

**SOUTH EASTERN CENTRE AGAINST SEXUAL ASSAULT SUBMISSION TO THE INQUIRY INTO THE HANDLING OF CHILD ABUSE BY RELIGIOUS AND OTHER ORGANISATIONS**

**Introduction**

SECASA has been in existence since August 1977. It provides a 24 hour service for victim/survivors of sexual assault and family violence. During the past 35 years, there has been considerable involvement with victim/survivors of child abuse in religious and non government institutions. In particular, SECASA was involved with the Oakleigh Parish and the assaults perpetrated by Kevin O'Donnell. This included running Public Forums and groups for the parishioners who had been affected by their children being assaulted and some of the children and young people. In addition, the agency was involved with the Holy Family School and a number of children with allegations against their local priest who was associated with and attended the school.

During the submission period for this Inquiry, SECASA has had material posted on its main website, which receives between 350,000 and 400,000 unique visitors a year, to assist people in making submissions. In addition, we have offered a same day appointment for anyone requiring assistance with their submission and have aided a number of clients with this process.

**Current policies, protocols and frameworks**

There are a number of policies, protocols and frameworks in place that should provide protection for children, including mandatory reporting under the Children's Youth and Families Act (2005) and the Working With Children Act (2005). In particular, we note:

1. Child sexual assault is a criminal offence. Many professionals are now legally required to report child abuse. The mandatory reporting provisions should be extended to include ministers of religion and all other religious personnel. It should also include child sexual abuse allegations that are made in the confessional. This reporting duty should not just apply to the wider religious or spiritual organisation, but should include information received during confession.
2. Working With Children Checks (WWCC) have been in operation for six years. Many organisations automatically request a WWCC. Section 27 of the Working With Children Act 2005 provides that a "parent engaging in work as a volunteer in relation to an activity in which his or her child is participating or ordinarily participates is exempt from a working with children check in respect of that activity."
  - a) This exemption should be removed, especially given the suggestion above that mandatory reporting provisions should be extended to include ministers of religion and all other religious personnel, many of whom are married with children and would not need a check under those categories if their own children were involved in the activity. Parents should have a WWCC if they volunteer in activities, even where their children are involved as well as other children.
  - b) All ministers of religion and religious personnel should have a Working With Children Check. Attendance at religious ceremonies is mostly a family affair. It would be rare for there to be a minister of religion or spiritual leader that is not in contact with children as part of their congregation. Ministers of religion and spiritual leaders occupy a position of care, authority and supervision by the nature of their standing in their communities. It is essential that the organisations with which they are involved demonstrate their understanding of such people's unique standing with their congregations by providing a visible secular indication of their confidence in them.

**South Eastern Centre Against Sexual Assault is a service of Southern Health**

## **Support for Victims**

- 1.Support for victim/survivors should be offered via the fifteen Centres Against Sexual Assault across Victoria. It is in fact already offered. During the course of the publicity for the submission process, CASAs have been prioritising clients who either needed assistance with their submission or who have been distressed due to the constant publicity triggering memories of their own abuse. This process could continue for a period of time whilst the Inquiry is progressing and victim/survivors' distress may be triggered by media coverage and attending hearings.
- 2.SECASA will continue to provide a rapid response for victims of abuse by religious and spiritual leaders and those involved with other non government organisations.
- 3.The majority of SECASA's clients attend to discuss historical matters. One in five of these victim/survivors are male.
- 4.All religious and other non government organisations should have a protocol developed with their local CASA. If a victim/survivor requires an approach that deals with faith issues, this should be negotiated between the two organisations. The danger of dealing with abuse "in house" is the tendency to protect powerful men, and on occasions women. Religious and spiritual beliefs provide a power base for leaders and they can be extremely difficult to challenge. Independent organisations are more likely to be able to provide assistance without any conditions attached.
- 5.The role of counsellors in religious and spiritual organisations should be to deal with crises of faith brought about by the situation.

## **Compensation and Reparation**

- 1.All victim/survivors who want compensation should be directed to the Victim of Crimes Assistance Tribunal (VOCAT). The Tribunal can award up to \$60,000 in Special Financial Assistance, loss of earnings and other categories. This would provide compensation in a secular system without any requests for confidentiality agreements.
- 2.The State should then bill the relevant organisation for the amount that has been paid out to the victim.

## **Prevention**

- 1.There should be programs across primary and secondary schools. The primary one should deal with personal safety for primary school children. The secondary school program needs to look at non-violent ways of relating and respectful relationships.
- 2.In 2010, SECASA produced, at their request, an Advanced Personal Safety Program for the Department of Education and Early Childhood Development (DEECD). This program was apparently intended to be put into the curriculum, but this has not yet occurred and there has been no advice as to when this might occur.
- 3.Across the State, there are a number of secondary school programs aimed at promoting respectful relationships? that operate successfully and have been evaluated. They are all funded inadequately. With appropriate funding, these programs could be turned into an effective statewide program dealing with prevention issues.
4. The CASAs would be interested in and able to provide training for any institution that requires awareness raising about childhood sexual assault. This could be done in collaboration with other community based agencies such as Childwise.

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20.9.12

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