

TRANSCRIPT

FAMILY AND COMMUNITY DEVELOPMENT COMMITTEE

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

Melbourne — 11 April 2013

Members

Mrs A. Coote

Ms G. Crozier

Ms B. Halfpenny

Mr F. McGuire

Mr D. O'Brien

Mr N. Wakeling

Chair: Ms G. Crozier

Deputy Chair: Mr F. McGuire

Staff

Executive Officer: Dr J. Bush

Research Officer: Ms V. Finn

Witnesses

Mr BR . Taylor, Chief Commissioner,

Mr J. de Wijn, Chairman, Branch Executive Committee, and

Mr M. Thomas, Executive Manager and General Secretary, Scouts Victoria.

The CHAIR — Good afternoon. On behalf of the committee, I welcome from Scouts Victoria Mr Bob Taylor, chief commissioner; Mr John de Wijn, chairman, branch executive committee; and Mr Martin Thomas, executive manager and general secretary. Welcome to you all, and thank you for appearing before us this afternoon. All evidence taken by this committee is taken under the provisions of the Parliamentary Committees Act, 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, and you will be provided with proof versions of the transcript. Please note that these proceedings are not being broadcast.

The committee, as I said, welcomes you here today. We are very interested in relation to some aspects surrounding leadership, the prevention of child abuse and processes that are in place to enable that to occur. I understand you have a statement that you would like to read, but if we could go into some questions from committee members — —

Mr DE WIJN — I am happy for that. The letter that was sent asked us to address four or five issues, and we are ready to address them, if that is — —

The CHAIR — Terrific.

Mr DE WIJN — Whichever you prefer.

The CHAIR — Thank you very much. I would really like to, first, ask of you — could you just — —

Mr DE WIJN — Would you like us to introduce ourselves and explain who we are? Is that convenient or not?

The CHAIR — Yes, you can do that, and then we might go into questions. If you would like to just give an overview. I was going to ask about the structure, actually, of Scouts Victoria and how that fits into Scouts Australia and the broader scout movement. Perhaps, in my question, if you can — —

Mr DE WIJN — Perhaps I will deal with that. My name is John de Wijn. As you said, I am currently the Chairman of The Branch Executive Committee — that is effectively what we would call nowadays the board of directors — of Scouts Victoria. Scouts Victoria is a corporation established under an act of the Victorian Parliament. Scouting in Australia is effectively a federal body. There is a federal body, and we operate under that umbrella of the federal body.

Personally, I have been a member of the Scout Association for over 50 years, initially as a youth member, and then 30 years as a leader, and more recently on the board, and each of my four children have been through Scouting. And in my professional life I am a member of the Victorian bar.

Bob Taylor is the Chief Commissioner of Scouts Victoria. He has also had about 50 years of experience in Scouting, as a leader at all levels, so he knows what is going on at all levels. Bob, as Chief Commissioner, is responsible for program activities, and all the volunteer leaders and other supporters ultimately report to Bob. Bob and I are volunteers, as are about 3500 leaders and about another 3000 volunteers.

Martin is a paid employee at the association. He brings to it a wealth of business experience. He has been a Scout himself. He was originally Chief Commissioner in Western Australia and Executive Manager there, and is now our Executive Manager. We have a small but dedicated team of paid employees who support the volunteers, and Marty leads up that operation.

We currently have about 16 000 youth members in Victoria, of which about 30 per cent are female, and the ages range from 6 to 25. Our membership has grown about 20 per cent in the last six years. Essentially the program that we are on about is developing resilient youth by learning leadership skills, teamwork skills and community participation. We have about 400 Groups throughout Victoria. As with all organisations, there is a bit of bureaucracy, but they are supported by 48 Districts and 11 Regions right throughout the state. That sort of gives you an idea of who we are and what we are on about.

The CHAIR — Thank you very much. You just spoke of the membership here in Victoria, 16 000 members.

Mr DE WIJN — Sixteen thousand youth members.

The CHAIR — Sixteen thousand youth members, and those youth members are between the ages of 6 and 25, is that correct?

Mr DE WIJN — That is correct.

The CHAIR — So we are talking about a large number of people who are potentially in this high-risk area that we are looking at through this inquiry. I think you said that there were 3000 leaders, is that correct?

Mr DE WIJN — Three thousand five hundred leaders, about another 500 of what we call Adult Helpers, and then there are parents and supporters who would not normally be involved in the youth program but would help with fundraising and things like that.

The CHAIR — So when you are looking at those leaders and putting those people into those leadership roles with some younger members that they might have responsibility for, how does that recruitment process happen?

Mr DE WIJN — You may have got a copy of our information booklet. I will just take out the page for you which sets it out.

The CHAIR — You have provided us with your submission, but if — —

Mr DE WIJN — We have an induction program, and I will just hand this up to you, which sets out the procedure.

The CHAIR — Thank you. We will get somebody from the secretariat to hand out those.

Mr DE WIJN — We have just taken an extract from our information booklet. We put out this information booklet each year, which goes to every leader in the organisation. That sets out things like the code of conduct, the training requirements and a whole lot of things like that, as well as mundane things like telephone numbers for camps and where to go if you want to go rock climbing and do things like that. What you have received is an extract from page 115 of the 2013 info book; I am not sure what page it is on in the earlier book. But that sets out the induction process.

That process involves each prospective leader first of all signing a Mutual Agreement under which he or she agrees to undertake training and under which he or she agrees to abide by a code of conduct. The Code Of Conduct — which I think you have received already; we will hand you up another copy — requires you to comply with the Code Of Conduct. The prospective leader then has to undergo a national police check, a Working-With-Children Card, and we require two independent referees from outside the family or outside Scouting. He or she then undergoes an interview with a local panel — a community panel — before he or she is admitted as a prospective leader. And then they must undergo a minimum amount of training within a specified period, and their position is then reviewed every three years.

The CHAIR — Do leaders move around from one Group to another?

Mr DE WIJN — They will, but they will need permission to move from one Group to the other. The training is done at a Branch level. We have a computer system which has every leader on it. If a leader moves from Ringwood to Dandenong, for example, there will be a form that goes through. That leader's records will be maintained so that you can check on that leader from the moment he joins the Association to the moment he leaves. All that will happen on his file and the computer is that it will say 'moved from Croydon to Dandenong' or whatever.

The CHAIR — You said there is a review every three years.

Mr DE WIJN — Every three years there is a review of the leader's progress.

The CHAIR — I know that you have provided us with a number of other documents, but I think other members might have questions relating to those. Before I move on, is there anything that either Mr Taylor or Mr Thomas would like to add?

Mr TAYLOR — No.

Mr DE WIJN — One of the other things that is probably worth mentioning is that 38 per cent of our leaders are female. That is the rough break-up. Thirty per cent of our youth members are female;. By far the majority of our leaders would be parents of children in the organisation.

Mrs COOTE — Thank you for being here and for the comprehensive submission you have given us. In your submission you say frequently that Scouts Victoria has a zero-tolerance policy in respect of child abuse and that all allegations must be reported directly to the police, but in attachment 1 you have given us a list of the number of complaints made and the year that complaints were made to Scouts Victoria, starting in 1962 and going right through until 2013. There are 39 complaints altogether, and 7 of those — —

Mr DE WIJN — Say no.

Mrs COOTE — Exactly — have not been notified. In two of the five complaints received in 2013 the police were not notified. Could you explain why they were not notified?

Mr DE WIJN — I noticed that when the list was prepared, and what we have done is that we have gone back through the files — as you can imagine, some of those files are quite old — and the Noes are in fact not noes but ‘cannot confirm’. We have been through all the files again, and I will hand up — and we foreshadowed this — a replacement of attachment 1. The position in relation to what were Noes is that there are now three that we cannot confirm — we simply cannot tell from the file whether they were or were not notified. The others are all Yesses.

Mrs COOTE — Do these files go further back than 1962, or are they just starting from 1962?

Mr DE WIJN — I am not quite sure whether we have them going back past 1962, but as far as we could go back practically speaking was 1962, and of the 36 that we have now, there are only 3 that we cannot confirm from the file whether the police were informed. I think the reason for the muck-up is that sometimes it is hard to tell from the file. I specifically asked to have the files checked. Sometimes the police in fact ring us first, and that might be a reason why there is actually no evidence of a report to the police, but there are only three cases that we cannot confirm.

Mrs COOTE — Regarding the list in attachment 1 that you have just given us now, can you elaborate a little more on this? How closely are these issues investigated by you?

Mr DE WIJN — We do not investigate at all.

Mrs COOTE — Could you give me an idea of what your process is?

Mr DE WIJN — Yes. We have had in Scouting since 1947 a written policy that any complaints of criminal behaviour or sexual assault be reported to the police. Present procedure is that the Executive Manager is told about it. At least since 1982 we have had a specific contact person at the police who we deal with. For about 10 years after 1982 we had someone in the Association who dealt with the police. If a report is made to us about inappropriate behaviour, all we will do is make what I might call an initial inquiry to see whether it is not trivial and, secondly, that it is not a fabrication. That is at a very preliminary level. If the complaint is of a nature that it could be true, we will immediately contact the police and suspend the member.

Mrs COOTE — Looking at this list, it seems that the largest number of complaints was in 2013. Do you see that there is a trend? Have you had some particular issues happening?

Mr DE WIJN — No. Since this inquiry was announced and since the Royal Commission was announced, a number of people — there are probably about seven in that category — have rung and said that something happened in the 60s or the 70s, and we have had a process of inviting those people to speak with either me or the Executive Manager. Some of those have taken up that invitation, but the complaints that have been made in the last two years have really all — there might be one or two exceptions — related to allegations of abuse that occurred many years ago. Probably this inquiry and the Royal Commission have prompted — and probably community attitudes as well — a confidence that it is okay to mention these things, which has meant that these people have been able to ring and tell us what has been going on. If we do not know about it, we cannot do

anything about it. You will see that most of those reports relate to things that occurred in the 70s and 80s and in one case the 1960s.

Mrs COOTE — I will pick you up on a point where you said before that most of the complaints come via the police, not to you, so would most of the people on this list have gone to the police and the police have come to you?

Mr DE WIJN — No, I did not say that. There are probably two categories of cases. These are complaints that we have had from members or their parents or someone in the Association concerning something inappropriate that has happened in the scouting environment. That is what this list is. Those matters have all, with the exception of two that we cannot confirm, been reported to the police. In some cases the police will ring us first.

Mrs COOTE — That is what I wanted to know.

Mr DE WIJN — In some cases they will, but in other cases we will ring the police first.

Mrs COOTE — Are they all incorporated in these numbers?

Mr DE WIJN — They are all incorporated in these numbers. What will happen from time to time, which is not incorporated in these numbers — because the question we were asked was to list the complaints that we had received from members in relation to inappropriate behaviour and scouting — is that the police might ring, say, the Executive Manager and say, ‘We have a concern about XYZ. Just be careful’. Now it may turn out to be nothing or it may have been an inappropriate activity outside of Scouting and we would then, if there is an allegation that someone has done something inappropriate outside of Scouting, we would do the same thing — we would suspend the member pending inquiry.

Mrs COOTE — So are you saying to me that the police will see perhaps someone who comes across their records or their books — and we are talking about currently?

Mr DE WIJN — We are talking currently and going back to, well the 1980s.

Mrs COOTE — The police will therefore find someone who perhaps has a question mark about them in some other area and they ring you and say to you, ‘We’ve got this person’ and they may be involved with Scouting or they know that they are in Scouting.

Mr DE WIJN — They will either say they may be or they know for some reason. So there may be — I cannot give you names obviously — an example where a teacher has abused a child at school, an offence at school, that person may have been a Scout leader, the police will inform us, and even though nothing has happened in Scouting we will suspend, pending investigation.

Mrs COOTE — And the police actually do that themselves?

Mr DE WIJN — They do that themselves, and that is the result of the one-on-one relationship that we have with the police contact.

Mrs COOTE — Do you still have a police liaison officer?

Mr DE WIJN — We do, and I do not know whether other organisations have that, but that is certainly one of the things that we would recommend so that if Martin receives a complaint, he can ring one point of contact at the police office and say, ‘Look we’ve had a complaint about xyz doing such and such; we are about to stand them down. Here’s the complaint’, and vice versa — they will warn us.

Mrs COOTE — Thank you very much indeed.

The CHAIR — Did Scouts Victoria initiate that Victorian police liaison person?

Mr DE WIJN — Sorry?

The CHAIR — You said that that contact within the Victorian police has been there since 1982. Did Scouts Victoria initiate that relationship?.

Mr DE WIJN — I do not know, I could not say that.

Ms HALFPENNY — You are saying that many Scout leaders are the parents of children who are involved in scouts. Do they have working-with-children checks?

Mr DE WIJN — Yes. Every Scout Leader who has anything to do with the youth program goes through this induction process.

Ms HALFPENNY — So whether they are required or not, they all must have a Working-With-Children —

Mr DE WIJN — It is our requirement.

Mr TAYLOR — We do more than the current Working-With-Children Checks.

Ms HALFPENNY — What other things would you do in addition?

Mr DE WIJN — The national police check, the referees, the training, the requirement to sign a code of conduct — —

Mr TAYLOR — And the local panel.

Ms HALFPENNY — Okay, thank you. I notice that in the things that you sent to us — the child protection and protection from harm policy, ‘Policies and Rules’ — it is dated 2008. Is that when you first introduced the policy or when it has been updated or amended or just printed?

Mr DE WIJN — I think we said in the letter the policy goes back to 1937, with the somewhat quaint language about showing ‘no false mercy’, so that is as far back as we can find what might be called a child protection policy. Then in the 1940s that was changed to a policy that required any assault or criminal abuse to be reported to the police. Then, as with everything, the policy changed a little bit, the wording has changed, and in 1994, I think, there was a formal, long-term Child Protection Policy — I think we mentioned that in our letter to you — and at that time a Code Of Conduct was introduced which every leader had to sign. You got a copy of the Code Of Conduct, and that also required compulsory reporting within the organisation of any behaviour that did not comply with the code of conduct.

Ms HALFPENNY — In terms of updating or perhaps changing the policy in some sort of way, is there some sort of evaluation process that occurs, or have changes been a result of things that have happened or changes within community standards? What has been the impetus for that?

Mr DE WIJN — As you might have seen, the last attachment to the submission was a child protection reporting policy, so we have always effectively, since 1947, had a policy to report inappropriate criminal behaviour to the police, and that policy has changed and improved, I suppose, or become more documented over time. But as recently as a couple of months ago we documented the reporting policy and that has been circulated to all of the leaders in The Movement, and that sets out a specific procedure. Instead of just saying, ‘You have to report it’, it sets out a procedure to say how it is to be done

Ms HALFPENNY — Is that because of internal evaluation or because something has happened that spurred you on to do that?

Mr DE WIJN — No. I think it is a process of continual awareness. You will be aware that we produced and gave to the inquiry a couple of booklets that we had prepared and circulated. The first one, I do not know whether the inquiry has had this but this is a booklet that the Scout Association published in 1993 — it would probably seem a bit dated now if you were to read it — and it is called, *Child Abuse Protection — A Parent’s Guide*. That is now out of print, but it was circulated to all members of the organisation and to all parents and also community groups.

In 2002 we started producing a series of nine booklets dealing with bullying, youth suicide, relationships, how to find a job, drug abuse and things like that, and one of them was that booklet which I think you have a copy of.

The CHAIR — I do not believe we did receive a copy of those booklets.

Mr DE WIJN — Okay, we have got copies here.

Ms HALFPENNY — Sorry, it was more just to try and find out why the updates or changes were made — what sort of things were behind that — rather than the actual documentation. There was not anything behind the question, it was really just to see if there was anything there.

Mr DE WIJN — Yes. I think it is just updating things, yes.

Mr TAYLOR — Can I add that with the National Policy And Rules, which operates across Australia, a new copy was produced in 2008 which specified some of those things. It requires the states to develop their own policies, and I guess that is a response to that development in each of the different states.

Ms HALFPENNY — So, as you say, it is a continual sort of evaluation that you undergo as an organisation. Just quickly, the other question I had was about the panel you have — the youth protection panel. Is that people from within the scout organisation itself or others, independent of the scout organisation?

Mr DE WIJN — I do not think this panel is really established. It is something we had looked at doing, but youth protection is such a fundamental part of our program and training that I think although we had the idea of setting up a youth protection panel it is something that has to be done by everyone. We have not really proceeded with a separate panel. It is just so fundamental to the whole of the training.

Mr TAYLOR — Perhaps I can add that you are talking about the local District reviews. We call them District Personnel Committees, and that is what you are asking about.

Ms HALFPENNY — I thought it was part of the youth protection program — the three-person panels.

Mr DE WIJN — Yes, that is a District Personnel Panel.

Mr TAYLOR — These panels have been going since the 1960s. We used to call them Warrant Subcommittees. Usually it has one District Scout leader, but we have people from the community who are not involved in scouting to sit on the panel and ask half a dozen questions about suitability and so on. That is a practice we have had since the 1960s. We changed the name to District Personnel Committees nationally in 1992. We have 48 Districts. They should each have a panel which interviews new leaders to ascertain their suitability for leadership. Usually parents and local councillors, people with HR experience and so on are part of that particular local panel, which is a different panel to that which John was referring.

Ms HALFPENNY — Thank you.

Mr DE WIJN — And every new leader and Adult Helper whether or not it is a parent, goes before that panel.

Ms HALFPENNY — Thank you.

Mr McGUIRE — Thank you for your presentation today and the extra documents. Can you explain how information is shared between different Scouting Groups to reduce the risk of alleged offenders continuing to work with children?

Mr DE WIJN — Within Victoria we operate as the Victorian Branch. We have a head office in Mount Waverley, and all our training and all our registration of members is handled centrally, so that if there is an application from a new member, he or she needs to go through the induction process. Someone will then fill in a form — the District Commissioner — and it will ultimately go up the line and be signed off and be approved at Branch. So no-one becomes a leader without someone at — what you might call ‘head office’ colloquially — the Branch office making sure that all the requirements have been completed. That person is then put on the computer system, and any complaints in relation to that person are then made or should be made to Branch.

Mr McGUIRE — And does that happen interstate as well to stop the moving on? The reason I am raising this is that it has been revealed that scouting organisations in New South Wales and overseas have kept confidential files on alleged perpetrators.

Mr DE WIJN — I am not sure.

Mr McGUIRE — The supplementary submission refers to a Scouts Victoria incident register. I mean, you understand what we are trying to do; we are trying to make sure that people do not move on from one jurisdiction to another. So I am really just asking you to explain what you do to try to cover that.

Mr DE WIJN — Martin is probably better able to explain the procedure, but there is an information-sharing procedure within states.

Mr THOMAS — There are five protocols that exist between the seven states or seven territories — Branches, as we call them in Australia — and one of those is a protocol that deals with the transfer of information. In other words, if an adult moved from Victoria to New South Wales or Queensland and applied to join the Association over there and they indicate that they have been a member here in Victoria, then we have an understanding that the information on that person — that is, their record card — would be transferred to Queensland so that they could truly assess the person. Does that answer your question?

Mr McGUIRE — I will just go on. So is this information also used to assist the police and authorities to monitor other potential threats to children?

Mr THOMAS — Absolutely. We had a request from New South Wales — I think it was either late last year or early this year — seeking information about an adult who was registered with Scouting who had been operational here and had moved, yes.

Mr McGUIRE — So you are confident that this system will mean that people cannot move between jurisdictions if there is a red light flashing, so to speak, on them and that it would be transparent and obvious, and the information would go to the police as well if required?

Mr THOMAS — That is correct.

Mr DE WIJN — One of the recommendations we would have for the committee — and the committee asked for recommendations — is that one of the glitches that we think is in the system is that the Working-With-Children Cards are state based, and it would certainly be helpful if the Working-With-Children card system was a nationally based system.

Mr McGUIRE — So at the moment this information would not feed into the working-with-children system; is that what you are saying?

Mr DE WIJN — We are not sure of that. I guess that is the difficulty.

Mr McGUIRE — Okay. That is the point, isn't it — you are not sure.

Mr DE WIJN — We are quite sure that within our organisation information from one state will go to another state, as Marty said. What we are not sure of is that if an incident happens to someone in Queensland — say, outside Scouting — that will be noted on the Working-With-Children card in Victoria.

Mr McGUIRE — So your recommendation is to close that information gap?

Mr DE WIJN — Yes, have a national Working-With-Children card.

Mr McGUIRE — Thank you.

Mr TAYLOR — But can I add that we have a National Police Check? Every leader has a National Police Check and a Working-With-Children card. We have had a national police check since 1978, far earlier than the Education Department started their teacher reviews. In 1995 every leader, including people such as myself — who have been here a long time — had a police check. So if someone has a record interstate, we know it will be picked up by the police check, but we are not sure about the Working-With-Children card.

Mr McGUIRE — Thank you.

Mr WAKELING — Gentlemen, thank you very much for your presentation. As a parent in Scouting, I am au fait with the current operations. In regard to the current contact person for police, can you perhaps explain not necessarily who it is but their role?

Mr DE WIJN — Within Scouting? The contact person within scouting?

Mr WAKELING — No, for the police.

Mr DE WIJN — Marty can probably explain that better.

Mr WAKELING — Is it someone at a local police station, or is it someone within police command?

Mr THOMAS — It is someone within police command. I am not sure we should talk names. I do not know whether we can.

The CHAIR — No.

Mr THOMAS — As John indicated, we have had a liaison person within the police department in Victoria for some many years. When I joined the Branch, or Scouts Victoria, last year I set about re-establishing that contact because there had been a change of staff. We actually went out, identified someone with the help of the police that would be our liaison person and that is the point of contact we always go to if we have to report something.

Mr WAKELING — This is a person that the police themselves have acknowledged is an appropriate person to deal with an organisation such as yourself?

Mr THOMAS — That is correct.

Mr WAKELING — With regard to that, how does that then play down to a Group level? Does the Group go through a Branch in order to refer the matter to the police? If there is a complaint, do they know not to go directly to the local police station?

Mr DE WIJN — They should go to the Executive Manager. That was one of the reasons for establishing the more specific reporting policy, but members are not discouraged from going directly to the police. The advantage of going through the Executive Manager is that we have the one contact, but we would not discourage anyone from going straight to the police — quite the contrary. At least if it goes through the Executive Manager, we have got that one point of contact.

Mr WAKELING — In regards to your policies, as Ms Halfpenny has identified 2008 was the last review, is the document independently reviewed by an external organisation, or is that something that your organisation has considered — that is, someone who perhaps works in this field who can perhaps assess your current policies, or benchmark them against policies of other organisations?

Mr DE WIJN — No.

Mr WAKELING — I mean, it is not a questioning of the work you have done, but whether or not having that externally assessed maybe something worthwhile that you have considered.

Mr DE WIJN — It is not something we have done in the past, but it could be an improvement. Certainly with these booklets we prepared and distributed, we engaged external consultants to help write the booklets, but as far as the policy is concerned. We have done that internally. We have got a fair bit of experience in the organisation, but that is not to say it could not be improved.

Mr WAKELING — I only put it in the context that we have had organisations like Child Wise and other organisations that help organisations with the preparation of policies, so I was wondering whether that had been considered. How does your documentation sit in the international context of scouting? Is it something that has purely been developed at a local level, or is there international input?

Mr DE WIJN — From an international point of view, there are some international fundamentals that underlie the organisation, such as the Scout Promise, the Scout Laws and those basic principles. At a national

level we have more general policies, such as the Code Of Conduct, the requirement for Mutual Agreement, and then it is normally left to each state to develop more specific processes to implement those policies. Is that more or less right?

Mr TAYLOR — I think that is right, but as with the Victorian policy, all the states are putting these policies together. I think in Victoria we have been at the forefront in getting these policies implemented since the publishing in 2008, of the National Policy And Rules. But we defer to the WOSM — that is, the World Organisation of the Scout Movement — which is centred in Geneva. They put out broad principles, which we must adopt, because that is part of being a worldwide organisation. We have 30 million members involved in Scouting in 161 countries, and we follow the broad principles but we are left to detail them at the local level. But I am sure we could participate in a broad consultation, as you are suggesting here, and that we should have policies that are knitted with other organizations from the wider context. That is one of our recommendations, which John will come to perhaps later on.

Mr WAKELING — One final question if I may. You had mentioned to Mr McGuire about a possible suggestion for us as an inquiry to look at with respect to Working-With-Children. Given the fact that you are a youth-based organisation and one of the leading organisations in this space, are there any other suggestions that you think that we as a committee should be focusing on with respect to child abuse, particularly to strengthen the protections for children in your organisation?

Mr DE WIJN — We had three recommendations: one was the national or universal working-with-children card. We think that is critically important. The other thing we would suggest is that the government consider promoting what we might call a child-safe endorsement for youth organisations, where the organisation complies with certain minimum standards of training and reporting. We think that would be worthwhile and we would certainly be happy to cooperate in working in that area. I could not see why that is not an important endorsement. The third area is a follow-up from these booklets that we produced and still produce.

This one, *Protecting Your Children — A Parent's Guide*, was produced in 2002. We still give that to new members and leaders, and we circulate it to community groups. I have got a list, today it goes to medical centres and a range of places. It gets handed to community groups and handed out at training conferences and health conferences we hold. It is not a Scouting-specific book and we would certainly be happy to work with the state government and other similar bodies, perhaps with the assistance of experts like Sue McLean, who is an expert in cyber bullying, and Michael Carr-Gregg, who is someone we have used quite a bit at our training programs to help develop some new material that is perhaps a bit more up-to-date than a booklet and something that kids can react to a bit more on the internet. Although it is surprising people do like to have a booklet. I know with my own children, I took these home and put them around in the house, and it just started a bit of discussion. We think it is important to create awareness if you have something like this going out, so as I said, we have produced a number of these — on developing resilient children and this child protection one — and that is certainly a recommendation that we would have. They create awareness and give you another opportunity to re-endorse our zero-tolerance policy.

If you have a look in the back page of this document, which is the 'Protecting your children' booklet from 2002, in bold letters it says, 'Scouts Australia has a zero tolerance policy for all offences involving any form of assault on children'. We have these policies, but it is actually useful printing them in black and white and just reminding people, because it becomes part of the accepted culture. We think more could be done on perhaps updating these sort of booklets and getting some more professional assistance.

Mr O'BRIEN — I want to pick up on some of the questioning on the list of complaints and just be clear as to your terminology. You answered questions from the committee and referred to a 'Scouts Victoria incident register'. Your submission says:

... an incident file is created and the Victorian Police are notified. Scout associations in other states are also able to request a background check be done on adults who have relocated ...

Is that register able to be inspected by appropriate authorities or, for example, by this committee?

Mr DE WIJN — Sure. But that incident register will have a whole lot of things on it. It will have someone who has fallen off their bike. It will have a whole lot of things on it. Our files are free.

Mr O'BRIEN — You have attached appendix B, which talks about the report of a complaint. For prison at least it goes on to the incident register. Are you able to tell us now — and I would appreciate it if you want to take it on notice — when that process came into being in relation to this specific or any sort of incident register?

Mr DE WIJN — The 1960s. That form might not have been used, but we have had a process of keeping files in relation to what might be called incidents since at least the 1960s. Obviously it has gotten more sophisticated and the forms have gotten better.

Mr O'BRIEN — The next question I would like to ask in relation to this list is: are they all the complaints that would be on your incident register, if it were producible, or would there be a lot more?

Mr DE WIJN — I do not know that there would be a lot more. An incident register is a register of incidents, not complaints of sexual abuse, so there may be an incident involving a disagreement between leaders, or there may be an incident about theft or something that may be on there. This might be a list of complaints that relate to child abuse or inappropriate behaviour. For example, if there was inappropriate texting, that would go on this list.

Mr O'BRIEN — Part of the problem is evident in an incident in New South Wales referred to by Mr McGuire. It was reported in, I think, the *Age* of 27 October 2012, or one of their organisations:

... Mr Hocking confirmed the keeping of red files was common among commissioners ...

Mr Hocking said —

people —

suspected of paedophile behaviour and named in his own 'red files' were not reported to police because there had not been — as they determined —

distinct criminal acts.

Mr DE WIJN — I cannot say anything about what has or has not happened in New South Wales. All I can say is that the policy in Australia since 1947 has been to report any alleged incident of criminal behaviour to the police, and certainly that has been the policy in Victoria.

Mr O'BRIEN — I want to focus again on the incidents. I will just read the next bit:

... the files still contained allegations of disturbing incidents, such as a case where a male scoutmaster had written love letters to a 12 or 14-year-old boy scout in the mid to late 1990s.

Do you accept that that might not be a criminal complaint?

Mr DE WIJN — That would go onto this list.

Mr O'BRIEN — Onto your definition? Because it might not be an offence in itself, but it may be a red flagging incident that there is a problem with this individual. Do you see the distinction? I see some nodding there.

Mr DE WIJN — If that occurred, the person would be suspended. I know that one of these items on this list is a texting incident — inappropriate texting. That person was immediately suspended and the police notified.

Mr O'BRIEN — We may ask you to provide that incident register list, and in doing so if you could tell us the date that police were notified in relation to each of those incidents? You have added a table that they have been notified, but it may well be that they have been recently notified. Obviously they cannot be notified before you have had the complaint, but it would be helpful for us to know if they have been very recent notifications. You would not be able to do it on the spot; I am not expecting that.

Mr DE WIJN — I cannot do that on the spot.

Mr O'BRIEN — But would you be able to go through that exercise and tell us that? We accept there may be sensitivities as to current investigations. If you could flag that for us. Any material that you consider should

not be made public for investigative reasons we are happy to be notified of. For example, are there notifications that occurred between you reviewing what you had received, Mr de Wijn, and the committee getting the seven that have happened since then?

Mr DE WIJN — Notifications to the police?

Mr O'BRIEN — Yes.

Mr DE WIJN — No.

Mr O'BRIEN — That would be useful. Finally, in relation to records, are you aware of the situation that occurred in America where a large amount of records were effectively obtained in a court case? I think they had data of —

Mr DE WIJN — I am not aware of any details of any scout activity in America.

Mr O'BRIEN — This is as reported by Anthony Bartkewicz from the *New York Daily News* of 18 October 2012, and I just want to put these figures to you:

The release names more than 1200 BSA —

Boy Scouts of America —

volunteers accused of abuse between 1965 and 1985.

New York state residents account for 111 names in the files — the second most in the country ...

And this is the bit I want to take you to:

The Oregon Supreme Court ordered the BSA to release the files by this month after a 2010 verdict on behalf of Kerry Lewis, who was abused as a boy by a scoutmaster. They do not include details of the alleged crimes or the victims' names.

In handing down its decision, the court said the 'ineligible volunteer files', as they're officially known, show that the organisation knew it had a sex abuse problem and actively tried to hide it.

Part of the lesson we are starting to learn is the importance of eternal vigilance and a high level of internalised reporting, even if an incident occurred that was not a criminal offence. Are you not aware of those reports that occurred in America, or of that decision?

Mr DE WIJN — I have read about it in the paper. I know as much as you do. I have read a press report about it. I am not an expert in American scouting, I am afraid.

Mr O'BRIEN — As a matter of leadership, then, as a leader of your organisation, since receiving those reports, have they disturbed you in terms of the numbers of people — 1200 volunteers.

Mr DE WIJN — If those reports are right, they are unbelievable. One case of abuse is one too many.

Mr O'BRIEN — Precisely. Have they caused you to further review your procedures in relation to even past abuses so you can look at these systemic issues that may be occurring in Australia or overseas and interacting in Victoria?

Mr DE WIJN — I am not sure — —

You are assuming that we have a systemic issue. As I said, one case of abuse is one too many, and that is the policy we have had. Our policy has always been that if there is an allegation of inappropriate behaviour, even if it is not criminal behaviour, it will be reported to the police and the person will be suspended.

Mr O'BRIEN — Just on your answer, you are assuming that you do not have a systemic issue, if I can put it to you that way, without having undertaken a subsequent investigation upon hearing the news of what has come out of America, aren't you?

Mr DE WIJN — You are assuming that we do.

Mr O'BRIEN — No, I am asking you if you have done the investigation. I am not making any assumption.

Mr DE WIJN — What investigation would you like us to do?

Mr O'BRIEN — Have a look at the file keeping, record systems.

Mr DE WIJN — We have been through all of them. That is exactly what we have done. We have a system of files that goes back to 1962, and we have been right through all of those files for the purpose of answering these queries.

Mr O'BRIEN — Yes, and I have identified the potential distinction between an incident that becomes a sexual offence and other incidents. Do you suspect if we were to ask for all of those files that you have been through and your Victorian incident register, there may well be other cases that were not crimes but would nevertheless be red flags that should have been investigated further? Can you categorically say there will not be any now?

Mr DE WIJN — I cannot categorically say. I mean, with respect, that is a silly question. I cannot categorically say that at all. What I can say is that we have been through the files since 1962. You only know what you know. We have been through the files since 1962. They are files of complaints that have been made, and with all except for three where we cannot confirm it the police have been notified, and in all cases the person has been suspended and stood down pending an investigation by the police. In other cases if the police ring us saying they have a concern about X, Y or Z for something that might have happened out of scouting, say, in a school environment, we will follow the same procedure. We obviously do not report it to the police, because the police have communicated to us. We will stand the person down.

Mr O'BRIEN — I thank you, and I understand your current practices.

Mr DE WIJN — We have a zero tolerance policy, and we do our darndest to make sure that every youth in our organisation is protected, because one assault is one too many.

Mr O'BRIEN — I commend you on that statement. All I will ask is if you could go through that review, identify the files that have constituted the register, answer those questions as to date and provide us with them and any other what I have called red flag files that might be of non-criminal conduct but conduct that was disturbing.

Mr DE WIJN — I am happy to do that.

The CHAIR — Mr de Wijn, I want to ask a question in relation to one of the state's well-known perpetrators in this area. It relates to Father Kevin O'Donnell, who you may be aware of and who we have had various reports on in recent times in relation to this inquiry. It is my understanding that he started a scout group in Dandenong in around the late 1950s. Are you aware of that?

Mr DE WIJN — Can you repeat the name please?

The CHAIR — Father Kevin O'Donnell. At the time he was a leader in a local parish but also a leader of the scout group. You are not aware of that?

Mr DE WIJN — You can confirm he was a leader, or do you ask us to confirm?

Mr TAYLOR — Are you asking us?

The CHAIR — It is my understanding that he was a leader. Could you confirm?

Mr TAYLOR — We will check the records.

Mr DE WIJN — Can we just have the name?

The CHAIR — Yes, Father Kevin O'Donnell.

Mr DE WIJN — And it is the 1950s?

The CHAIR — I think it was around 1958.

Mr TAYLOR — In which church parish? In Dandenong, did you say?

The CHAIR — I believe so, Dandenong.

Mr TAYLOR — Is it Anglican or Catholic?

The CHAIR — The Catholic Church.

Mr TAYLOR — Okay.

The CHAIR — Thank you. It would be appreciated if you could check that out and if the Scout Group was aware of his movements and what he was doing at that time.

Mr DE WIJN — It is a long time ago.

The CHAIR — It is, but I know that your records — —

As you stated, you have been very diligent in providing us the reporting from 1962. It is close to that time. We are just wanting to — —

Mr DE WIJN — Yes, we have pretty good records.

The CHAIR — Thank you. I do not believe there are any further questions in relation to what we would like to ask, but I think you have a statement that you would like to make to us. Is that the case?

Mr DE WIJN — I think we have probably covered most of the things. We have dealt with the recommendations. We have dealt with training. We have dealt with the police contact person. I think we have probably covered everything.

The CHAIR — Would Mr Thomas or Mr Taylor like to make any further comments to the committee?

Mr TAYLOR — Just to confirm that we believe we are the largest youth organisation in Victoria, and we have, as John said, a zero tolerance policy. In terms of doing so, we have structures used to verify leaders and supporters for the last 50 years. I think we would regard ourselves as a leader perhaps within Australia. We are part of the national approach to doing these sorts of things. What we put before you are some of the local structures within the national framework. Thank you.

The CHAIR — On behalf of the committee, I thank the three of you for appearing before us this afternoon. We do appreciate your time, and your evidence has been most helpful.

Witnesses withdrew.