

# TRANSCRIPT

## FAMILY AND COMMUNITY DEVELOPMENT COMMITTEE

### Inquiry into the handling of child abuse by religious and other organisations

Melbourne — 19 October 2012

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**Necessary corrections to be notified to  
executive officer of committee**

**The CHAIR** — Good afternoon. I would like to welcome our first witness this afternoon, Professor Chris Goddard from Child Abuse Prevention Research Australia for Monash University. Welcome and thank you very much for being before us this afternoon. There are just a couple of things I would like to run through with you before we ask for your presentation. All evidence taken by this committee is taken under the provisions of the Parliamentary Committees Act 2003, attracts parliamentary privilege and is protected from judicial review. Any comments made outside the precincts of the hearings are not protected by parliamentary privilege. Witnesses may be asked to return at a later date to give further evidence.

All evidence given today is being recorded. Witnesses will be provided with proof versions of the transcript. Please note that these proceedings are not being broadcast. Following the presentation, Professor Goddard, the committee members will then ask questions relating to the inquiry. I will now call on you to give a brief presentation. Thank you very much for supplying the supplementary information to us this afternoon. After your brief presentation of 30 minutes or so I will then open it up to members of the committee to ask questions.

**Prof. GODDARD** — Thank you for the opportunity to appear here today. I have been asked to provide information on five areas: the impact on people who have experienced abuse in religious and other non-government organisations; the prevalence of child abuse in the broader community compared to the prevalence in religious and other organisations; the level of awareness and the timing of the exposure of the problem; the findings of our research with Access Economics on the costs of child abuse; and finally, world's best practice. I intend to concentrate in particular on the first and last: the impacts and my views on best practice. This is because the material on prevalence, awareness and cost is freely available in reports and is more limited anyway, I think.

I will start with the impact. The short, medium and long-term impacts of child abuse and neglect vary widely. A number of factors affect those impacts. These factors are generally agreed to include the child's age and development; the types of abuse the victim was subject to; the severity, frequency and duration of the abuse; and the relationship between the victim and the perpetrator. The committee has asked me to provide my perspective on the impacts on those abused in religious and other non-government organisations, but let me start by saying research has consistently and repeatedly demonstrated the devastating impact of child abuse and the terrible consequences that last into adulthood. Child abuse, it is said, casts a very long shadow. Indeed there can be few shadows that are darker.

In brief the consequences of abuse include, as I am sure you are aware, physical health problems, attachment and psychological problems, developmental and educational problems, eating disorders, drug and alcohol problems, mental illness, homelessness, and of course later criminal and violent activity. Some children die of abuse. We are currently undertaking a study into fatal child abuse. There are a number of studies that link child abuse and suicide. Terrible evidence about this is being gathered in the Ballarat area by, for example, Judy Courtin.

The research on the impact of abuse in organisations is far less extensive. In my view it is important, however, to clearly differentiate between the impact of abuse in religious organisations and abuse in other non-government organisations. Most of the victims and families of victims of abuse in organisations that I have met have been those who have suffered in religious organisations and in the Catholic Church in particular. I think that abuse in religious organisations is what Joseph Guido, himself a Catholic priest, called a 'Unique betrayal'. He said:

The sexual abuse of children and adolescents by Catholic priests entails a violation of meaning as well as persons. Precisely because the priest is regarded by Catholics as an alter Christus, another Christ, his violation of a child or adolescent ... is also a violation of a sacred trust ...

I am not saying that one form of abuse is worse than another. I have, however, a firm opinion that the abuse of children and young people in religious organisations is truly diabolical because of the lasting and terrible spiritual damage. This is supported by the literature. The abuse of children by adults always rests on a power imbalance. The large number of offences by Catholic priests reflects an extraordinary power imbalance. The religious authority they possess allows them even to turn parents and families against their

own children. This has meant that many victims have had to attempt to deal with the abuse on their own, magnifying the impacts.

It is important to recognise that child-sex offenders are extremely cunning. Priests have used their positions to infiltrate families and gain access to children. They have used their knowledge of the families and the families' strengths and weaknesses to gain access to the most vulnerable children. This is one of the major reasons I believe there has been and continues to be such a long time period between offences being committed and reporting. Then of course when reports are made the Catholic Church in particular has shown that defending itself is more important than defending the victims. The impact on children, thus, is catastrophic. They are betrayed many times. They are betrayed by the priest or priests. In some cases that I know of they feel they have been betrayed by their families who had difficulty believing them. In some terrible cases the parents of victims have gone to their graves believing the church, not their children. In many cases they have been betrayed by the church's responses, as I have had said.

I would like to emphasise another factor: cognitive dissonance. This is when an individual's behaviour conflicts with beliefs that are at the centre of his or her identity. Imagine the cognitive dissonance and disharmony caused in the boy when the priest who repeatedly lectures on the immorality of homosexuality and masturbation is then the man who masturbates and rapes him. There is yet another aspect of abuse in religious organisations, and that is the impact of the sexual assault of children on the church community itself. There is much written about this by people like Paul Kline, from the Catholic Church in Boston. He made it clear that the ramifications of abuse in the church have been widespread amongst the broader community. He said the members of the community not directly affected have described the church as 'stained' and 'soiled', because of the church's responses.

Some of the common themes in our research, where we have done research with children and young people who have been abused in their families, are that they have reported their helplessness, their confusion, their feelings of being trapped, and their attempts to live with the abuse. It is my contention that children who are the victims of abuse by priests are also in the same position. They are hostages effectively to the abuse. Some of them remain hostages for many years. After all, terrorists and abusers use the same techniques. They use fear or terror to obtain compliance, they create isolating, hostile environments and they dehumanise their victims.

Gender influences also the type of abuse and neglect that children suffer. It is important to note that gender influences the type of perpetrator too. Girls are more likely to be sexually abused in the family while boys are more likely to be sexually abused by perpetrators outside the family and to have multiple male abusers. There are also other connections of course. Children who have been abused in the family are at increased vulnerability to further abuse outside the family. In addition, children with disabilities are particularly vulnerable. In short, the impacts on children are devastating and destructive.

I would like to finish this brief reflection on impacts by quoting the words of the late Emma Foster, herself a victim of sexual abuse by a Catholic priest, whose history is well outlined on the 'Broken rites' website. I asked her parents' permission to quote Emma's words. They hope that her voice will assist the committee and other victims, and help protect children in future. She wrote:

I can't make anyone happy.  
I can't make myself happy.  
I'm lonely inside.  
I lie to myself to try and feel better.  
I can't concentrate.  
I never have energy to enjoy myself.  
I never have energy for anything.  
I hate myself.  
I hate the way I think and feel.  
I feel dirty.  
I feel ugly.  
I feel worthless and useless.

I feel my whole life is just a boring road to death.

This is the testimony of a victim, on the impact of abuse.

Secondly, I have been asked to provide background information on the prevalence of child abuse in the broader community compared to the prevalence of abuse in religious and other non-government organisations. As I said at the beginning, the information is limited, and I will only briefly summarise. In fact there is an excellent summary provided by the National Child Protection Clearinghouse. They say:

There has been no methodologically rigorous nationwide study of the prevalence or incidence of child abuse and neglect in Australia. There are, however, a number of recent studies that have either measured one or two maltreatment types in detail, or have superficially measured all maltreatment types as part of a larger study.

The resource paper then goes on to state what the problems are. The issues include the definitions used, the way the questions were phrased, the number of questions used, the population sample and so on.

In the work with Access Economics that we did, which I will return to, we found the best evidence of prevalence was drawn from the adults in the ABS personal safety survey in 2005. Interestingly there has not been another one since. The ABS personal safety survey found that the lifetime prevalence of child physical and child sexual abuse was almost 18 per cent, or just over 1 in 6 adults. It is important to note the reservations about this data though. The ABS survey only asked about physical and sexual abuse. They obviously could not include people who had died because of abuse, and they also excluded people living in institutions. There is always uncertainty about such data too, because so many of the victims are so young. The higher abuse rates of course are in the younger children, and it may be that such young children do not or cannot recall.

In conclusion, to my knowledge there have been no significant studies that have specifically separated out abuse in organisations. The police no doubt will have a wealth of such data, and it should be utilised in my view for urgently required research to increase our understanding.

I would now like to turn to the level of awareness of the problem of child sexual abuse. I am going to concentrate on awareness in the community again, because to my knowledge there is very little research on awareness in organisations. Over the last 10 years or so the Australian Childhood Foundation, in conjunction with our research centre and Quantum Market Research, has conducted a series of surveys which have sought to track community attitudes about children, child abuse and child protection. In brief, these studies have consistently and repeatedly highlighted that child abuse is poorly understood by the Australian public. The Australian public does not understand the true extent of child abuse and lacks understanding of the social and financial costs. In 2003, for example, child abuse was perceived as far less serious a problem than council rates. In 2006 child abuse was perceived as less serious than the rising cost of petrol.

One striking finding of the 2010 report, however, was the number of people who had seen a child that they believed had been abused or neglected. Twenty-six per cent of the respondents, or 1 in 4, had identified a child or young person who had been abused or neglected in the past five years. Twenty-one per cent of these involved child sexual abuse. Sixty per cent of the children, they said, were under the age of eight. Forty-four per cent of those seeing children had reported, while 16 per cent, however, did nothing.

Another significant finding was that people prefer always to turn away — what some American paediatricians have called ‘gaze aversion’. Twenty-eight per cent reported that they felt tense and anxious about even talking about child abuse, and nearly 60 per cent said they could not bear to look at pictures in the media of children who were abused or neglected. This is what contributes, in our view, to what we call the silencing of children. People tend to turn away.

There were other significant findings. Two in particular I think are worth mentioning. Thirty-two per cent of people believe that children make up stories about being abused, and there is also confusion about who perpetrates abuse. Some 17 per cent said that children were unlikely to know the perpetrator. The research

highlights, as we have repeatedly stated, the urgent need for community awareness and education campaigns.

Turning to the cost of child abuse, as we stated in our report with Access Economics and the Australian Childhood Foundation, in brief the costs are staggering. This is what makes a lack of concerted effort to protect children even more extraordinary. As before, I intend only briefly to summarise, as the report is widely available — for example, on the Australian Childhood Foundation website. In brief, firstly the report took a broad definition of ‘abuse’ and ‘neglect’ suffered by children and young people under the age of 17 and covered all five main types of abuse. The report was based on the prevalence of child abuse and neglect in 2007 — that is, the number of children who had experienced abuse and neglect in that year and whether they were abused for the first time in 2007 or also abused in previous years.

It is important to note that for this project we estimated the one-year prevalence rather than lifetime prevalence; therefore the cost is the annual cost associated. We estimated, or Access Economics estimated, the costs by adding government expenditure on child protection, health services and crime. The remarks I made earlier are relevant to this discussion. There are various sources of data on child abuse and neglect — government child protection services, health services, information from the courts, surveys and so on. All of these are difficult to compare, verify and validate. This is because they use different thresholds, differences in scope and different survey methods.

In addition only a proportion of child abuse and neglect that occurs is ever reported to child protection, so the data about substantiations always underestimate the extent of abuse. An example in the ABS data I referred to: 18 per cent of people reported that they suffered physical or sexual abuse before the age of 15. If this was converted to an annual prevalence rate, Access Economics estimated that 177 000 children would have experienced abuse and neglect in 2007. This is almost five times the reported substantiation rates.

In brief, the cost of child abuse and neglect incurred by the Australian community in 2007 based on these numbers was found to be \$10.7 billion. Access Economics said that it could be as high as \$30.1 billion in 2007. Even with this extraordinary figures, I believe that we still have not covered some of the costs — for example, the secondary trauma to those who work in the field, another of our research areas.

Finally, I would like to turn to best practice. Before I give my views on best practice I would like to recommend that the committee seek advice from Pam Krstic about the detailed worldwide analysis that she is undertaking. Pam works with Helen Last at In Good Faith. Pam suggests, for example, that there are some elements of practice that are being developed in Ireland that are to be commended. For example, there is reported to be a high level of coordination between statutory authorities, a high level of expert input and ongoing review, but then again there are reports once again that some bishops are not conforming. In the UK they appear to have invested a great deal, with some success, in the education and training of church personnel at all levels, from the local to the national. In summary, I have not seen any evidence that there is a practice anywhere in the world, however, that has completely addressed all the issues that need to be addressed.

In my view the starting point in the development of best practice has to be clarifying what our goal is. We are seeking to provide children with the best possible protection. To do that we need to fully acknowledge the vulnerability of children and the serious crimes that are committed against them. Best practice therefore, in my view, starts with crime prevention.

Crime prevention in turn should start with the recognition that children are perfect victims. Why they are perfect victims is well documented. The crimes are difficult to investigate. Children are unable to protect themselves. They often delay disclosure, sometimes for 20 years or longer, or reveal only part of the story. The perpetrators, as I have said, and the victims often have an emotional bond. The abuse crimes are not isolated incidents usually but often take place over time and increase in severity. In sexual abuse there may be no conclusive evidence. The crimes take place in private; there are rarely witnesses and so on. Children are often depicted as less credible or competent. And then of course our criminal justice system was never designed to handle the special needs of children. As I say, and as the US Department of Justice has said, all this makes children perfect victims.

The next stage in developing best practice must be to recognise that the criminals know everything that I have just listed; they also know how to subvert organisations. Ten years ago in June 2002 I wrote a piece for the *Age*, which I have given you, called 'Church needs the law of man'. I would like to quote from it:

There is a ghastly symmetry in the secrecy that surrounds the churches' responses to the rape and assault of children by priests and other employees. Churches — and other institutions, such as schools — provide boundless opportunities. Child molesters require privacy, power and secrecy in order to assault children ... The perpetrators must have power over their victims and they use that power both to commit the crime and enforce subsequent silence.

... In order to continue to assault children, the child molester needs to subvert the host organisation. Sadly, many organisations — especially churches — appear to have been only too willing to be subverted ...

There are many ways to turn an organisation on itself. A major weapon is to create confusion. With regard to churches and sex abuse, there is confusion about the procedures put in place and whether they commit victims to silence. There is confusion about what is a crime and what is a sin.

In the Catholic Church in Melbourne the confusion is well documented — for example, they appointed a so-called independent commissioner. I quote from their brochure:

In much the same way as a royal commissioner appointed by a government the commissioner will operate independently of the church. He will be subject to the rules of natural justice and the relevant provisions of canon law.

Please note 'canon law', not criminal law. They then set up Carelink, a counselling service for victims that was overseen by a man who had also appeared as an expert witness in defending priests. These are the expert witnesses who use words like 'paedophilia', meaning love of children, rather than 'child rape' and who talk of treatment of child rapists rather than punishment.

I would argue that a crime prevention approach would also closely examine the utilisation and efficacy of the current laws. I will quote again from my 2002 article:

There appear to be many opportunities for the full force of the criminal law to be brought to bear upon those in positions of power who have not taken reasonable steps to protect children. Surely, the bishop who has transferred from one parish to another a priest who is the subject of complaints has failed in his duty of care to the children of the next parish? Aiding and abetting, being an accessory after the fact, obstructing the administration of justice, compounding a felony, even criminal conspiracy, are crimes that would spring to mind if it were drug dealing or car theft that we were concerned about.

...

... If the lawyers tell us that none of these crimes apply, then we need to write new ones ...

It is extraordinary that the ghastly symmetry of the responses of the Catholic Church around the world are met with the disorganised and confused responses of our society. The lack of leadership, the lack of best practice, starts at the very top. If I can give one example, the federal government has been repeatedly insisting that we are going to take a public health approach to child protection. In brief, as many would know, a public health approach includes four major activities, the first of which is defining the problem through systematic data collection to establish the size, scope and characteristics of the problem.

In Australia we cannot be bothered even to take that first step. Every year the Australian Institute of Health and Welfare releases a report entitled *Child Protection Australia*. Every year on the first page of text there is a caveat that says something like this: 'In Australia child protection is a state and territory government responsibility. There are significant differences in how each deals with and reports child protection issues. Statistical comparisons between states and territories should therefore be treated with caution'. So we have different reporting laws and even different definitions of a child, as we are looking at in our research on child exploitation material on the internet.

Let me give you just two or three examples of this carelessness and confusion: physical abuse is 14 per cent of cases in Tasmania and 31 per cent in Victoria, and sexual abuse is 23 per cent of substantiations in Western Australia and only 5 per cent in the Northern Territory, where we have a federal government intervention.

The Cummins inquiry acknowledged that good public policy and planning must be grounded in high-quality information and data, particularly in a complex field like child protection. Together with the Australian Childhood Foundation we will be releasing a report on this so-called public health approach later this year. It is a deceit when there is no attempt to collect meaningful data. In fact federal, state and territory governments utilise the same tactics of confusion as used by the Catholic Church.

I would just like to briefly quote from another *Age* opinion piece I wrote 15 years ago called ‘Young voices silenced’, which I have supplied to you. This is about the terrible abuse suffered by children in care in North Wales in the UK and the resultant tribunal of inquiry, where I met some of the victims and some of the staff, and I also met the whistleblower, needless to say, who lost her job. Here too there were allegations that the police could have done more. Here too there were many suicides. I quote:

Only after 20 years of abuse ... are the vital questions being asked: what happened, why did it happen, why was it allowed to continue and how can such terrible abuse be prevented?

The similarities between what happened in North Wales, children’s homes and the Catholic Church here in Australia are chilling — the lengths organisations will always go to protect themselves, internal inquiries that are never released, the persecution of whistleblowers, insurance companies seeking to limit claims and so on. There was a beautiful sentence in the *Guardian* newspaper at the time. They described this as a ‘cult of silence’ surrounded by a ‘wall of disbelief’.

I was asked under point 3 to say something about the timing of the exposure of the problems of abuse in organisations. In my experience the silencing of children will always prevail until some passionate and courageous advocates are heard by one or two or more journalists, and only then does the ‘cult of silence’ and the ‘wall of disbelief’ get briefly breached. There is an urgent need, as we have repeatedly stated, for national prevention campaigns, national education campaigns, national reporting laws and a federal government children’s commissioner. We do not even have a federal government children’s minister. All of our responses, as I have said, are partial and tokenistic. Here in Victoria we have a children’s commissioner who is not fully independent. We have child death reviews that only review some child deaths. We have mandatory reporting laws that were introduced 20 years ago here in this building and have never been completed. Only if we have true national leadership, I believe, can we start to develop best practice.

The starting point also has to include creating opportunities for children and young people to have a voice. We need to create an atmosphere in which children’s voices will be treated sympathetically rather than disparagingly. There are programs like the Australian Childhood Foundation’s Safeguarding Children program, a voluntary accreditation scheme for organisations that have a duty of care to children when delivering services. Such programs should be extended and made compulsory because they recognise children’s vulnerabilities, they design and implement policies and procedures and train staff. I recommend again that the committee talk to Joe Tucci from the Australian Childhood Foundation. I would also highly recommend the work done by the NSPCC in the UK on trying to make organisations safe.

In conclusion, children are silenced in many ways. Until very recently we had many myths created by the perpetrators and their allies. Remember children were said to fantasise, children were said to be seductive, children were said to lie. The many ways of silencing children are outlined in the book I wrote with Neerosh Mudaly. The title of the book, *The Truth is Longer than a Lie*, came from a 12-year-old girl who had been sexually abused. She told us of her experiences of repeatedly trying to tell what was happening to her. I quote:

... that’s always the problem with these people, they don’t want to believe the truth, they just want to believe the easiest side, the side that is the simplest ... so then they get paid and go on to the next one and just pick the simplest out of that. They don’t want to hear the truth because the truth is so much harder to understand and so much longer than a lie ...

The truth about child abuse, in conclusion, in organisations or in families, is indeed longer than a lie. You asked me to speak about best practice; I believe this is an opportunity to create some — a national royal commission that would undertake national consultations and research, investigate organisations like the Catholic Church, summon witnesses, seize documents, offer indemnities to whistleblowers and cut through the confusion that is deliberately created by the perpetrators and their hosts.

**The CHAIR** — Thank you very much, Professor Goddard, for your presentation.

**Mr McGuire** — Thanks, Professor, for your insight and your dedication to this cause. If I could begin by going to the point you made that the Australian public poorly understands the extent and impact of child abuse, I would just ask you a few questions to help unpack this issue and give us some more information. What are some of the characteristics of perpetrators of child abuse? What are some examples of the manipulation and the tactics and the predatory nature used to elicit compliance with abuse and to ensure that it is not reported? Are there any processes that can help to counter such tactics, because that is obviously where this committee wants to get to?

**Prof. Goddard** — If I could start with the last first, I think there is a great deal that can be done in organisations in particular to ensure that there is some unity between the people they employ and the goals of the organisation. I do not think we do enough in that area. For example, there are some very good interviewing techniques for employers that are being developed by the NSPCC — and I can certainly give you the reference for that — where they try to get at the heart of why people want to work in the organisations. What is interesting about the NSPCC — this is the National Society for the Prevention of Cruelty to Children in the UK — is that they have actually used convicted sex offenders in some of their research and asked them how it was that they were allowed to continue to operate in organisations for so long, how they gained access to victims, what techniques they used and how they created confusion in the organisation.

I think that and the work the Australian Childhood Foundation does is a really good beginning. I think one of the problems that is created over and over again is that no-one actually knows what the response is supposed to be, and there is no clear responsibility. I think the other side of that too is that I still do not think we fully understand the lengths some perpetrators will go to. When I attended the North Wales inquiry I referred to, one of the most chilling things I heard there was a man who had been raping children in children's homes. He had been sentenced to seven years, and in jail he was learning braille. He was learning braille, obviously. Why? Because he was hoping that would enable him, when he was released, to gain access to a particular group of children. That is why I started best practice with crime prevention. If we had the same disorganised approach to drink driving or drug offences, there would be a public outcry. I do not know whether I have answered everything, but I do think there is a great deal we can do.

Some practical things: there should be independent visitors to children's homes; there should be independent assessments of organisations; there should be some compulsory training. I think that education and training of staff too often in organisations I have seen does not, for example, include management. Boards of management, if they are involved in providing services to children or families where children attend, need to understand what I have been saying about perpetrators. With volunteers, I think there is that idea that perpetrators will go to extraordinary lengths — sporting clubs, for example. One case that I was briefly involved in involved a man driving 150 kilometres, two or three times a week, to train children in cricket because he wanted to move out from the area in which he was known. Does that answer some of your queries?

**Mr McGuire** — I think that gives us a fair level of the predatory nature that you are talking about. Thank you. If we can have that report that you have identified, that would be a great contribution as well.

**Prof. Goddard** — Yes.

**Mrs Coote** — Thank you, Professor Goddard. I found that presentation very interesting and full of a lot of detail which is going to be very useful in our deliberations. You mentioned and quoted from *The Cost of Child Abuse in Australia* document that was prepared by Access Economics in 2008. On pages 28 and 29 there are two graphs. Those graphs talk about 'Children in substantiations of type of abuse by gender', and it goes back to 2006–2007. It talks about physical abuse and sexual abuse and then there is a

breakdown of Indigenous children which is also extremely interesting in a comparative sense. But I would like to ask about the clarity in the definition between physical and sexual abuse, as is obviously documented here, and going on to the answer that you gave to Mr McGuire just then about education and training. You spoke in your brief about the issues of education and training. In an organisation, with education and training, you suggest that management should also be included in that — as in volunteers. What would you actually suggest would be a good model of education and training in organisations — for example, new priests — and how would you therefore assess that? There are two parts to that question: the definition and then the actual training and the assessment of that training.

**Prof. GODDARD** — If I can talk about definition first and then come back to the training, one of the problems we have in our data — and I did not have time to go into it — is that the data that we have in Australia lacks coordination, and I actually spoke three or four weeks ago to the parliamentary group in Canberra, Parliamentarians Against Child Abuse, I think the group is called. The response there is that it is the states and territories responsibility to deal with child abuse. We do not take that view with problems like dementia, for example. Imagine the outcry there would be if adults could not get services in Victoria, but they could get them in the ACT? Families would be driving their parents over the border. So the definitions need to be clarified.

We also need to collect data which actually takes into account that children are rarely subject to one type of abuse and neglect. I do not know whether the situation is still the same here in Victoria, but one of the reasons I suspect that we have such high levels of so-called emotional abuse is because there is no category, or was no category — and this would have to be checked — for suspected sexual abuse. As a former child protection worker, we were allowed to record that we were investigating suspected sexual abuse; we did not have to call it something else. Similarly there is some sexual abuse that involves violence, and I think the evidence is fairly clear that male victims are often more violently treated. So we need clarity over that. We need far clearer definitions, far clearer labels; we need far better data.

To go back to trying to make organisations safe and how we measure that, I do not think we have done enough work on it to know clearly how we measure it. I think one of the things we need to do through providing the education and training and through building up those sorts of programs, is we also need some system of reporting. At the moment every organisation that I have ever had anything to do with prefers to hide what goes on in the organisation.

A point that I did not have time to make but I actually feel very strongly about, is the point about the bishop, for example, moving the priest to another parish — to six or seven other parishes. By doing that they not only allowed those priests to perpetrate crimes against children again, but by actually hiding what was going on, they deny us the knowledge that we should have. There must be, as other people have said, tonnes of documents about this. We need to have organisations that are made to be open about what happens. We need to have independent assessors. We actually need to encourage organisations and staff to come forward. At present we have very little idea what happens in many organisations. Sorry, I am not avoiding the question, but it is a very difficult question to answer.

**Mrs COOTE** — Can I just take as a long bow from what you have said that if in fact training practices were put into place in organisations that deal with children, that there is also some reporting of the outcomes from that, that they actually monitor that themselves?

**Prof. GODDARD** — Yes.

**Mrs COOTE** — The people who are the educators and trainers are actually doing some sort of analysis and evaluation of the success of their own programs. Is that what you are saying?

**Prof. GODDARD** — Yes. There would be independent assessment of their programs. But I also think that we have to have a system. Some people have said to me that a good system to examine — and I have never had time to look at it — is what happens with near misses in aircraft. As I understand it — and you would have to call a pilot — there is no blame attached. If something goes wrong, they are encouraged to report what has gone wrong and why it has gone wrong so that everyone can examine how they can do things better. We do that, and I think we should encourage that sort of response from organisations.

Can I make one other point that I have just thought of? I think it is a disgrace that we cannot even agree on the education and training that our child protection workers should have. We do not even have a national standard. As a former child protection worker, that it is one of the worst and most challenging jobs imaginable, but we have people with very limited education and training doing those jobs. That openness needs to apply to government departments as well as to non-government organisations.

**Ms HALFPENNY** — At the start of your presentation you talked about differentiating between child abuse in religious organisations as opposed to other non-government organisations. Do you see then that legislation or action to prevent and deal with perpetrators should be different, or is it more the fact that it is that spiritual issue or other issues? Is it just on that basis or do you think they should be looked at differently in terms of penalties, legislation and the way they are dealt with? And going on from there, what is your view in terms of dealing with prevention through education of children or some sort of work with children as opposed to organisations?

**Prof. GODDARD** — I was talking there particularly about the impact, and I do not think that we still fully understand that impact. But I will come back to what you said; I just wanted to emphasise that. There is one particular victim I know, who is a woman now perhaps in her 60s, who would still describe herself as a hostage to the religious abuser. I really do believe that it is that spiritual disorientation that is catastrophic. Some people say that in order to help people heal you actually have to help heal their souls as well. I am not deeply religious, but I think it takes away some broader sense of purpose in the world. I think the principles of practice, though, and prevention are the same, broadly, in any organisation that has access to children, but I think we need to be more careful where people have more access rather than less and have more private access rather than less.

In the stories — for example, the Fosters' *Hell on the Way to Heaven* — it is clear that in some circumstances priests were just allowed unrestricted access to children. We have to educate all those organisations as well to think of the safeguards they put in place. As I said, we also need to encourage children to be able to come forward and to be treated with respect when they come forward. We need to train other staff to come forward. We need to teach staff in institutions what, as I said, the NSPCC has tried to do. It is what offenders do to try to gain access to children.

It is a strange perception that somehow we have allowed child abuse to become a welfare problem, even in organisations. It is not. Sometimes it is a welfare problem, but our responses to child abuse should not be as if all child abuse is benign neglect in a careless, disorganised family. Some of the people I visited — when I was a child protection worker, when I worked here at the Royal Children's Hospital and set up the first child protection team — who abused their children are evil and they are criminal. To actually say that a welfare response will cover that, when they are torturing children or killing children or something, is a nonsense. We have to have a minimum standard, and we have to accept our responsibility to try to care for children.

**Mr WAKELING** — Thank you, Professor, for your insightful presentation today. I am interested in the area of mandatory reporting, and there have been some suggestions about extending mandatory reporting to religious organisations. I would be keen to hear your views on that issue. Also, given that mandatory reporting is a child protection mechanism aimed at protecting children from people in positions of trust, how would such an extension operate in the context of institutional child abuse, particularly as you have identified that many disclosures are made many years later?

**Prof. GODDARD** — I could talk for half an hour just on mandatory reporting. I believe again we have been diverted to a degree. For example, people will tell you that in the UK they do not have mandatory reporting, but in actual fact what they have, and what I would argue should be part of our mandatory reporting, is employment conditions. People lose their jobs if they do not report. That is the first thing.

We have mandatory reporting, but it is not mandatory reporting. As far as I know, there have only ever been two prosecutions for failing to report in the whole of Australia in all the years that we have had those mandatory reporting laws. This is extraordinary. There are cases of child abuse where four, five or more people should have been prosecuted for failing to report — I am talking about mandated reporters not reporting. As I said in my presentation, it is extraordinary. We were sitting here 20 years ago — I actually

talked more than 20 years ago at length to Jeff Kennett in this building about mandatory reporting and the plans there were to extend that. There was one extension, and then it stopped. That shows our carelessness towards children. There should be mandatory reporting; it should be based on the training of professionals so they clearly understand what their obligations are. There should be no exceptions and confusions created.

I do not know whether I read it correctly in the newspaper the other day where the Catholic Church said they would agree but they would not identify who. There has to be mandatory reporting. There have to be employment conditions. DHS's own staff are not mandated. We have an extraordinary situation where there have been many tragic cases in Victoria in organisations and outside where people have not reported, and they have resulted in loss of life. I believe passionately in a meaningful reporting system. In the UK they have had doctors suspended. I was notified last night of another child protection worker who has been suspended for 18 months for not reporting. We have partial tokenistic laws with virtually no consequences for those who do not follow them, and we would not accept that in other areas of our lives. We only accept it because it is children.

Mandatory reporting should be extended. It should be based on good training and education for those who work in relevant fields. I mean I get told that people in key areas in this state have not had in-service training on child abuse for 10 years and longer. There should be regular training for those who work in education, day care and so on, and then we have the right to make the consequences grave for not reporting.

**Mr WAKELING** — If you have any further information that you may be able to provide the committee, that would be very useful.

**Mr O'BRIEN** — Thanks, Professor, for your work and evidence. I would like to follow up that line of questioning from Mr Wakeling. In relation to the mandatory reporting or the issue of delayed reporting amongst victims, particularly child victims, you mentioned your breach of the sacred trust, and that is a particular problem because you have the paradox of people placing their trust in these organisations which in fact are the perpetrators in the instances cited. We have had Victoria Police identify that there has not been a single complaint to Victoria Police, and that is without a mandatory reporting regime.

One of the responses from the church has been to say that the victims do not wish to report the matter to police. The church emphasised that was one of its reasons. It might be fair to say that there is a dispute between the police and the Catholic Church in relation to that. I was wondering what your evidence was in relation to the factors that are in particular delaying victims from reporting and what specific recommendations you would see in the mandatory reporting of incidents as well as data, as you have identified for Mrs Coote, particularly bearing in mind that it is not only the victims who need the protection but the rest of the community, because if a perpetrator is left in place and there has not been a report, the community is not aware of that. Could you try to take us through that as best you can in the time?

**Prof GODDARD** — One of the points that I made in my presentation was that I found it extraordinary. The Catholic Church set up an independent commissioner that they likened to a royal commission, and I actually believe passionately that they have actually said themselves by saying that and by putting it in writing they should allow a royal commission. I believe that it is an extraordinary situation where people are directed to a part of the perpetrator's organisation to make that complaint.

People should be encouraged. We should be educated, and it should be publicised that there are places to go to to talk about this. In my experience from when I was a child protection worker, for example, when members of the family come forward you can dissuade those people from taking it further or you can encourage them to take it further, and that for me is the key. There is an extraordinary dissonance there, where people are going to part of the organisation, we do not know what is going on in that organisation and we do not know what is being done. I actually believe, as I said, that criminal law should be used where people are found to have covered up or not protected others.

One of the reasons I think that we do not have, particularly, education campaigns about child abuse is that everyone in government tells me they do not want more cases; they cannot cope with the ones that they

have got. We need an education campaign, we actually need people to be aware more broadly in the community about how abuse takes place, who perpetrates it and where to go. I think, for example, if someone is worried about a child — their child — it is a nonsense to expect them to go to the perpetrator's organisation. I think that is — —

**Mr O'BRIEN** — Can I just home in on that?

**The CHAIR** — Very quickly, because we are fast running out of time.

**Mr O'BRIEN** — What I want to home in on is this issue that if the victim does not want to go to the police, what is the role of a mandatory reporting obligation in the sense that the hearer of the information has to go to the police in dealing with this issue?

**Prof GODDARD** — I think we do exactly the same as we would expect a doctor or anyone else to do: I am saying, 'I am sorry; if you are telling me this, I'm going to have to report this.' So if someone comes into a doctor's surgery and says, 'My partner is sexually abusing my daughter', the doctor will say, 'I'm sorry; I have to report this. I'm a mandated reporter'.

I think that if victims are adults, then we can be more liberal in that, but if we are talking about children at risk, then there are no other options. I passionately believe that, that we are actually creating confusion by saying that you can report to the Catholic Church and they can make up their minds whether they report or not. It is not acceptable.

**The CHAIR** — Thank you very much, Professor Goddard, for coming before us this afternoon. There is much to be discussed, but we do appreciate the evidence that you have given us.

**Prof GODDARD** — Thank you for inviting me.

**The CHAIR** — On behalf of the committee, thank you again.

**Prof GODDARD** — Thank you for the time.

**Witness withdrew.**