to various offices and bodies within the Association in ensuring that Scouting provides to children quality programs, under soundly trained and accredited leaders - including the rights and obligations to redeploy personnel from time to time; and
    - 2.3.3.4** The necessity for consultation (if practicable) with an individual who may be redeployed for any reason, and for genuine consideration of what that individual says before any decision is made.

- 2.4** In the absence of a court verdict, the Association will not make a determination on the truth or otherwise of criminal allegations, but ultimately the Association has the right, as well as the obligation, to insist that any particular person will not take part in Association activities, so long as principles of fairness and reasonableness are followed in reaching such a decision. The decision will be based on a determination of the best interests of the individuals concerned, the Association, and the community at large.
- 2.5** The Association will not deliberately conceal credible allegations of child molestation or abuse, or any other criminal behaviour, from law enforcement authorities in preventing, investigating and detecting any such matters.

### **3. PERSONNEL SELECTION**

It is not intended to describe here all aspects of personnel selection by the Association, but it is pointed out that, as a long-standing and basic routine, all adult leader candidates voluntarily undergo a criminal history check by the Victoria Police. This is now extended to other people who serve on District Personnel Committees.

The mere existence of a previous conviction for an offence, or of having previously been charged with an offence, does not disqualify a person from holding a position within the Association. Rather, an intelligent judgement is made, if such a matter is made known, on how the matter is currently relevant - this involves considering the age of the matter and events since then, the seriousness of the matter and (of particular relevance here) the nature of the offence alleged.

A good indication that a person has, as an adult, been a participant in abuse of one or more children, contrary to community standards, will render that person ineligible for any role in Scouting.

Those responsible for appointing adults to positions in the Association are not to differentiate between positions, when this area is under consideration, as experience indicates that inappropriate people can readily move from one position to another once inside the organisation, so as to negate attempts to restrict them to so-called "safe" or "non-youth-contact" positions.

### **4. PERSONNEL TRAINING**

The issue of child abuse and youth protection is to be considered for inclusion at the time any training course is being planned, and when any special conference of adult members of the Association is being arranged. In particular, the topic will be opened at each Introduction to Scouting training course.

Region and District Commissioners are encouraged to have the topic, and this document, discussed at least once each year at leaders' meetings, so that all leaders become aware of the Association's approved policies, practices and protective steps, and can contribute to their on-going enhancement.

### **5. CODE OF CONDUCT FOR ADULTS IN SCOUTING**

The Victorian Branch has approved the following Code of Conduct for Adults in Scouting: -

**The basis of adult conduct is the Scout Promise and the Scout Law.**

The purpose of Scouting is to encourage the physical, intellectual, emotional, social and spiritual development of young people. This is achieved by the example and guidance of dedicated men and women who help the youth members in the fulfilment of the Scout Promise and Law, so that they become constructive and responsible citizens.

It is expected that this Code of Conduct will be strictly observed by all adults, uniformed and layside, who work within the Scout Association, recognising that at all times they should act responsibly and exercise a "duty of care" to the youth members.

The fundamental principles, upon which stands our Code of Conduct, are-

- ◆ *Adults in Scouting* respects the dignity of themselves and others.
- ◆ *Adults in Scouting* demonstrate a high degree of personal responsibility, recognizing at all times that their words and actions are an example to other members of the Movement.
- ◆ *Adults in Scouting* act at all times in a manner consistent with basic Scouting principles, thereby setting a personal and appropriate example for all to follow.
- ◆ *Adults in Scouting* do not, within the Movement, promote their own beliefs, behaviours or practices where these are incompatible with basic Scouting principles.
- ◆ *Adults in Scouting* act with consideration, good judgement and high moral ideals in all their interpersonal relationships, both inside and outside Scouting.
- ◆ *Adults in Scouting* respect the absolute right of each individual to personal privacy at all times. They take special care where sleeping, changing of clothing; bathing and ablutions are associated with any Scouting activity.
- ◆ *Adults in Scouting* avoid unaccompanied and unobserved activities with youth members wherever possible. Remember "in sight - out of hearing".
- ◆ *Adults in Scouting* for their own protection, should avoid potentially compromising situations by ensuring, where reasonably possible, that at least two adults are in attendance whilst supervising and/or accompanying youth members. It is recognized that, in certain circumstances, it may be necessary for a leader or adult whilst acting responsibly and exercising "duty of care", to be alone with a youth member.
- ◆ *Adults in Scouting* realize that bullying, physical or verbal abuse, neglect or any other type of abuse, represents totally unacceptable conduct by any member of the Movement.

Note. All Adults are required to abide by the policies of Scouts Australia.

It is recognised that, in certain circumstances, it may be necessary for a Leader or adult, whilst acting responsibly and exercising their "duty of care", to be alone with a youth member. However, adults in Scouting should avoid potentially compromising situations by ensuring, where possible, that at least two adults are in attendance whilst supervising and/or accompanying youth members.

A copy of the Code of Conduct has been printed on the reverse of the "Authority to Act as a Leader" certificate, which is presented to each newly inducted adult leader.

A copy will also be provided to each Group in a form suitable for public display. Groups are encouraged to have the Code displayed in each Scout hall (or other meeting place) where leaders, especially will see it.

## **6. CHILD ABUSE PANELS**

The Victorian Branch has resolved to establish a Child Abuse Panel.

This body will consist of experts from a range of appropriate disciplines who can act individually or collectively as a resource and reference point for any member of the Association, whether adult, youth member or family member, on child abuse issues.

The Panel can provide guidance, counselling or information to help people confronted by doubts, suspicions, allegations, or actual cases, concerning child abuse. It will wish to be approached where Leaders, Group Leaders or District Commissioners do not know what to do about any such situation they have encountered.

## **7. PARENT'S GUIDE ON CHILD ABUSE PROTECTION**

The Association has produced an excellent booklet titled as above.

A copy of this booklet is provided to each family by the relevant Group Leader at the time each newly-inducted youth member receives his or her certificate of membership (or sooner).