FINAL REPORT

Sport, recreation, arts, culture, community and hobby groups

Royal Commission
into Institutional Responses
to Child Sexual Abuse

VOLUME 14

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Volume 14
Sport, recreation, arts, culture, community and hobby groups

Content warning

This volume contains information about child sexual abuse that may be distressing. We also wish to advise Aboriginal and Torres Strait Islander readers that information in this volume may have been provided by or refer to Aboriginal and Torres Strait Islander people who have died.

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Preface

The Royal Commission

The Letters Patent provided to the Royal Commission required that it 'inquire into institutional responses to allegations and incidents of child sexual abuse and related matters'. In carrying out this task, the Royal Commission was directed to focus on systemic issues, be informed by an understanding of individual cases, and make findings and recommendations to better protect children against sexual abuse and alleviate the impact of abuse on children when it occurs. The Royal Commission did this by conducting public hearings, private sessions and a policy and research program.

Public hearings

A Royal Commission commonly does its work through public hearings. We were aware that sexual abuse of children has occurred in many institutions, all of which could be investigated in a public hearing. However, if the Royal Commission was to attempt that task, a great many resources would need to be applied over an indeterminate, but lengthy, period of time. For this reason the Commissioners accepted criteria by which Senior Counsel Assisting would identify appropriate matters for a public hearing and bring them forward as individual 'case studies'.

The decision to conduct a case study was informed by whether or not the hearing would advance an understanding of systemic issues and provide an opportunity to learn from previous mistakes so that any findings and recommendations for future change the Royal Commission made would have a secure foundation. In some cases the relevance of the lessons to be learned will be confined to the institution the subject of the hearing. In other cases they will have relevance to many similar institutions in different parts of Australia.

Public hearings were also held to assist in understanding the extent of abuse that may have occurred in particular institutions or types of institutions. This enabled the Royal Commission to understand the ways in which various institutions were managed and how they responded to allegations of child sexual abuse. Where our investigations identified a significant concentration of abuse in one institution, the matter could be brought forward to a public hearing.

Public hearings were also held to tell the stories of some individuals, which assisted in a public understanding of the nature of sexual abuse, the circumstances in which it may occur and, most importantly, the devastating impact that it can have on people's lives. Public hearings were open to the media and the public, and were live streamed on the Royal Commission's website.

The Commissioners' findings from each hearing were generally set out in a case study report. Each report was submitted to the Governor-General and the governors and administrators of each state and territory and, where appropriate, tabled in the Australian Parliament and made publicly available. The Commissioners recommended some case study reports not be tabled at the time because of current or prospective criminal proceedings.

We also conducted some private hearings, which aided the Royal Commission's investigative processes.

Private sessions

When the Royal Commission was appointed, it was apparent to the Australian Government that many people (possibly thousands) would wish to tell us about their personal history of sexual abuse as a child in an institutional setting. As a result, the Australian Parliament amended the *Royal Commissions Act 1902* (Cth) to create a process called a 'private session'.

Each private session was conducted by one or two Commissioners and was an opportunity for a person to tell their story of abuse in a protected and supportive environment. Many accounts from these sessions are told in a de-identified form in this Final Report.

Written accounts allowed individuals who did not attend private sessions to share their experiences with Commissioners. The experiences of survivors described to us in written accounts have informed this Final Report in the same manner as those shared with us in private sessions.

We also decided to publish, with their consent, as many individual survivors' experiences as possible, as de-identified narratives drawn from private sessions and written accounts. These narratives are presented as accounts of events as told by survivors of child sexual abuse in institutions. We hope that by sharing them with the public they will contribute to a better understanding of the profound impact of child sexual abuse and may help to make our institutions as safe as possible for children in the future. The narratives are available as an online appendix to Volume 5, *Private sessions*.

We recognise that the information gathered in private sessions and from written accounts captures the accounts of survivors of child sexual abuse who were able to share their experiences in these ways. We do not know how well the experiences of these survivors reflect those of other victims and survivors of child sexual abuse who could not or did not attend a private session or provide a written account.

Policy and research

The Royal Commission had an extensive policy and research program that drew upon the findings made in public hearings and upon survivors' private sessions and written accounts, as well as generating new research evidence.

The Royal Commission used issues papers, roundtables and consultation papers to consult with government and non-government representatives, survivors, institutions, regulators, policy and other experts, academics, and survivor advocacy and support groups. The broader community had an opportunity to contribute to our consideration of systemic issues and our responses through our public consultation processes.

Community engagement

The community engagement component of the Royal Commission's inquiry ensured that people in all parts of Australia were offered the opportunity to articulate their experiences and views. It raised awareness of our work and allowed a broad range of people to engage with us.

We involved the general community in our work in several ways. We held public forums and private meetings with survivor groups, institutions, community organisations and service providers. We met with children and young people, people with disability and their advocates, and people from culturally and linguistically diverse communities. We also engaged with Aboriginal and Torres Strait Islander peoples in many parts of Australia, and with regional and remote communities.

Diversity and vulnerability

We heard from a wide range of people throughout the inquiry. The victims and survivors who came forward were from diverse backgrounds and had many different experiences. Factors such as gender, age, education, culture, sexuality or disability had affected their vulnerability and the institutional responses to the abuse. Certain types of institutional cultures and settings created heightened risks, and some children's lives brought them into contact with these institutions more than others.

While not inevitably more vulnerable to child sexual abuse, we heard that Aboriginal and Torres Strait Islander children, children with disability and children from culturally and linguistically diverse backgrounds were more likely to encounter circumstances that increased their risk of abuse in institutions, reduced their ability to disclose or report abuse and, if they did disclose or report, reduced their chances of receiving an adequate response.

We examined key concerns related to disability, cultural diversity and the unique context of Aboriginal and Torres Strait Islander experience, as part of our broader effort to understand what informs best practice institutional responses. We included discussion about these and other issues of heightened vulnerability in every volume. Volume 5, *Private sessions* outlines what we heard in private sessions from these specific populations.

Our interim and other reports

On 30 June 2014, in line with our Terms of Reference, we submitted a two-volume interim report of the results of the inquiry. Volume 1 described the work we had done, the issues we were examining and the work we still needed to do. Volume 2 contained a representative sample of 150 de-identified personal stories from people who had shared their experiences at a private session.

Early in the inquiry it became apparent that some issues should be reported on before the inquiry was complete to give survivors and institutions more certainty on these issues and enable governments and institutions to implement our recommendations as soon as possible. Consequently, we submitted the following reports:

- *Working With Children Checks* (August 2015)
- *Redress and civil litigation* (September 2015)
- *Criminal justice* (August 2017)

Definition of terms

The inappropriate use of words to describe child sexual abuse and the people who experience the abuse can have silencing, stigmatising and other harmful effects. Conversely, the appropriate use of words can empower and educate.

For these reasons, we have taken care with the words used in this report. Some key terms used in this volume are set out in Chapter 1, 'Introduction' and in the Final Report Glossary, in Volume 1, *Our inquiry*.

Naming conventions

To protect the identity of victims and survivors and their supporters who participated in private sessions, pseudonyms are used. These pseudonyms are indicated by the use of single inverted commas, for example, 'Roy'.

As in our case study reports, the identities of some witnesses before public hearings and other persons referred to in the proceedings are protected through the use of assigned initials, for example, BZW.

Structure of the Final Report

The Final Report of the Royal Commission into Institutional Responses to Child Sexual Abuse consists of 17 volumes and an executive summary. To meet the needs of readers with specific interests, each volume can be read in isolation. The volumes contain cross references to enable readers to understand individual volumes in the context of the whole report.

In the Final Report:

The **Executive Summary** summarises the entire report and provides a full list of recommendations.

Volume 1, *Our inquiry* introduces the Final Report, describing the establishment, scope and operations of the Royal Commission.

Volume 2, *Nature and cause* details the nature and cause of child sexual abuse in institutional contexts. It also describes what is known about the extent of child sexual abuse and the limitations of existing studies. The volume discusses factors that affect the risk of child sexual abuse in institutions and the legal and political changes that have influenced how children have interacted with institutions over time.

Volume 3, *Impacts* details the impacts of child sexual abuse in institutional contexts. The volume discusses how impacts can extend beyond survivors, to family members, friends, and whole communities. The volume also outlines the impacts of institutional responses to child sexual abuse.

Volume 4, *Identifying and disclosing child sexual abuse* describes what we have learned about survivors' experiences of disclosing child sexual abuse and about the factors that affect a victim's decision whether to disclose, when to disclose and who to tell.

Volume 5, *Private sessions* provides an analysis of survivors' experiences of child sexual abuse as told to Commissioners during private sessions, structured around four key themes: experiences of abuse; circumstances at the time of the abuse; experiences of disclosure; and impact on wellbeing. It also describes the private sessions model, including how we adapted it to meet the needs of diverse and vulnerable groups.

Volume 6, *Making institutions child safe* looks at the role community prevention could play in making communities and institutions child safe, the child safe standards that will make institutions safer for children, and how regulatory oversight and practice could be improved to facilitate the implementation of these standards in institutions. It also examines how to prevent and respond to online sexual abuse in institutions in order to create child safe online environments.

Volume 7, *Improving institutional responding and reporting* examines the reporting of child sexual abuse to external government authorities by institutions and their staff and volunteers, and how institutions have responded to complaints of child sexual abuse. It outlines guidance for how institutions should handle complaints, and the need for independent oversight of complaint handling by institutions.

Volume 8, *Recordkeeping and information sharing* examines records and recordkeeping by institutions that care for or provide services to children; and information sharing between institutions with responsibilities for children's safety and wellbeing and between those institutions and relevant professionals. It makes recommendations to improve records and recordkeeping practices within institutions and information sharing between key agencies and institutions.

Volume 9, *Advocacy, support and therapeutic treatment services* examines what we learned about the advocacy and support and therapeutic treatment service needs of victims and survivors of child sexual abuse in institutional contexts, and outlines recommendations for improving service systems to better respond to those needs and assist survivors towards recovery.

Volume 10, *Children with harmful sexual behaviours* examines what we learned about institutional responses to children with harmful sexual behaviours. It discusses the nature and extent of these behaviours and the factors that may contribute to children sexually abusing other children. The volume then outlines how governments and institutions should improve their responses and makes recommendations about improving prevention and increasing the range of interventions available for children with harmful sexual behaviours.

Volume 11, *Historical residential institutions* examines what we learned about survivors' experiences of, and institutional responses to, child sexual abuse in residential institutions such as children's homes, missions, reformatories and hospitals during the period spanning post-World War II to 1990.

Volume 12, *Contemporary out-of-home care* examines what we learned about institutional responses to child sexual abuse in contemporary out-of-home care. The volume examines the nature and adequacy of institutional responses and draws out common failings. It makes recommendations to prevent child sexual abuse from occurring in out-of-home care and, where it does occur, to help ensure effective responses.

Volume 13, *Schools* examines what we learned about institutional responses to child sexual abuse in schools. The volume examines the nature and adequacy of institutional responses and draws out the contributing factors to child sexual abuse in schools. It makes recommendations to prevent child sexual abuse from occurring in schools and, where it does occur, to help ensure effective responses to that abuse.

Volume 14, *Sport, recreation, arts, culture, community and hobby groups* examines what we learned about institutional responses to child sexual abuse in sport and recreation contexts. The volume examines the nature and adequacy of institutional responses and draws out common failings. It makes recommendations to prevent child sexual abuse from occurring in sport and recreation and, where it does occur, to help ensure effective responses.

Volume 15, *Contemporary detention environments* examines what we learned about institutional responses to child sexual abuse in contemporary detention environments, focusing on youth detention and immigration detention. It recognises that children are generally safer in community settings than in closed detention. It also makes recommendations to prevent child sexual abuse from occurring in detention environments and, where it does occur, to help ensure effective responses.

Volume 16, *Religious institutions* examines what we learned about institutional responses to child sexual abuse in religious institutions. The volume discusses the nature and extent of child sexual abuse in religious institutions, the impacts of this abuse, and survivors' experiences of disclosing it. The volume examines the nature and adequacy of institutional responses to child sexual abuse in religious institutions, and draws out common factors contributing to the abuse and common failings in institutional responses. It makes recommendations to prevent child sexual abuse from occurring in religious institutions and, where it does occur, to help ensure effective responses.

Volume 17, *Beyond the Royal Commission* describes the impacts and legacy of the Royal Commission and discusses monitoring and reporting on the implementation of our recommendations.

Unless otherwise indicated, this Final Report is based on laws, policies and information current as at 30 June 2017. Private sessions quantitative information is current as at 31 May 2017.

Summary

This volume examines what we learned about institutional responses to child sexual abuse in sport and recreation institutions. It describes children's sport and recreation in Australia, child sexual abuse in this context, and the nature and adequacy of institutional responses to that abuse. This volume makes recommendations to prevent child sexual abuse from occurring in sport and recreation environments and, if it does occur, to help ensure effective responses.

Children's sport and recreation in Australia

The activity types, institutions and contexts of sport and recreation

We have adopted a broad definition of the activities that constitute the 'sport and recreation sector'. They include sport, recreation, exercise groups, dance, martial arts, cadets and other defence force activity for children, outdoor adventure groups, Scouts and Girl Guides, hobby groups, community groups, arts groups, crafts groups, cultural pursuits, musical pursuits, and tuition groups.

Australian children participate in a range of such activities during their lives. These activities are provided by a multitude of institutions and personnel in almost every community. Parents and volunteers join paid staff to ensure that there is a vast array of opportunities for children during out-of-school hours. Without their contribution, children's sport and recreation opportunities would be seriously curtailed.

We have categorised the various institutional types that provide services to children into two main groups. These are:

- Federated institutions with compliance obligations – these institutions typically have well-developed management structures that operate at the national level with affiliate bodies working at the state, regional and local levels. Many of these institutions are subject to compliance obligations. Examples of these institutional types include: Football Federation Australia; Swimming Australia; Scouts Australia and YMCA Australia.
- Unaffiliated institutions with minimal compliance obligations – these institutions typically lack well-developed management structures. They usually operate in isolation from an auspice institution. They include not-for-profit institutions and for-profit institutions. Many of the latter are small businesses or sole traders providing recreational activities or private tuition for children.

Children's participation in sport and recreation

Organised sport and recreation provide opportunities for children to develop their motor skills and physical and creative abilities. They also help children to increase their self-worth by developing life skills, such as discipline, confidence and leadership. Sport and recreation also provides benefits to the wider community which in turn provides benefits for children; healthier families and communities provide children with greater opportunities to fulfil their potential.

Children aged 0–14

A 2015–16 AusPlay survey led by the Australian Sports Commission provides trend data about the participation rates of children aged 0–14 in sport and physical activity. According to the survey, approximately 3.2 million children participated in some form of organised sport or physical activity outside school hours. The most popular activities for girls were swimming, netball and recreational dancing. The most popular activities for boys were swimming, soccer and Australian rules football.

Data on the participation rates of children in recreational, arts and cultural activity is available from the Australian Bureau of Statistics (ABS). In 2011–12 the ABS conducted a survey into the participation of children aged 5–14 in organised cultural activities. It found that 490,200 children played a musical instrument, 189,900 children participated in arts and crafts, 143,200 children participated in singing and 130,300 children participated in drama.

Young people aged 15–17

According to the AusPlay survey, about 743,200 young people aged 15–17 participated in some form of organised sport or physical activity outside school hours. Athletics, track and field was the most popular organised activity, followed by football (soccer) and fitness/gym activity.

Responsibilities to keep children safe in sport and recreation

International and national legal and policy frameworks provide guidance and regulate the many different institutions that provide sport and recreation services to children. These include:

- the United Nations Convention on the Rights of the Child – requires that children be free from all forms of violence or exploitation and protected from sexual abuse
- the National Framework for Protecting Australia's Children 2009–2020 – a long-term policy approach aimed at ensuring the safety and wellbeing of Australia's children

- state and territory child safe approaches – mandatory or voluntary approaches have been adopted by jurisdictions to improve the safety of children in institutions, based on building the capacity of institutions to be child safe
- state and territory schemes for conducting Working With Children Checks (WWCC) for people seeking to engage in child-related work – these schemes aim to ensure that appropriate people are chosen to work or volunteer with children
- state and territory obligatory reporting laws – certain individuals and institutions are legally obliged to report suspicions, risks and instances of child abuse and neglect, including child sexual abuse, to an external government authority, such as the police, child protection authorities or oversight agencies
- the use of funding as a regulatory tool to promote compliance with certain child safe obligations – the Australian Sports Commission and the sport and recreation departments of Queensland, Western Australia and South Australia all tie sport and recreation funding to child safety compliance.

Children's views about keeping safe in sport and recreation

Children and young people are important stakeholders in the sport and recreation sector. During a series of consultations with children and young people, we heard their views about keeping safe in sport and recreation. These included:

- relationships with adults – young people consider continuity of contact to be very important in facilitating trust between children and adults, and said the coach is often the person they will go to if they have a concern
- transport – young people considered transport to and from sport a safety issue and told us that most of the time they would get a lift with whomever they could, including their coaches
- staff – young women told us that they are more comfortable in sport and recreation when there are female staff, and young men said they were equally comfortable with male or female staff
- image publication – some young people told us that they did not have a problem with image publication in sports contexts on the field or in public performance spaces, provided they had been consulted and retained the right to have something removed.

Child sexual abuse in sport and recreation

The nature and extent of child sexual abuse in sport and recreation contexts

The forms of child sexual abuse we heard about in sport and recreation included penetrative and non-penetrative contact, violations of privacy, exposure to sexual acts and material, sexual exploitation, and combinations of these. In our private sessions, 408 survivors told us about child sexual abuse in sport and recreation settings. We identified 344 sport and recreation institutions across Australia where survivors told us the abuse occurred.

Information about the 408 survivors who told us in private sessions of child sexual abuse in sport and recreation institutions revealed the following:

- Of those survivors who told us about the duration of abuse (75.7 per cent), most (56.0 per cent) told us that the abuse occurred for up to 12 months. Over one-third (36.9 per cent) said that the abuse lasted between one and five years and 8.1 per cent said that the abuse lasted longer than six years.
- Most survivors (93.4 per cent) told us about the frequency of abuse they experienced. Of these, 77.4 per cent told us of multiple instances of abuse – whether by an adult perpetrator or child with harmful sexual behaviours.
- A small proportion of survivors (3.9 per cent) said the abuse occurred in more than one institution.
- Most survivors (88.0 per cent) told us of being abused by a single adult perpetrator or a child with harmful sexual behaviours, while 12.0 per cent told us they were abused by multiple persons. A small proportion of survivors (1.7 per cent) did not tell us how many people abused them.
- Most survivors (78.0 per cent) who spoke to Commissioners about the type of sexual abuse they experienced reported genital contact of a non-penetrative nature. Male survivors were more likely to report non-penetrative genital forms of abuse than female survivors (80.1 per cent compared with 71.7 per cent).

In private sessions we also heard that both adult perpetrators and children exhibiting harmful behaviours were the cause of physical abuse and emotional maltreatment in sport and recreation. Of the 128 survivors (31.4 per cent) who told us that they had experienced other forms of abuse as well as sexual abuse, most (89.1 per cent) told us of emotional maltreatment, 21.1 per cent told us of physical abuse and 9.4 per cent said they witnessed the abuse of others.

Who we heard about in sport and recreation

Survivors

From the 408 survivors of child sexual abuse in sport and recreation settings we heard from in private sessions, we learned:

- Three hundred and five (74.8 per cent) were male and 102 (25.0 per cent) were female.
- Most survivors (86.0 per cent) told us when they were first sexually abused. Of these, 65.5 per cent said this occurred when they were between the ages of 10 and 14 and 10.5 per cent said they were aged 15 or older.
- A small number (2.7 per cent) of those who told us they were abused in a sport or recreation institution had a disability at the time of the abuse. We were told this abuse occurred in mainstream sport and recreation institutions, as well as in disability-specific settings.
- More than two-thirds (68.6 per cent) of accounts of sexual abuse in sport and recreation settings that we heard about in private sessions were said to have occurred in a major city, more than one in five (20.8 per cent) were in regional settings and a small proportion (1.5 per cent) were in remote or very remote settings.

Adult perpetrators

While there is no typical profile of someone who sexually abuses a child in a sport or recreation setting, we heard in private sessions that some characteristics were more common than others. We learned that a range of adults sexually abused children in sport and recreation contexts. As in other institutional settings, these people had diverse motivations and behaviours and were influenced by various factors that can change over time.

Of the 408 survivors of child sexual abuse in a sport or recreation context who told us about abuse:

- Seventy-four per cent mentioned the age of the abuser. Of these, the majority, (94.4 per cent) told us of being sexually abused by an adult perpetrator.
- Most survivors (95.1 per cent) who attended private sessions provided information regarding the role of the perpetrator. More than one-third of these survivors told us they were abused by a youth group leader (36.6 per cent), most of whom we were told were Scout leaders, followed by coaches or instructors (20.4 per cent) and volunteers in the institution (6.4 per cent).

Of the 302 survivors who spoke to us about perpetrator age, most (93.7 per cent) told us they were abused by an adult male.

Children with harmful sexual behaviours

During our inquiry, we received information about children who were sexually abused by other children in an institution, including in sport and recreation contexts. Of the 302 survivors (74.0 per cent) in sport and recreation contexts who told us about the age of the abuser, a small proportion (6.3 per cent) said that they had been sexually abused by another child.

Where in sport and recreation children have been sexually abused

Our case studies revealed that children were sexually abused in a range of sporting and recreational settings and contexts. We were also told about a range of places of abuse in our private sessions. Some of the most commonly reported were camps, overnight competitions and excursions; overnight stays; billeting and hosting arrangements; travel arrangements; change rooms and concealed or obscured environments; and public environments. In addition, the internet and associated technologies create opportunities for perpetrators to groom children outside the physical boundaries of the sport or recreation institution.

Characteristics and risk factors for child sexual abuse in sport and recreation

Understanding the risk factors that are unique to sport and recreation settings is important because it helps us to better understand the reasons why child sexual abuse occurs in those settings as well as how best to prevent it and respond when it does occur. These risk factors include aspects of grooming and societal and community cultures.

Grooming in sport and recreation contexts

The forms of grooming in sport and recreation settings we were told about followed many of the same patterns reported in other institutional contexts. Although grooming is difficult to pinpoint and quantify, of the 354 victims of child sexual abuse in sport and recreation settings who gave us information in private sessions about the type of abuse they experienced, 37.0 per cent said that grooming was a factor in the abuse.

Common grooming strategies described were:

- coaching relationships – perpetrators can exploit their power and authority over children through the private and exclusive coach or instructor relationship
- inappropriate activity and adult material – survivors of child sexual abuse told us that alcohol and other enticements were used by perpetrators as a form of grooming

- erosion of interpersonal boundaries – coaches can shift the interpersonal boundaries from the acceptable (for example, legitimate touching to correct a swim stroke) to the inappropriate
- targeting vulnerability – research indicates that young athletes who are experiencing difficulties in their home life can be targets for perpetrators. We heard from significant numbers of survivors who described family conflict, family violence or family breakup at the time of the abuse
- valuing performance over child safety – some environments prioritised performance over the best interests of children and pursued winning at all costs.

Societal and community cultures that can be risk factors for child sexual abuse

Sport and recreation institutions are relatively accessible when compared to other institutions, such as schools, and are particularly permeable and open to broader cultural influences. These can create risk factors for child sexual abuse, including:

- normalised violence and harassment – in hyper-competitive sporting contexts, violent and aggressive behaviours such as bullying and hazing can become normalised
- normalised sexualised cultures – sexualised cultures can sometimes be a feature of dance environments, in part because of the role of television and social media
- valuing adults over children – when sport and recreation institutions are driven by results and the pursuit of excellence, they may overlook potential harms in valuing coaches and instructors over the wellbeing of the child
- level of involvement – children who have a high level of involvement in institutional settings may be at greater risk of abuse than other children.

The impacts of child sexual abuse in sport and recreation contexts

The impacts of child sexual abuse in institutional contexts can be devastating. The particular impacts of child sexual abuse in sport and recreation contexts include:

- disengagement – we heard examples where child sexual abuse had irretrievably damaged the passion and enthusiasm that the child once had for the sport or recreation activity
- isolation – research tells us that 'high-level' athletes are frequently isolated from peer groups outside their activity. Disengaging from sport 'communities' as the result of abuse can be severely isolating
- mental health and emotional health – commissioned research suggests a strong link between the experience of child sexual abuse and long-term mental health problems. Emotional problems that did not reach a threshold of mental illness were also debilitating

- interpersonal relationships – survivors of abuse in sport and recreation institutions told us about their difficulties with interpersonal relationships, including with intimate partners, family members and friends
- families, carers and others – the key supporters of the victim, such as parents, carers, siblings, partners and friends, can be impacted by both the abuse itself and the subsequent response of the institution
- educational and economic – survivors told us how sexual abuse affected their social and economic wellbeing, including their employment and overall economic security.

Institutional responses to child sexual abuse in sport and recreation

We have identified the ways in which sport and recreation institutions have not kept children safe. Many of these failings are common to other types of institutions and are summarised in Volumes 6, 7 and 8. However, certain features and risks of the sport and recreation environment have influenced how these failures manifest in these types of institutions.

Barriers to disclosing child sexual abuse in sport and recreation contexts

We were told about many significant barriers that victims had to overcome before they were able to disclose their experiences of abuse in sport and recreation. These included:

- fear of not being believed – we heard from survivors who feared not being believed because they felt the abusing adult had greater credibility and power. The elevated status and authority of a respected sports coach, Scout leader, or dance or music instructor contributed to this perception
- fear of consequences in small or close-knit communities – the particular dynamics in small towns and communities can make disclosure of abuse especially difficult
- feelings of shame and embarrassment – in sport, strength and aggression may be viewed as essential qualities of the male athlete, while the disclosure of harassment and abuse experiences may be associated with weakness
- uncertainty about what is abusive – a child may feel uncertain about what is abusive where the activity necessarily involves direct physical contact, for example, routine post-training massages in high-performance swimming
- fear of negative impacts on future success – children may fear disclosing sexual abuse if they believe it will jeopardise their potential for success or ability to continue their much-loved activity, a fear emphasised in high-performance environments.

Inadequate reporting of and responding to complaints of child sexual abuse

Not reporting complaints externally

We heard of adults associated with a sport and recreation institution not reporting known or suspected child sexual abuse to an external government authority. The reasons for this inaction are complex and varied. We heard that without legal obligations, some sport and recreation personnel did not report abuse outside the institution. We also learned that an institution's culture, leadership and governance, personal relationships between a potential reporter and other members of a sport and recreation institution, and fears about the consequences of making a report, can also deter reporting and potential reporters.

Complaint handling

We heard of instances where complaints of child sexual abuse were poorly or inappropriately managed. Sometimes the complaint was not adequately investigated by the institution. Where an investigation was conducted, it was sometimes initiated after considerable delay and handled in an inappropriate and insensitive manner. We heard of instances where managers did not act immediately in response to complaints of abuse, failed to adequately assess and manage risks, and enabled the alleged offender to continue to have access to children.

We heard that small sport and recreation institutions faced particular challenges in handling complaints of child sexual abuse, including limited resources and capacity to implement complaint handling procedures; closely connected groups of people, which has implications for confidentiality; or situations in which the subject of the complaint was also the owner of the institution.

Factors that enabled child sexual abuse in sport and recreation institutions

Institutional leadership, governance and culture

The common factors of institutional leadership, governance and culture that led to child sexual abuse in sport and recreation institutions included:

- unchecked and unaccountable leaders and poor leadership – some leaders had unchecked control over the culture and practices in their institutions and operated without appropriate governance structures and accountability mechanisms
- pursuit of excellence at any cost – an institution's commitment to success may result in a lack of vigilance for, or challenge to, the inappropriate behaviour of an instructor or coach

- protection of reputation as a primary concern – leaders can be motivated to protect the institution from legal action or negative publicity following disclosures of abuse
- institutional cultures of physical abuse and bullying – these cultures can be expressed in a variety of ways, including physical aggression, verbal aggression and the use of sexualised language and homophobic taunts.

Institutional policies and procedures

We were told about a range of sport and recreation institutions without adequate child protection policies. Some institutions lacked policies and procedures for reporting and responding to abuse. Others had policies and procedures but they were not followed or understood by staff and volunteers. Some sport or recreation peak bodies did not provide appropriate guidance and support to member clubs.

Education, training and communication of policies

Sport and recreation institutions with national or statewide reach usually have centralised member protection policies that filter down to the local level. A challenge for peak sport and recreation institutions is to ensure that their member protection policies and child safety information materials are communicated and understood among all member clubs and associations, particularly at the local grassroots level and where there is a high turnover of personnel.

Recordkeeping and information sharing

We heard about sport and recreation personnel who did not appropriately record or share information in a timely and effective manner. We also heard from leaders of sport and recreation peak body associations who explained that many sport and recreation institutions have limited or no recordkeeping and information sharing practices. We were told about the consequences of this lack of recording and information sharing, such as perpetrators being able to continue their involvement with an institution, or move to another institution and continue to abuse children.

Creating child safe sport and recreation environments

Sport and recreation institutions are important bodies that could play a significant role in the prevention and detection of child sexual abuse. Because of their large and broad audience and prominent place in the community, they present an opportunity to raise awareness about the importance of child protection and to promote child safety.

Our recommendations for improving the safety of children in sport and recreation institutions, outlined in Chapter 5, seek to address the risks and the failures of institutional responses we describe in this volume. They build on and supplement recommendations made elsewhere in this Final Report, particularly in Volume 6, *Making institutions child safe*, Volume 7, *Improving institutional responding and reporting* and Volume 8, *Recordkeeping and information sharing*, which discuss ways to make institutions safer for children, and in our *Criminal justice* and *Redress and civil litigation* reports, which discuss our criminal and civil liability recommendations.

Initiatives to improve children's safety

Child Safe Standards

We have developed 10 Child Safe Standards that articulate the essential standards of a child safe institution. The Child Safe Standards are the foundation of our proposed nationally consistent approach to child safety in institutions. In this volume, we recommend that all sport and recreation institutions, including arts, culture, community and hobby groups, that engage with or provide services to children should implement the Child Safe Standards (Recommendation 14.1). Volume 6, *Making institutions child safe* has more information on the importance of the Child Safe Standards. Appendix B in this volume provides practical guidance for implementing the standards.

The Child Safe Standards are principle-based to enable them to be implemented by sport and recreation institutions in a flexible way. The implementation of the standards should not deter or prevent sport and recreation institutions from providing services to children. Sport and recreation institutions should be supported to implement the standards through independent oversight.

The 10 Child Safe Standards that would make institutions safer for children are:

- Standard 1: Child safety is embedded in institutional leadership, governance and culture
- Standard 2: Children participate in decisions affecting them and are taken seriously
- Standard 3: Families and communities are informed and involved
- Standard 4: Equity is upheld and diverse needs are taken into account
- Standard 5: People working with children are suitable and supported

- Standard 6: Processes to respond to complaints of child sexual abuse are child focused
- Standard 7: Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training
- Standard 8: Physical and online environments minimise the opportunity for abuse to occur
- Standard 9: Implementation of the Child Safe Standards is continuously reviewed and improved
- Standard 10: Policies and procedures document how the institution is child safe.

National leadership, capacity building and support

National leadership, coordination and capacity building can maximise collaboration and the efficient use of resources across jurisdictions. This is particularly important for sport and recreation institutions with limited resources and a high reliance on volunteers.

In Volume 6, *Making institutions child safe,* we recommend that the Australian Government establish the National Office for Child Safety to provide leadership for all institutional contexts and for all matters related to child safety. In this volume, we recommend that a new sport and recreation advisory committee be convened to advise the National Office for Child Safety on sector-specific child safety issues (see Recommendation 14.2).

The advisory committee would be an information conduit between the different institutional types of the broader sport and recreation sector and the National Office for Child Safety. It would provide opportunities for representatives to share knowledge, insights and experience to influence better child safe policy and practice.

Expanding Play by the Rules

Smaller or less regulated institutions told us that they value online training and templates that are authoritative and developed by experts in child safety.

Non-government organisation Play by the Rules develops free online materials to assist sporting clubs to create safe environments for children. In its current form, the focus of Play by the Rules is limited to sports sector stakeholders in the government and not-for profit domains. The materials are not specifically tailored to the needs of small business and sole traders providing recreation, sports, arts, and various hobby or cultural activities.

In this volume, we recommend Play by the Rules should be expanded and funded so that its resources are relevant to a more diverse range of sport and recreation institutions, including those delivered by the private sector (see Recommendation 14.3).

State and territory support and guidance

In Volume 6, *Making institutions child safe*, we recommend that the Child Safe Standards be mandatory for all institutions that engage in child-related work and that a new or existing independent state or territory oversight body be appointed to support institutions to implement them. This would include sport and recreation institutions.

The state and territory oversight bodies need to strike the right balance between ensuring that the Child Safe Standards are implemented effectively and not over-burdening institutions with compliance requirements. We recognise this is not an easy task, however, such a balance is essential for sport and recreation institutions, which often rely heavily on volunteers to provide their services to children. Any efforts to enforce child safety should not deter or prevent sport and recreation institutions from providing services to children. Any oversight of child safety practices in the sport and recreation sector must focus on capacity building and support.

Improving communication

Improving communication to the service delivery level remains one of the significant challenges for the sport and recreation sector. In this volume, we recommend that a simple, voluntary and free email subscription process for all sport and recreation institutions be established by the independent state and territory oversight body responsible for implementing the Child Safe Standards to help communicate child safe information to service providers (see Recommendation 14.4).

Improving communication is important as sport and recreation institutions have an important community awareness raising role. Improved communication would assist these institutions to disseminate information to parents and children, and inform them about the rules and responsibilities on child safety. Children may be more likely to take information about child safety home to parents because of the positive role these institutions have in their lives.

Child safety officers in local governments

We believe there is scope for local governments to play a key role in assisting their local areas' institutions to comply with child safety requirements. In Volume 6, *Making institutions child safe,* we recommend that local governments designate child safety officer positions from existing staff profiles to assist community-based institutions in their area to become child safe, with support from governments at the national, state and territory levels.

Child safety officers would have a particularly important role in the sport and recreation sector. They could perform several child safety functions, including developing messaging in sport and recreation venues to improve safety in change rooms, clubrooms and sports grounds. A child safety officer who is proximate to services and local industries would be especially important in regional and remote areas, and could also coordinate other government services relevant to child safety.

Legal responsibilities of institutions and their personnel

Civil liability

In our *Redress and civil litigation* report we have made a number of recommendations to reform aspects of civil litigation. We recommend that states and territories introduce legislation to impose a non-delegable duty on some types of institutions for child sexual abuse committed by members or employees of the institution. We recommend that this non-delegable duty be placed only on any facility operated for profit which provides services for children that involve the facility having the care, supervision or control of children for a period of time. This could bring some sport and recreation institutions that provide services to children under the scope of this duty.

We do not believe that liability should be extended to not-for-profit or volunteer institutions generally. To do so may discourage members of the community from coming together to provide or create facilities that offer opportunities for children to engage in valuable cultural, social and sporting activities.

We also recommend that the onus of proof be reversed for claims in negligence against any institution relating to child sexual abuse committed by the institution's members or employees so that the institution bears the onus to prove that it exercised reasonable care to prevent abuse. We recommend that the reverse onus of proof apply to all institutions, including those that we recommend be excluded from the non-delegable duty.

The recommendations are intended to prevent child sexual abuse in an institutional context by encouraging leaders of institutions to facilitate a child safe environment, at risk of the institution being liable for the abuse if they do not. An aspect of facilitating a child safe environment would be through implementation of the Child Safe Standards in institutions.

Criminal liability

In our *Criminal justice* report we recommend that states and territories introduce legislation to enact a failure to protect offence. This offence would require an adult within the institution who knows there is a substantial risk that another adult associated with the institution will commit a child sexual offence, and who has the power or responsibility to reduce or remove the risk, to reduce or remove the risk. If they negligently fail to do so, they would commit the offence.

We recommend that relevant institutions be defined to include institutions that operate facilities or provide services to children in circumstances where the children are in the care, supervision or control of the institution. This could bring some sport and recreation institutions that provide services to children under the scope of this offence.

This offence is designed to require adults within institutions to take responsibility for preventing child sexual abuse in institutional contexts.

Improving institutional responses to and reporting of child sexual abuse

In Volume 7, *Improving institutional responding and reporting*, we make recommendations to improve the reporting of child sexual abuse in institutions to external authorities and improve institutional complaint handling. Sport and recreation institutions should be provided with adequate support and assistance with building their capacity to report child sexual abuse and respond to complaints. This would assist with guarding against overburdening these types of institutions.

Reporting to external authorities

In our view, suspected crimes – including child sexual abuse – should be reported to police. In our *Criminal justice* report we recommend that each state and territory government introduce legislation to create a failure to report offence targeted at child sexual abuse in institutional contexts. We recommend this offence should apply to institutions that operate facilities or provide services to children in circumstances where the children are in the care, supervision or control of the institution. This could bring some sport and recreation institutions that provide services to children under the scope of this offence.

We also consider it important to make clear that persons who know or suspect that a child is being or has been sexually abused in an institutional context should report this to police – not necessarily as a legal obligation enforced by a criminal offence but because it is moral and ethical to do so. In our *Criminal justice* report we recommend that any adult associated with an institution who knows or suspects or should have suspected that a child is being or has been sexually abused by another adult associated with the institution should report the abuse to police.

Child-focused complaints process

To support the implementation of the Child Safe Standards, in Volume 7, *Improving institutional responding and reporting*, we recommend that all institutions have a clear, accessible and child-focused complaint handling policy and procedure that sets out how the institution should respond to complaints of child sexual abuse.

Complaint handling processes in sport and recreation institutions should include appropriate contact information and referrals, linking complainants and others to organisations or personnel who would be able to assist in handling a complaint or manage sensitive information.

Codes of conduct

To support implementation of the Child Safe Standards, in Volume 7, *Improving institutional responding and reporting*, we recommend that all sport and recreation institutions providing services to children have a code of conduct for staff, volunteers, parents and carers to identify and understand concerning or unacceptable behaviour, understand their responsibility to raise and report any concerns, and foster a culture that encourages reporting and handles complaints responsibly. Codes of conduct should be widely distributed, including by institutions and peak bodies.

Oversight of institutional complaint handling

Independent oversight is important in addressing some problems that arise in the way institutions handle complaints about child sexual abuse, and encourages improvements in institutional complaint handling through training, education and guidance.

In Volume 7, *Improving institutional responding and reporting*, we recommend that reportable conduct schemes should cover, at a minimum, institutions that provide certain services, activities or supports for children, such as accommodation and residential services, childcare services and education services. This could bring sport and recreation institutions that provide such services under the scope of our recommended scheme.

The oversight body that administers the scheme should provide sport and recreation institutions with training, education and guidance on how to identify, report, handle and investigate reportable allegations and convictions.

In future, reportable conduct schemes may cover a broader scope of sport and recreation institutions. We recommend that state and territory governments periodically review the operation of such schemes to determine whether they should cover additional institutions that have a high degree of responsibility for children and a heightened risk of child sexual abuse.

Recordkeeping and information sharing

Recordkeeping

Good recordkeeping is an important part of creating child safe institutions. The creation and maintenance of accurate records and ongoing recordkeeping practices play a critical role in identifying, preventing and responding to child sexual abuse. Records are also important in alleviating the impact of child sexual abuse for survivors.

In Volume 8, *Recordkeeping and information sharing*, we recommend that all institutions that engage in child-related work implement five principles for records and recordkeeping, responsive to the institution's risks. This would include sport and recreation institutions.

Information sharing

Information sharing is an important aspect of creating child safe institutions. The sharing of information can assist institutions to identify the risk of child sexual abuse and to take preventative action in response. The implementation of the Child Safe Standards would work to create a positive institutional culture where the importance of information sharing is recognised by institutions, their staff and volunteers.

In Volume 8, *Recordkeeping and information sharing*, we recommend that Australian governments implement a nationally consistent information exchange scheme for intra-jurisdictional and inter-jurisdictional sharing of information related to children's safety and wellbeing, including information relevant to child sexual abuse in institutional contexts. We suggest that sport and recreation institutions that provide or are responsible for accommodation and residential services for children, including activities that involve overnight accommodation, be considered for inclusion in the scheme.

Recommendations

The following is a list of recommendations made in this volume. These recommendations build on and supplement recommendations made elsewhere in this Final Report, particularly Volume 6, *Making institutions child safe*, Volume 7, *Improving institutional responding and reporting* and Volume 8, *Recordkeeping and information sharing*, and the *Redress and civil litigation* and *Criminal justice* reports (see Appendix A).

Our recommendations aim to improve the safety of children in sport and recreation institutions and support children, parents, paid staff, volunteers and other stakeholders to access appropriate resources and tools so they can provide the safest environments for children.

Child Safe Standards (Chapter 5)

Recommendation 14.1

All sport and recreation institutions, including arts, culture, community and hobby groups, that engage with or provide services to children should implement the Child Safe Standards identified by the Royal Commission.

A representative voice for the sector (Chapter 5)

Recommendation 14.2

The National Office for Child Safety should establish a child safety advisory committee for the sport and recreation sector with membership from government and non-government peak bodies to advise the national office on sector-specific child safety issues.

Expanding Play by the Rules (Chapter 5)

Recommendation 14.3

The education and information website known as Play by the Rules should be expanded and funded to develop resources – in partnership with the National Office for Child Safety – that are relevant to the broader sport and recreation sector.

Improving communication (Chapter 5)

Recommendation 14.4

The independent state and territory oversight bodies that implement the Child Safe Standards should establish a free email subscription function for the sport and recreation sector so that all providers of these services to children can subscribe to receive relevant child safe information and links to resources.

1 Introduction

1.1 Overview

This volume examines what we learned about institutional responses to child sexual abuse in sport and recreation institutions. It examines the nature and adequacy of institutional responses and identifies common failings. It makes recommendations to prevent child sexual abuse from occurring in sport and recreation institutions and, where it does occur, to help ensure effective responses to that abuse.

This chapter explains how this volume responds to the Terms of Reference of the inquiry, why we focused on child sexual abuse in sport, recreation, arts, culture, community and hobby groups, and the issues we examined in these contexts. It also describes some critical information sources and significant links with other volumes of this report, and defines some key terms.

1.1.1 Why we focused on sport and recreation

We selected six types of institution for in-depth examination in this Final Report: children's residential institutions pre-1990; institutions providing contemporary out-of-home care; schools; sport and recreation institutions; contemporary detention environments; and religious institutions. Factors that influenced the selection of these institution types included:

- the number of allegations of abuse we received about them
- the significant role they have played, or play, in children's lives
- children's vulnerability to sexual abuse in the institutions, for instance due to the high-risk nature of the particular environment or the high participation rates of children in those institutions
- the particular regulatory and governance arrangements in place.

Participation in sport and recreation is a common activity for Australian children, second only to school attendance in the numbers of children engaged. In 2011–12, more than 1,700,000 children aged 5–14 participated in at least one organised sport activity outside school hours.[1] In the same year, 980,700 children aged 5–14 participated in at least one organised cultural activity (this may include playing a musical instrument, singing, dancing, or participating in drama or organised art and craft) outside school hours.[2]

For the most part, children have been, and are, safe in sport and recreation environments. However, the sexual abuse of children has been reported in sport and recreation contexts, as our inquiry has shown.

When we started our inquiry, we were conscious that protecting children against sexual abuse in sport and recreation settings presented numerous challenges for governments and institutions. One reason for this is the diverse nature of the sector – some activities are coordinated through well-regulated sports codes at the national, state and local levels, some are managed locally by volunteers, and some are offered by small businesses. Increasingly, sport and recreation activities are being offered by commercial enterprises, predominantly small businesses. Another reason is that parents and other volunteers often manage child safety risks in the absence of guidance, resources or regulations – statutory or otherwise. Further, small clubs would likely struggle if overburdened by unnecessary compliance requirements.

We wanted to examine institutional responses to child sexual abuse in sport and recreation contexts to highlight past cases of abuse and the unique risk factors for abuse in these contexts. We also wanted to examine the failings of certain sport and recreation institutions in responding to abuse, so that we could identify measures to improve the safety of children who engage in sport and recreation.

We are also aware that sport and recreation institutions can play an important role in preventing and detecting child sexual abuse. These institutions have a significant and positive position in society and can be used to raise awareness about the importance of child safety across the whole community. The Australian Sports Commission and representatives from the sport sector reported that the prevention of child sexual abuse is a high priority, and that 'protecting children is at the core of the value base and mission of Australian sport'.[3]

Australia is bound by the United Nations Convention on the Rights of the Child, which means that as a nation we have a duty to ensure that children in Australia enjoy the rights set out in the treaty. Consistent with Articles 29, 31, 34 and 36, Australia has an obligation to develop a child's personality, talents and physical abilities; recognise the right of the child to rest and recreation; and protect the child from all forms of sexual exploitation and sexual abuse.[4]

We believe that involvement in sport and recreation can and does influence children's lives positively. Further, sport and recreation activities may offer therapeutic value to children who otherwise have had difficult lives or have suffered abuse.[5]

We heard in our inquiry that people who had been victims of child sexual abuse often pursued sport or recreation activities to assist them to heal and develop new resilience and strength. It is imperative that the millions of Australian children who participate in sport and recreation can do so free from harm and abuse.

1.1.2 Our definition of sport and recreation

We have adopted a broad definition of sport and recreation activities encompassing a range of institutional service providers because the child safety requirements are common across these settings. Our aim in this volume is to capture a wide audience of sport and recreation institutions to ensure that child safety is considered in all settings where children participate.

When we refer to 'sport and recreation', 'the sport and recreation sector' or 'the sector', we include a broad range of activities and institutions providing services to children. Some common institutions in the sport and recreation sector include:

- government-funded services and clubs
- not-for-profit organisations, including charities
- business entities, including sole traders
- community groups.

Our definition of the activities that constitute the sport and recreation sector is also broad. It includes sport, recreation, exercise groups, dance, martial arts, cadets and other defence force activity for children, outdoor adventure groups, Scouts and Girl Guides, hobby groups, community groups, arts groups, crafts groups, cultural pursuits, musical pursuits, and tuition groups.

We make one important distinction in our discussion of child sexual abuse in sport and recreation contexts in this volume. When we describe the particular 'situational' risk factors for child sexual abuse we provide examples from a wide range of sport and recreation settings, including schools and cadet training environments. When we describe the 'institutional' risk factors that enabled child sexual abuse to occur, we refer exclusively to institutions that existed primarily for providing organised sport and recreation activity. Therefore, we exclude schools and Australian Defence Force institutions in these discussions.

1.1.3 Issues examined

When we began our inquiry, the national and international literature examining child sexual abuse in sport and recreation was limited. Further, research into how sport and recreation institutions should best prevent, report and respond to this abuse was minimal.[6]

Although the evidence base remains relatively limited, community awareness about child safety in sport and recreation is increasing, and it is an emerging area of focus for policy makers.[7] At the national and state or territory levels, initiatives have been introduced that prioritise child safety and wellbeing in sport and recreation.[8] However, this work is ongoing, and the approaches of the Australian Government and state and territory governments to child safety in sport and recreation vary considerably.

It became apparent through our work that we needed to examine several overarching areas. They were:

1. the nature, roles and responsibilities of sport and recreation institutions
2. the nature, extent, causes and impacts of child sexual abuse in sport and recreation settings, and the barriers to disclosing and reporting abuse
3. the nature and adequacy of institutional responses to child sexual abuse in these settings
4. how to improve children's safety in sport and recreation without overburdening the sector or the parents and volunteers who willingly offer their time to make such activities possible.

This required us to consider several questions, outlined in Table 14.1.

Table 14.1 – Issues and questions for examination of child sexual abuse in sport and recreation institutions

Issues	Questions for examination
Nature, roles and responsibilities of sport and recreation institutions	• What is the nature of sport and recreation institutions and the broader sector? • What governance, management or oversight frameworks exist? • How many children participate in sport and recreation activities? • What are the roles and responsibilities of institutions' sport and recreation activities?
Nature, extent, causes and impacts of abuse, and barriers to disclosure and reporting	• What is the nature and extent of child sexual abuse in sport and recreation contexts? • Who are the victims? Where have they been abused? • Who committed the abuse? • How and why are children abused in these contexts? • What are the particular impacts on victims of being sexually abused in these contexts?
Nature and adequacy of institutional responses	• What are the barriers to disclosing, identifying and responding to child sexual abuse in these contexts? • How have institutions responded to child sexual abuse in sport and recreation contexts? • What are the strengths and limitations of those responses?
Creating child safe sport and recreation contexts	• How can sport and recreation contexts become child safe? • How should the sector be encouraged and supported to promote child safety? • How can small unaffiliated clubs and businesses best be resourced to understand their child safety obligations?

1.2 Terms of Reference

The Letters Patent establishing the Royal Commission required that we 'inquire into institutional responses to allegations and incidents of child sexual abuse and related matters' and set out the Terms of Reference of the inquiry.

In carrying out this task, we were directed to focus on systemic issues, informed by an understanding of individual cases. We were required to make findings and recommendations to better protect children against sexual abuse and alleviate the impact of abuse on children when it occurs.

This volume addresses the future focus of our Terms of Reference. Under paragraph (a) we were directed to inquire into 'what institutions and governments should do to better protect children against child sexual abuse and related matters in institutional contexts in the future'. Paragraphs (b) and (c) also directed us to consider what institutions and governments need to do to improve their responses to child sexual abuse in institutional contexts and reduce the impact on survivors.

1.3 Information sources

To inform our understanding of institutional responses to child sexual abuse in sport and recreation contexts, we gathered information through public hearings, private sessions and written accounts, research and policy work, and engaging with the community. Information from these sources informed the development of our recommendations and is referred to throughout this volume.

Some important information sources relevant to child sexual abuse in sport and recreation contexts are highlighted below.

1.3.1 Public hearings

Eight of our public hearings examined institutional responses to child sexual abuse in sport and recreation contexts:

- *Case Study 1: The response of institutions to the conduct of Steven Larkins*
- *Case Study 2: YMCA NSW's response to the conduct of Jonathan Lord*
- *Case Study 15: Response of swimming institutions, the Queensland and NSW Offices of the DPP and the Queensland Commission for Children and Young People and Child Guardian to allegations of child sexual abuse by swimming coaches*

- *Case Study 21: The response of the Satyananda Yoga Ashram at Mangrove Mountain to allegations of child sexual abuse by the ashram's former spiritual leader in the 1970s and 1980s*
- *Case Study 37: The response of the Australian Institute of Music and RG Dance to allegations of child sexual abuse*
- *Case Study 39: The response of certain football (soccer), cricket and tennis organisations to allegations of child sexual abuse (Sporting clubs and institutions)*
- *Case Study 47: Institutional review of YMCA NSW* and *Case Study 48: Institutional review of Scouts and Hunter Aboriginal Children's Service* examined the responses of these institutions to allegations of child sexual abuse and their subsequent development of child protection policies and practices.

1.3.2 Private sessions

We received information from 408 survivors who told us of child sexual abuse in sport and recreation settings. The experiences that were shared with us provide important insights into the sexual abuse of children in sport and recreation institutions.

1.3.3 Policy and research

We commissioned research reports to help us understand child sexual abuse in institutions, including sport and recreation settings, and the subsequent responses of institutions. Table 14.2 sets out the commissioned reports particularly relevant to this volume.

Table 14.2 – Commissioned research relevant to institutional responses to child sexual abuse in sport and recreation contexts

Report title	Published
Oversight and regulatory mechanisms aimed at protecting children from sexual abuse: Understanding current evidence of efficacy[9]	2017
Life journeys of victims/survivors of child sexual abuse in institutions: An analysis of Royal Commission private sessions[10]	2017
Risk profiles for institutional child sexual abuse: A literature review[11]	2016
The role of organisational culture in child sexual abuse in institutional contexts[12]	2016
Feeling safe, being safe: What is important to children and young people with disability and high support needs about safety in institutional settings?[13]	2016
Disability and child sexual abuse in institutional contexts[14]	2016

We held a private roundtable in April 2016 to provide a forum for representatives from the sport and recreation sector to share their opinions and expertise on what would make the sector safer for children. There was general agreement from stakeholders that the sport and recreation sector would benefit from a nationally consistent approach to child safety.

We also conducted a series of consultations with children and young people. During these consultations, we asked them to tell us about the factors and circumstances that help them to feel safe in sport and recreation environments. We also asked them to explain the circumstances in which they felt unsafe and if they had any solutions to improve the situation.

1.3.4 Limitations of our work

Limited research into institutional responses to child sexual abuse in sport and recreation contexts

Research is limited into child sexual abuse in institutional contexts. There is also a lack of research that looks at child protection issues in sport and recreation. Even more limited is research on how sport and recreation institutions can best prevent, report and respond to child protection issues.[15] This is because it is a relatively new area of research and policy focus.

We reviewed the available research to better understand child sexual abuse in sport and recreation institutions and the measures that have been developed to safeguard children from abuse in these contexts. We have also drawn on our public hearings and on survivors' private sessions and written accounts. This information may not represent the broader experience of victims of abuse in sport and recreation contexts. Further, private sessions information is likely to under-represent the number of victims of more recent abuse, because research suggests that delays in reporting are common, especially among males and people who were abused by someone with authority over them.[16] Rates of disclosure may be disproportionately low for boys in youth sports.[17]

The focus of our sport and recreation case studies

The sport and recreation sector is diverse and comprises multiple institutions and actors. The sport and recreation institutions we examined through our case studies are not representative of the entire sector. Our *Sporting clubs and institutions* case study helped to bridge this gap by giving us the opportunity to hear from the Australian Sports Commission, national sports organisations and other significant stakeholders about their existing procedures and practices in relation to child protection.

1.4 Links with other volumes

In describing what we learned about child sexual abuse in sport and recreation contexts, this volume builds on Volume 2, *Nature and cause*, Volume 3, *Impacts* and Volume 4, *Identifying and disclosing child sexual abuse*, which examine the nature and cause, impacts and disclosure of child sexual abuse across institutions.

This volume should also be read with Volume 6, *Making institutions child safe*, Volume 7, *Improving institutional responding and reporting* and Volume 8, *Recordkeeping and information sharing*, which present a national approach to making, improving and supporting child safe institutions. These volumes explain how institutions can be made safer for children by better preventing, identifying, reporting and responding to institutional child sexual abuse. As protecting children is everyone's responsibility, these volumes look at the roles the community, institutions, government, individuals and other actors can play to create child safe institutions, including in sport and recreation contexts.

Volumes 6, 7 and 8 address making institutions child safe in all institutional contexts and recommend independent but interrelated initiatives to create child safe institutions. Recommendations made in those volumes are of general application to sport and recreation settings. They are supplemented by the recommendations in this volume.

1.5 Key terms

The inappropriate use of words to describe child sexual abuse and the people who experience the abuse can have silencing, stigmatising and other harmful effects. Conversely, the appropriate use of words can empower and educate.

For these reasons, we have taken care with the words used in this report. Some key terms used in this volume are described below. A complete glossary is contained in Volume 1, *Our inquiry*.

Children with harmful sexual behaviours

We use the term 'children with harmful sexual behaviours' to refer to children under 18 years who have behaviours that fall across a spectrum of sexual behaviour problems, including those that are problematic to the child's own development, as well as those that are coercive, sexually aggressive and predatory towards others. The term 'harmful sexual behaviours' recognises the seriousness of these behaviours and the significant impact they have on victims, but is not contingent on the age or capacity of a child.

Child safe institutions/child safe organisations

'Child safe institutions' create cultures, adopt strategies and take action to prevent harm to children, including child sexual abuse. The Australian Children's Commissioners and Guardians (ACCGs) defines a child safe institution as one that consciously and systematically:

- creates conditions that reduce the likelihood of harm to children
- creates conditions that increase the likelihood of identifying and reporting harm
- responds appropriately to disclosures, allegations or suspicions of harm.

Child sexual abuse in an institutional context

The term 'child sexual abuse' refers to any act which exposes a child to, or involves a child in, sexual processes beyond his or her understanding or contrary to accepted community standards. Sexually abusive behaviours can include the fondling of genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object, fondling of breasts, voyeurism, exhibitionism, and exposing the child to or involving the child in pornography. It includes child grooming, which refers to actions deliberately undertaken with the aim of befriending and establishing an emotional connection with a child, to lower the child's inhibitions in preparation for sexual activity with the child.

Our Terms of Reference specify that child sexual abuse occurs in an institutional context if, for example, the abuse:

- happens on a premises of an institution or where its activities occur, or in connection with its activities
- is engaged in by an institution's official in circumstances where the institution has, or its activities have, in any way contributed to the risk of abuse
- happens in any other circumstances where an institution is, or should be treated as being, responsible for adults having contact with children.

Complaint

A 'complaint' includes any allegation, suspicion, concern or report of a breach of the institution's code of conduct. It also includes disclosures made to an institution that may be about or relate to child sexual abuse in an institutional context.

A complaint may be made about an adult allegedly perpetrating child sexual abuse or about a child exhibiting harmful sexual behaviours. It can be received in writing, verbally, or be the result of other observations, including behavioural indicators.

We recognise the term complaint is used differently by some institutions. For example, instead of complaint, institutions have encouraged people to 'speak up' about their concerns, referred to both 'complaints or concerns', or used the term 'allegation'.

Disclosure

'Disclosure' is the process by which a child conveys or attempts to convey that they are being or have been sexually abused, or by which an adult conveys or attempts to convey that they were sexually abused as a child. This may take many forms, and might be verbal or non-verbal. Non-verbal disclosures using painting or drawing, gesticulating, or through behavioural changes, are more common among young children and children with cognitive or communication impairments. Children, in particular, may also seek to disclose sexual abuse through emotional or behavioural cues, such as heightened anxiety, withdrawal or aggression.

Information sharing/information exchange

We use the terms 'information sharing' and 'information exchange' to refer to the sharing or exchange of information, including personal information about, or related to, child sexual abuse in institutional contexts. The terms refer to the sharing of information between (and, in some cases, within) institutions, including non-government institutions, government and law enforcement agencies, and independent regulator or oversight bodies. They also refer to the sharing of information by and with professionals who operate as individuals to provide key services to or for children.

Mandatory reporter/mandatory reporting

A 'mandatory reporter' is a person who is required by either state or territory legislation to report known and suspected cases of child abuse and neglect to a nominated government department or agency (typically the child protection authority).

'Mandatory reporting' refers to where a legislative requirement is placed on an individual to report known and suspected cases of child abuse and neglect to a nominated government department or agency (typically the child protection authority).

Offender

We use the term 'offender' for a person who is found by a court to have done something that is prohibited by law.

Perpetrator

We use the term 'perpetrator' to describe an adult who has sexually abused a child.

Record

A 'record' refers to information created, received and maintained as evidence and/or as an asset by an organisation or person, in pursuance of legal obligations or in the transaction of business or for its purposes, regardless of medium, form or format.

Report

A 'report' refers to where concerns relating to child sexual abuse are notified to an authority or agency external to the relevant institution – for example, where a person or institution notifies the police, a child protection agency, an oversight agency or a professional or registration authority.

Reportable conduct

'Reportable conduct' refers to conduct that must be reported under legislation that obliges designated institutions to report allegations of institutional child sexual abuse to an independent statutory body.

Victim and survivor

We use the terms 'victim' and 'survivor' to refer to someone who has been sexually abused as a child in an institutional context. We use the term 'victim' when referring to a person who has experienced child sexual abuse at the time the abuse occurred. We use the term 'survivor' when referring to a person who has experienced child sexual abuse after the abuse occurred, such as when they are sharing their story or accessing support. Where the context is unclear, we have used the term 'victim'.

We recognise that some people prefer 'survivor' because of the resilience and empowerment associated with the term.

We recognise that some people who have experienced abuse do not feel that they 'survived' the abuse, and that 'victim' is more appropriate. We also recognise that some people may have taken their lives as a consequence of the abuse they experienced. We acknowledge that 'victim' is more appropriate in these circumstances. We also recognise that some people do not identify with either of these terms.

When we discuss quantitative information from private sessions in this volume, we use the term 'survivor' to refer both to survivors and victims who attended a private session and those (including deceased victims) whose experiences were described to us by family, friends, whistleblowers and others. This quantitative information is drawn from the experiences of 6,875 victims and survivors of child sexual abuse in institutions, as told to us in private sessions to 31 May 2017.

1.6 Structure of this volume

Chapter 2 describes the range of institutions that provide sport and recreation activities for children in Australia, details children's participation in these activities and the associated benefits, and explains the responsibilities these institutions have to keep children safe.

Chapter 3 details what we learned about the factors that have contributed to child sexual abuse in sport and recreation and the areas of institutional risk. It sets out our findings concerning the nature and extent of child sexual abuse in sport and recreation institutions and the impacts of child sexual abuse in these institutional contexts.

Chapter 4 outlines what we learned about institutional responses to child sexual abuse in sport and recreation contexts. It details what we learned about the barriers to disclosing abuse in these institutions, the ways in which institutions have responded to child sexual abuse in sport and recreation contexts, common failures of those responses, and lessons for child safety in sport and recreation.

Chapter 5 makes recommendations related to making sport and recreation institutions child safe by:

- implementing our proposed 10 Child Safe Standards in sport and recreation contexts
- developing a sport and recreation child safety advisory committee
- expanding and funding the information and education website known as Play by the Rules to develop child safe resources for a broader range of sport and recreation institutions
- developing an email subscription process to give service providers access to endorsed online child safety–related materials
- establishing child safety officers in local government.

The recommendations in this volume build on and supplement recommendations made elsewhere in this Final Report, particularly in Volume 6, *Making institutions child safe*, Volume 7, *Improving institutional responding and reporting* and Volume 8, *Recordkeeping and information sharing*, which discuss ways to make institutions safer for children, and in our *Redress and civil litigation* and *Criminal justice* reports.

Endnotes

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2 Australian Bureau of Statistics 2012*, 4901.0 – Children's participation in cultural and leisure activities: Sports participation,* 2013, www.abs.gov.au/AUSSTATS/abs@.nsf/Latestproducts/4901.0Main%20Features5Apr%202012?opendocument&tabname=Summary&prodno=4901.0&issue=Apr%202012&num=&view= (viewed 4 August 2017).

3 J Tucci & J Mitchell, *Safeguarding children in sport – A national blueprint to build the capacity of sport to protect children and young people from abuse, harm and exploitation*, Australian Childhood Foundation, Victoria, 2015, p 3.

4 Convention on the Rights of the Child, opened for signature 20 November 1989, UNTS 1577 (entered into force 2 September 1990), arts 29, 31, 34 and 36.

5 For example: Name changed, private session, 'Cassie Lyn'; Name changed, private session, 'Tony Peter'; Name changed, private session, 'Rosie Anne'; I Katz, A Jones, BJ Newton and E Reimer, *Life journeys of victim/survivors of child sexual abuse in institutions: An analysis of Royal Commission private sessions*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2017, p 187.

6 J Tucci & J Mitchell, *Safeguarding children in sport – A national blueprint to build the capacity of sport to protect children and young people from abuse, harm and exploitation*, Australian Childhood Foundation, Victoria, 2015, p 6.

7 J Tucci & J Mitchell, *Safeguarding children in sport – A national blueprint to build the capacity of sport to protect children and young people from abuse, harm and exploitation*, Australian Childhood Foundation, Victoria, 2015, pp 7, 17–21.

8 J Tucci & J Mitchell, *Safeguarding children in sport – A national blueprint to build the capacity of sport to protect children and young people from abuse, harm and exploitation*, Australian Childhood Foundation, Victoria, 2015, pp 17–24.

9 B Mathews, *Oversight and regulatory mechanisms aimed at protecting children from sexual abuse: Understanding current evidence of efficacy*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2017.

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11 K Kaufman & M Erooga, *Risk profiles for institutional child sexual abuse: A literature review,* report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2016.

12 D Palmer, *The role of organisational culture in child sexual abuse in institutional contexts,* report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2016.

13 S Robinson, *Feeling safe, being safe: What is important to children and young people with disability and high support needs about safety in institutional settings?,* report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2016, pp 7, 48.

14 G Llewellyn, S Wayland & G Hindmarsh, *Disability and child sexual abuse in institutional contexts,* report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2016.

15 J Tucci & J Mitchell, *Safeguarding children in sport – A national blueprint to build the capacity of sport to protect children and young people from abuse, harm and exploitation*, Australian Childhood Foundation, Victoria, 2015, p 6.

16 J Cashmore, A Taylor & P Parkinson*, The impact of delayed reporting on the prosecution and outcomes of child sexual abuse cases*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2016, p 20.

17 K Kaufman & M Erooga, *Risk profiles for institutional child sexual abuse,* report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2016, p 25.

2 Children's sport and recreation in Australia

2.1 Overview

This chapter gives an overview of the institutions and the contexts for children's sport and recreation in Australia. It shows the extensive range of such activity and the various personnel and institutions that are responsible for keeping children safe from the harm of sexual abuse and other forms of abuse. The chapter:

- defines sport and recreation activities and describes the various institutions that provide such activities for children
- provides contemporary data on the number of children participating in sport and recreation activities
- outlines the role that sport and recreation play in children's lives
- details the responsibilities of institutions to keep children safe in sport and recreation settings
- summarises the ways in which governments provide guidance to sport and recreation institutions in implementing child safe policies and practices.

2.2 The activity types, institutions and contexts of sport and recreation

As noted in Chapter 1, we have adopted a broad definition of the activities that constitute the 'sport and recreation sector'. They include sport, recreation, exercise groups, dance, martial arts, cadets and other defence force activity for children, outdoor adventure groups, Scouts and Girl Guides, hobby groups, community groups, arts groups, crafts groups, cultural pursuits, musical pursuits, and tuition groups.

Australian children participate in a range of such activities during their lives. These activities are provided by a multitude of institutions and personnel in almost every community. Parents and volunteers join paid staff to ensure that there is a vast array of opportunities for children during out-of-school hours. In 2010, approximately 2.3 million people volunteered in sport and recreation activities; the largest volunteer group of any work sector in Australia.[1] Without their contribution, children's sport and recreation opportunities would be seriously curtailed.

Some of this activity is coordinated through well-regulated sports codes at the national, state and local levels. Other activity is managed at the local level by parents and volunteers. Increasingly, sport and recreation are offered by commercial enterprises, primarily small businesses offering activities such as dance, martial arts and personal training. These industries are expanding across Australia. Of people employed in a sport and physical recreation occupation, most are reported as fitness instructors (21,514 people).[2]

The diverse institutions providing sport and recreation activities for children are not necessarily affiliated with each other and they operate under different resource and regulatory models. We estimate that over 100,000 institutions make up this sector, including 70,000 sports clubs (mainly not-for-profit organisations), over 6,000 dance academies and over 2,500 martial arts clubs.[3] There is no information about the number of tutors and sole traders.[4]

For the most part, this activity occurs safely and in the absence of particularly onerous child safety regulations or directives, statutory or otherwise.

2.2.1 Activities and contexts

Sport and recreation activities for Australian children cover a wide range of pursuits and occur in many different contexts, including schools, studios, gyms, swimming pools, community centres and sports grounds.

Sport and recreation activities are subject to demographic, generational and cultural changes.[5] Children's interests change and trends emerge. Lifestyle and alternative pursuits such as BMX cycling and skateboarding that were once defined as recreational activities are now Olympic sports.[6] These changes to the status of activities have implications for governance and funding, as will be described throughout this chapter.

At the national level, certain activities are defined as sports and these activities receive funding and guidance through their affiliation with a federated structure of institutions associated with the Australian Sports Commission, the Australian Government's lead agency for sport. Other activities, generally described as recreational activities, do not receive this support. The division between sport and recreation has significant implications for policy direction and guidance in relation to child safety matters. Sports institutions generally receive a level of guidance and policy direction on child safety matters through their membership structure. Recreational and community-based leisure activities are less likely to be guided in child safety matters by a peak governing institution.

The Australian Sports Commission recognises 94 National Sporting Organisations, which range from high-profile, high-participation sports such as cricket, football and netball to lower participation sports such as orienteering and motorcycling.[7] It defines sport as 'a human activity capable of achieving a result requiring physical exertion and/or physical skill which, by its nature and organisation, is competitive and is generally accepted as being a sport'.[8] We acknowledge that beyond pure physical exertion and skill, sport can also be played for social interaction, employment, personal enjoyment, and improved mental health.[9]

A policy framework provides a structure for the broader sport and recreation sector. The Australian Government's National Sport and Active Recreation Policy Framework guides the development of public policy and programs for the sport and recreation sector.[10] It defines sport as an activity involving physical exertion and skill with standards of competition and rules and patterns of behaviour.[11] The framework defines recreational activities as those requiring physical exertion, excluding artistic pursuits such as music, singing and drama.[12] This is narrower than the definition we have adopted.

2.2.2 Institutional types

Over the duration of the Royal Commission, we conducted case studies into a range of sport and recreation institution types, including those with some form of federated structure and an affiliation with and support from a funded peak body and those with limited or no affiliation to a peak body institution.

We have categorised the various institutional types that provide services to children into two main groups. The categories best define the variable access that sport and recreation institutions have to leadership or direction in child safety, and are referred to throughout this volume:

- Federated institutions with compliance obligations – these institutions typically have well-developed management structures that operate at the national level with affiliate bodies working at the state, regional and local levels.[13] Many of these institutions are subject to compliance obligations.
- Unaffiliated institutions with minimal compliance obligations – these institutions typically lack well-developed management structures.[14] They usually operate in isolation from an auspice institution. Many of these institutions are small businesses or sole traders providing recreational activities or private tuition for children.

Federated institutions with compliance obligations

Many sport and recreation institutions have a tiered structure consisting of national, state and territory entities, regional associations and local clubs. Sport and recreation institutions with national or statewide reach tend to have centralised child protection policies that are applicable at the local club level.[15]

The central office of any national institution is generally called the peak body. While peak bodies may be constituted differently and have varied resource levels and reach, they share a common purpose: to guide and advise their membership. They are an information hub providing assistance in the administration and operation of clubs and associations.

Peak bodies have a role to assist their members with child safety initiatives and other information relevant to the operation of the local club. Most provide information about child safety and child protection via their websites. This may include fact sheets, policies and templates, for example, for codes of conduct or member protection policies. Some peak bodies provide guidance about insurance and risk management. Since the Royal Commission was established, many peak bodies have sought to address child safety and improve practices in their own institution, as well as in affiliated institutions.

The following examples highlight the diverse types of institutions that operate under a federated structure and have compliance obligations. Some of these institutions receive government funding. They may also rely heavily on volunteers.

Football Federation Australia

Football Federation Australia (FFA) is the governing body for football (soccer) in Australia.[16] It is a member-based organisation with a federated structure consisting of national, state and territory entities.[17]

Grassroots clubs deliver and manage 92 per cent of the football (soccer) played in Australia.[18] Membership of a local club could range from 30 to 2,000 people. At March 2016, there were about 369,000 children registered in FFA outdoor competitions.[19]

State and territory governing bodies must comply with a constitution, applicable statutes, by-laws, regulations and other policies of FFA.[20] The state and territory bodies oversee their jurisdictions, including the regional associations and local football clubs.[21] According to FFA, 'club management involves the administrative requirements of volunteers to adequately ensure that a club is effective and strategic in its endeavours'.[22]

FFA has identified three key positions to ensure club stability and control: a president to oversee the running of the club and be a direct point of contact, a treasurer to be responsible for financial control, and a club administrator to manage player registration.[23]

FFA is a National Sporting Organisation, funded by the Australian Sports Commission.[24] As a condition of funding, FFA is required to implement several child protection policies.[25] These include a member protection policy and the FFA code of conduct.[26] These policies are then adopted by FFA's peak bodies at the state level and also by member clubs.[27]

Swimming Australia

Swimming Australia is the peak body for swimming in Australia. It is responsible for the administration of the Australian swim team, which competes internationally at events such as the Commonwealth Games, Olympic Games and FINA World Championships.[28]

Swimming Australia is also responsible for promoting swimming as a sport in Australia, including through junior swimming. This is generally achieved via affiliated local clubs, which support swimmers by running squad-based training and national programs.[29]

Swimming Australia's member associations include the peak bodies for each Australian state and territory.[30] Each of these bodies operates independently of Swimming Australia, but they are bound by its policies.[31] This includes its Safe Sport Framework (implemented in July 2016, after the release of the report of our *Case Study 15: Response of swimming institutions, the Queensland and NSW Offices of the DPP and the Queensland Commission for Children and Young People and Child Guardian to allegations of child sexual abuse by swimming coaches*).[32] Local swimming clubs are affiliated with their respective state or territory association.[33]

In 2014–15, there were 924 swimming clubs affiliated with Swimming Australia. It is difficult to identify the exact number of swimming coaches, instructors and volunteers; however, the 2011 Census found that 10,281 people self-identified as a 'swimming coach or instructor' (this figure does not include management and administrative staff). Employment in this sector may be part-time, full-time, volunteer or casual.[34]

Of all sports, swimming has the highest level of children's participation. In 2012, over 490,000 Australian children aged 5–14 participated in swimming and diving.[35]

Scouts Australia

Scouts Australia is part of the World Organization of the Scout Movement, which has over 40 million members and one million Scout groups.[36] It is a voluntary, non-political, educational movement for children and young people that aims to help them achieve their full potential.[37] Scouts provides a range of activities with an emphasis on developing useful skills and performing services to benefit others. Many Scout activities occur outdoors. They include camping, orienteering, abseiling, rock climbing, bushwalking and canoeing.[38]

The game of Scouting was played by boys in Australia as early as 1908.[39] In 100 years since its formation, more than two million Australians have been involved in Scouts.[40] In 2015, there were 1,458 local Scout groups, 54,420 youth members and 13,011 adult Scout leaders. The youth members include 5,905 Joeys (ages 6–7), 20,649 Cubs (ages 8–10), 19,418 Scouts (ages 11–14), 5,655 Venturers (ages 15–17), and 2,793 Rovers (ages 18–25).[41]

The governance arrangements for Scouts have changed over time. Initially each state branch was governed by the Imperial headquarters in London.[42] In 1922, an Australian Federal Scout Council was established. This council functioned as a branch of the British Scout Association and coordinated scouting activities in Australia for over 30 years.[43] In 1958, the council was replaced by the Australian Boys Scout Association, which would later be renamed the Scouts Association of Australia, otherwise known as Scouts Australia.[44] Scouts Australia is a federation of eight state and territory branches and a national association.[45] Scout activities are organised and managed by state and territory branches and groups.[46]

In November 2016, Scouts Australia established its first child protection policy at a national level, which was developed by merging existing state and territory branch-based policies.[47]

YMCA Australia

YMCA Australia is a not-for-profit charity that offers programs and services to children and young people. YMCA Australia offers diverse sport and recreation activities, including art classes, gymnastics, camping and swimming.[48] YMCA Australia also offers other services, including kindergartens, early learning centres, after-school care and vacation care.

In 2014, YMCA Australia recorded over one million camp participants in its 19 camp sites across Australia.[49] The YMCA also manages 73 recreation centres that offer activities to approximately 1 million participants annually.[50] As the YMCA caters to both children and young adults, the proportion of participants that are children is unclear.[51]

YMCA Australia employs approximately 12,000 staff in 741 locations around Australia. All YMCA services also engage volunteers. YMCA Australia is a federation of 24 incorporated member associations. Each association is governed by a local voluntary board of directors elected by its members.[52]

In November 2014, YMCA Australia adopted a national Safeguarding Children and Young People policy. The policy applies to all boards of directors, staff and volunteers, licensed member associations and affiliated organisations.[53]

Unaffiliated institutions with minimal compliance obligations

The second group of institutions generally operates without membership of a national, state or territory peak body. They can be small institutions in the non-profit sector, many of which rely heavily on volunteers.[54] They can also operate as commercial enterprises, such as small businesses and sole traders.

Not-for-profit institutions

In the not-for-profit sector, a small club may be operated by a volunteer management committee taking up the positions of president, treasurer and club administrator. The club may be affiliated with a higher level association for the purposes of competition, but the association will not have a governance role in relation to the club.[55] The club is likely to be incorporated under relevant legislation, providing some legal protection for individual club members in cases of injury.[56] The club may have a number of teams and is likely to have parents and other volunteers as coaches and instructors.[57]

Many small, grassroots and community-run sport and recreation clubs receive grant funding. Regional and remote sport and recreation activity is commonly funded this way. Much of this funding is periodic, or provided on an application or grant basis.[58] Other sources of funding include private sector donations; trusts, foundations and benevolences; sponsorship; and fundraising, such as through the Australian Sports Foundation.[59]

Program funding through grants is often targeted to institutions providing sport and recreation activities for culturally and linguistically diverse communities, Aboriginal and Torres Strait Islander communities, and people with disability.[60] The purpose of many government-funded initiatives is to increase access to and participation in sport and recreation. The clubs that receive these grants may be not-for-profit and unaffiliated with state and national associations.[61]

For the most part, grant funding is not accompanied by governance requirements. For example, the Australia Council for the Arts provides grant funding to individuals, groups and organisations that are registered under law.[62] Funded entities are required to acquit funds, but they are not accountable to governance requirements of the funding body.[63]

Charities registered with the Australian Charities and Not-for-profits Commission (ACNC) must meet a set of governance standards.[64] Charities do not need to submit anything to the ACNC to show they meet the standards, but must provide evidence if requested.[65] The governance standards are a set of core, minimum standards that deal with how charities remain charitable, operate lawfully, and are accountable. Charities decide how they will meet compliance responsibilities.[66]

The Local Queensland Cricket Club is an example of a not-for-profit institution that relies heavily on volunteers.

Local Queensland Cricket Club

The Local Queensland Cricket Club, investigated in *Case Study 39: The response of certain football (soccer), cricket and tennis organisations to allegations of child sexual abuse (Sporting clubs and institutions)*, is operated by a management committee consisting of a president, vice-president, secretary and treasurer.[67] The club is incorporated under the *Associations Incorporation Act 1981* (Qld).[68] At April 2016, the club had about 80 to 100 adult members and 70 child members.[69] At the same time, it had about $80,000 in net assets and an annual turnover of $80,000 to $100,000.[70]

The cricket club has four senior teams and six junior teams catering for three different age groups.[71] A junior coordinator organises the junior cricket competition.[72] Parents volunteer as coaches for the juniors, with occasional assistance from former junior players. All the junior coaches are also parents of children in the club.[73] Everyone who provides assistance to the club does so in a voluntary capacity.[74]

The only screening procedure the club uses is the Queensland Government's blue card system for screening adults who work with children and young people. The club requires all people working with children, including parents who coach cricket teams, to hold a blue card.[75]

The cricket club is affiliated with the North Queensland Junior Cricket Association, but the association has no governance role in relation to the club.[76] The club is also affiliated with Queensland Cricket. There is no direct relationship between the cricket club and Cricket Australia.[77] However, Cricket Australia organises and pays for insurance for cricket clubs around Australia.[78] The club does not regard itself as bound in any way by Cricket Australia's policies.[79]

Although Queensland Cricket is the peak body for cricket at the state level, unlike many other state peak sports bodies, it has a bottom-up structure. In effect, the local clubs and associations are autonomous and independent of Queensland Cricket.

Queensland Cricket attempts to promote child protection in cricket by influencing cricket clubs and associations. It conducts annual 'roadshow' events in Queensland, although only in certain cities and regional centres. It distributes memoranda, circulars and other child protection resources to cricket clubs.[80]

In 2015, the Local Queensland Cricket Club adopted Cricket Australia's Member Protection Policy and for the first time appointed a Member Protection Officer.[81]

For-profit institutions, including small business and sole traders

For-profit institutions are generally small businesses and sole traders, which may operate as clubs. However, sometimes sport and recreation institutions operate as large-scale businesses.

We heard that many small clubs and businesses self-regulate to the extent that they are capable.[82] For the most part, these providers do not use volunteers; however, the sector relies heavily on casual labour.

Increasingly, small sport and recreation institutions operate as a business. Many provide private tuition or private coaching and operate in isolation from any peak associations. Some small business arrangements are operated through family partnerships. The business is likely to employ instructors and administrative staff. These business entities may not be bound by the internal child safety procedures and policies that some of the larger, more centralised sport and recreation bodies employ.[83] Nevertheless, they are subject to child protection legislation at the national and state levels, along with any requirements of their insurer.

For example, institutions that offer martial arts, a growing recreational activity for children in Australia, are usually run as small-to-medium-sized businesses.[84] Some styles of martial arts may have national and state level organisations, with a child protection policy.[85] Some clubs may not have a child protection policy.[86]

Dance studio RG Dance and music tutor Victor Makarov are examples of small recreation businesses.

RG Dance

RG Dance was a dance studio that operated between 2001 and 2013.[87] It was a focus of our *Case Study 37: The response of the Australian Institute of Music and RG Dance to allegations of child sexual abuse (Centres for performing arts*). RG Dance became a highly successful dance studio and it expanded rapidly.[88] In 2006, RG Dance was incorporated.[89] From 2008–12, we were told RG Dance employed up to 17 staff including teaching and administrative personnel, some part-time. Student enrolment numbers were between 200 and 260.[90]

RG Dance had no child protection policies or practices and did not train staff in child protection matters.[91]

As a small business, RG Dance had no affiliation or membership with a peak body. Generally, dance studios are not affiliated with state and national associations.[92] Ausdance is the peak advocacy and education body for dance in Australia, but its reach is limited.[93] Although Ausdance is funded by the Australia Council, its size is not comparable to the large sports peak bodies and it lacks strong affiliations with its affiliates.[94]

Training and registration exists for some dance teachers, but coverage is not total. Syllabus organisations such as the Royal Academy of Dance provide training and teacher registration for dance teachers in certain styles of dance. These organisations certify particular skills, but have no regulatory function with respect to child protection in dance studios.[95]

Victor Makarov

Victor Makarov taught students music privately in a studio in his home, in addition to his teaching duties at the Australian Institute of Music (AIM).[96] In his capacity as a sole trader, Makarov had no formal affiliation with a governing institution, and there was no oversight of Makarov's activities in his role as tutor.

It is relatively simple and inexpensive to become a sole trader.[97] Therefore, this business structure is often the most appropriate for instructors who provide private tuition to children. Sole traders are legally responsible for all aspects of their business.[98] They also have certain tax obligations, including the requirement to register for an Australian Business Number (ABN).[99]

Many private music instructors are employed in schools and hold the relevant qualifications and registrations to teach in their state or territory. However, private instructors operating as sole traders are under no formal obligation to become qualified or accredited to teach. While many instructors become members of a peak body or professional association, they are not required to do so.

2.2.3 Sport and recreation personnel

The sport and recreation sector is largely supported by a combination of voluntary personnel and part-time or casual paid employees. It has the highest volume of volunteers of any sector in Australia. In 2011, the sector included 2.3 million volunteers and 95,590 paid employees.[100] Of those employed in a sport or physical recreation occupation, the largest numbers were reported for fitness instructors (21,514), greenkeepers (11,346) and swimming coaches or instructors (10,279).[101]

Common stakeholder groups in this diverse sector include:

- child participants
- parents and guardians of child participants
- coaches and instructors (both paid and voluntary)
- managers and administrators at the club level (both paid and voluntary)
- umpires and referees
- medical and health staff
- counselling staff
- ancillary staff such as timekeepers, umpires, and ground staff (both paid and voluntary)
- recreation support staff for children with disability
- peak or governing bodies of the sport or recreation activities
- the Australian Government, and state and territory and local governments.

The different stakeholders all play varying roles in supporting children in sport or recreation activity. A number of these stakeholders have institutional responsibilities and obligations.

In some instances, parent volunteers have high-level responsibilities and specific obligations at a level commensurate with that of a paid manager of a well-funded activity. For example, a volunteer president of a local club may have the same duty-of-care obligations to the club and its members as a paid manager. This duty is not lessened because the president is a volunteer.

Overall, the sport and recreation sector is very complex, with various stakeholder groups having varying resource and support requirements, which require careful assessment.

2.2.4 Sport and recreation environments

Our case studies on matters within our Terms of Reference that involved sport and recreation activities, as listed in Chapter 1, were selected to cover a range of environments. We considered sports, including cricket, swimming, tennis and soccer; outdoor recreational pursuits, such as adventure camping; and arts and cultural activities, including dance and music.

We found that while the activities and the environments were diverse, most sport and recreation activity has some common environmental characteristics. The sport and recreation environments that we focus on in this section are those that we found to present situational risk factors for child sexual abuse.

We were told in private sessions that overnight camps or overnight stays at the home of the coach or instructor were places where child sexual abuse occurred.[102] We were also told that travel involving lifts to and from training practices and events and stays away from home for competitions or events were also environments where sexual abuse occurred.[103] We also heard that perpetrators had exploited billeting or hosting arrangements involving children living away from home.[104]

We heard that change rooms in some sport and recreation settings can be places of risk for children. The same is true of low-visibility studios and settings where there are no windows. We heard of abuse occurring during private coaching or tuition in spaces that were beyond the line of sight of other staff or adults.[105]

We heard that the online environment creates opportunities for adults to access children outside institutional walls. This may include through telephones and computers, in a variety of ways such as email, text messages, social media platforms and forums.[106] In our *Centres for performing arts* case study we heard that the perpetrator received and sent sexually explicit messages to children using the online environment.[107]

Chapter 3 discusses the risks of child sexual abuse in sport and recreation institutions. Volume 6, *Making institutions child safe* discusses our work on the online environment in more detail.

2.3 Children's participation in sport and recreation

Children participate in sport and recreation activities in high numbers across Australia. A 2016 AusPlay survey led by the Australian Sports Commission (ASC) provides trend data about the participation rates of children in sport and physical activity.[108] This section provides the AusPlay data to show the extent to which children participate in sport and recreation in Australia. AusPlay data reports on a survey of 3,849 parents and guardians of children aged 0–14 years and 743,200 young people aged 15–17 and uses ABS data to extrapolate population estimates.[109]

The survey distinguishes between sport-related activity and non-sport-related activity. Sport-related activities are typically provided by National Sporting Organisations (NSOs) and include, for example, team sports, athletics and golf. Non-sport-related physical activities are typically those that are not related to NSOs and include, for example, gym or fitness activities, bushwalking and recreational dance.[110]

2.3.1 Children aged 0–14

The following information was collected from the AusPlay survey of 3,849 parents and guardians of Australian children (aged 0–14) over 12 months, from October 2015 to September 2016.[111] According to the survey, nearly 3.2 million children participated in some form of organised sport or physical activity outside school hours (this is a participation rate of 69 per cent of an estimate of the total number of children aged 0–14 in Australia at that time).[112]

The survey showed that:

- 2.5 million children (54 per cent participation rate) were active at least once a week through organised sport or physical activity outside school hours[113]
- about 900,000 children (19 per cent participation rate) were active at least three times a week[114]
- girls aged 9–11 were slightly more likely to participate in sport or physical activity (at least once a year) compared to boys of the same age[115]
- about 3 million children paid to participate in sport or physical activity.[116]

The AusPlay statistics show that swimming, soccer and Australian rules football were the most popular organised activities outside school hours for children in 2015–16 (see Table 14.3).[117] The most popular activities for girls were swimming (710,922 participants, 32 per cent participation rate), netball (324,177, 15 per cent) and recreational dancing (308,082, 14 per cent).[118] The most popular activities for boys were swimming (668,045 participants, 28 per cent participation rate), soccer (538,304, 23 per cent), and Australian rules football (320,650, 14 per cent).[119]

Table 14.3 – The 20 most popular organised activities for children aged 0–14 outside school hours, 2016

Activity	Population estimate[a]	Participation rate (%)
Swimming	1,378,967	30.0
Football (soccer)	674,094	14.7
Australian rules football	366,462	8.0
Gymnastics	341,200	7.4
Netball	332,018	7.2
Dancing (recreational)	329,003	7.2
Basketball	300,622	6.5
Tennis	280,239	6.1
Cricket	256,930	5.6
Athletics, track and field	203,873	4.4
Rugby league	126,754	2.8
Karate	121,877	2.6
Dance sport	106,901	2.3
Hockey	76,922	1.7
Touch football	76,039	1.7
Lifesaving, surf	65,986	1.4
Fitness/gym	59,282	1.3
Rugby union	57,429	1.2
Taekwondo	49,261	1.1
Martial arts	47,279	1.0

[a] AusPlay provides both percentages and population estimates. Population estimates are weighted estimates that use the most recent quarterly value of the Australian Estimated Resident Population (ERP) figure from the Australian Bureau of Statistics (ABS).

Note: Data was collected via the child's parent/guardian for organised participation outside school hours.
Source: Australian Sports Commission, *AusPlay: Participation data for the sport sector. Summary of key national findings October 2015 to September 2016 data*, 2016, p 15.

Data on the participation rates of children in recreational, arts and cultural activity is available from the Australian Bureau of Statistics (ABS). In 2011–12 the ABS conducted a survey into the participation of children aged 5–14 in organised cultural activities. It found that:[120]

- 490,200 children played a musical instrument (18 per cent participation rate of the total estimated number of children aged 5–14 in Australia)
- 189,900 children participated in art and craft (7 per cent)
- 143,200 children participated in singing (5 per cent)
- 130,300 children participated in drama (5 per cent).

According to the ABS survey, children's participation in organised cultural activities outside school hours was higher in two-parent families (38 per cent participation rate) than in one-parent families (27 per cent).[121]

Venues for sport and recreation for children aged 0–14

According to AusPlay, outside school hours, children aged 0–4 were most likely to be active in a gym, fitness club, or sports or leisure centre,[122] and children aged 5–14 were most likely to be active in a sports club or association (see Table 14.4 for organisations and venues used by children aged 0–14).[123]

Table 14.4 – The types of organisations and venues used by children aged 0–14 participating in organised activity outside school hours

Venue	Participation rate (%)[a] by age				
	0–4	5–8	9–11	12–14	Total 0–14
Sports club or association	8.9	50.2	63.6	59.6	41.7
Recreation club or association	5.4	9.9	11.8	6.2	8.2
Gym/fitness club/sports/leisure centre	14.1	18.2	14.7	8.3	14.4
Private studio	6.6	21.1	18.2	13.0	14.5
Individual personal trainer or coach	1.4[b]	2.6	2.3[b]	2.1[b]	2.1
Education institution	2.7	7.8	13.0	11.1	7.9
Other	11.1	17.3	16.0	11.9	14.1

[a] AusPlay provides both percentages and population estimates. Population estimates are weighted estimates that use the most recent quarterly value of the Australian Estimated Resident Population (ERP) figure from the Australian Bureau of Statistics (ABS).

[b] Estimate has relative margin of error of 50–100 per cent and should be used with caution.

Note: Data was collected via the child's parent/guardian for organised participation outside school hours.
Source: Australian Sports Commission, AusPlay national data tables – October 2015 to September 2016 data, 2016, table 5.

2.3.2 Young people aged 15–17

According to the AusPlay survey, in the 12 months between October 2015 and September 2016, about 743,200 young people aged 15–17 participated in some form of sport-related activity.[124] This is a participation rate of 93 per cent of the estimated total number of young people aged 15–17 in Australia at that time.[125]

Athletics, track and field was the most popular organised activity outside school hours for people aged 15–17 in 2015–16 (223,800 participants, 28 per cent participation rate), followed by football (soccer) (208,100, 26 per cent) and fitness/gym activity (173,100, 22 per cent) (see Table 14.5).[126]

Table 14.5 – The 20 most popular organised activities for young people aged 15–17 outside school hours, 2016

Activity	Population estimate[a]	Participation rate (%)
Athletics, track and field	223,800	27.9
Football (soccer)	208,100	26.0
Fitness/gym	173,100	21.6
Swimming	126,800	15.8
Basketball	122,800	15.3
Netball	100,100	12.5
Cricket	98,200	12.3
Australian rules football	97,000	12.1
Walking (recreational)	74,800	9.3
Tennis	74,400	9.3
Touch football	50,100	6.3
Rugby league	49,100	6.1
Cycling	45,800	5.7
Rugby union	42,100	5.3
Volleyball (indoor and outdoor)	37,100	4.6
Surfing	30,000	3.7
Dancing (recreational)	28,400	3.5
Bushwalking	24,400	3.0

[a] AusPlay provides both percentages and population estimates. Population estimates are weighted estimates that use the most recent quarterly value of the Australian Estimated Resident Population (ERP) figure from the Australian Bureau of Statistics (ABS).

Source: Australian Sports Commission, *Ausplay Results by sport – October 2015 to September 2016 data*, 2016, table 1.

Venues for sport and recreation for children aged 15–17

AusPlay data tells us that the primary venue for sport and recreation for young people aged 15–17 was sports clubs in 2015–16 (see Table 14.6)[127] Young people in this age group also participated in high numbers in education institutions, as well as in gyms, fitness clubs, and sports or leisure centres.[128]

Table 14.6 – The types of organisations and venues used by young people aged 15–17 participating in organised activity outside school hours

Venue	Participation rate (%)[a]
Sports club or association	52.7
Education institution	25.8
Gym/fitness club/sports/leisure centre	23.0
Other	12.4
Recreation club or association	7.1
Private studio	7.9
Individual personal trainer or coach	1.2[b]

[a] AusPlay provides both percentages and population estimates. Population estimates are weighted estimates that use the most recent quarterly value of the Australian Estimated Resident Population (ERP) figure from the Australian Bureau of Statistics (ABS).

[b] Estimate has relative margin of error of 50–100 per cent and should be used with caution.

Source: Australian Sports Commission, AusPlay national data tables – October 2015 to September 2016 data, 2016, table 4.

2.3.3 Participation of children with disability

Children with disability are often under-represented in social participation research in Australia.[129] This includes the statistics outlined in previous sections and other national studies on participation in sport and recreation, which do not collect or disaggregate data relating to children with disability.[130]

Children with disability may participate in sport and recreation activities in mainstream settings or through organisations that run disability-specific activities, such as wheelchair basketball or deaf volleyball.

Research we commissioned suggests that the participation of children with disability in mainstream recreational settings is increasing.[131] Often these children will require additional supports and adjustments to be able to access and fully participate in these activities. In some jurisdictions, programs are designed to support sport and recreation clubs and organisations at various levels to

ensure their activities are inclusive and accessible to people with disability, including children.[132] The National Disability Insurance Scheme also covers supports for people with disability to participate in recreational activities including specialised or modified sporting equipment and personal assistance (for example, to assist with balance or positioning, if required).[133]

These supports and other inclusive practices may not always be present. Broader research indicates that rates of participation in sport and recreation among people with disability are lower compared to the general population, and that people with disability are more likely to face additional barriers to participation.[134] This can include structural barriers such as a lack of appropriate facilities, poor access to transportation for people with high physical support needs, or low levels of organisational support and inclusiveness among others (for example, resistance to modify game rules).[135]

2.3.4 Physical and emotional benefits to children

Organised sport and recreation provide opportunities for all children to develop their motor skills, physical abilities or creative talents. They also help children to increase their self-worth by developing life skills, such as discipline, confidence and leadership. Further, they can help children to learn and adhere to key values, such as tolerance, cooperation and respect. These are valuable skills and habits that are necessary for children to be productive participants in their communities. Some of the benefits attributable to children's participation in organised sport and recreation include:

- Playing a sport has substantial benefits in the development of mental alertness, social and emotional skills, and physical and linguistic skills.[136]
- Dancing, music and movement in early childhood are effective ways to help children develop coordination and body awareness.[137]
- Children who participate in dance, drama, music and visual arts have increased academic and personal wellbeing outcomes when compared with children who are not as involved in the arts.[138]
- Involvement in a team sport or recreation activity can help to build life skills and capabilities. This includes the opportunity to learn about winning and losing, as well as the value of teamwork and trying hard.[139]
- Organised physical activity can help to divert children from antisocial behaviour.[140]
- Children's involvement in sport and recreation can expose them to a cross-section of community members. This can help them connect with socially excluded groups.[141]

Participation in sport and recreation may also provide some populations with additional emotional and physical benefits. For example, inclusive sport and recreation activities may expand social networks and enhance opportunities for social participation among children with disability who are often excluded from or segregated in community settings.[142]

Children from migrant and refugee backgrounds may also experience similar benefits.[143] For children with disability involving physical impairment, participation may also empower them to explore and highlight their physical abilities and strengths.[144] Targeted sport and recreation programs tailored to particular Aboriginal and Torres Strait Islander communities are also known to enhance connection to culture and provide community members with access to the universal benefits described.[145]

Sport and recreation provide benefits to the wider community, which in turn provides benefits for children – healthier families and communities offer children more opportunities to fulfil their potential. According to the Australian Sports Commission, sport activities are growing in importance to the public and private sectors as a means of communicating important social messages and building social cohesion:

> Sport is increasingly being used as a means for governments and companies to achieve policy objectives. At federal, state and local levels, governments are incorporating sport into policies to tackle adult and childhood obesity, and improve community wellbeing. Sport is also being used as a means of building social capital in marginalised communities. Worldwide, governments are using sport to improve international relations and promote peace and prosperity. The future is likely to see an increased focus on the broader benefits of sport.[146]

2.3.5 Benefits to survivors of abuse

For the most part, sport and recreation activities promote positive health and social inclusion outcomes for children and communities.[147] However, for some children, sport and recreation activity has led to harm, including sexual abuse. Some survivors told us that after the abuse they turned away from their activity. We heard from other survivors that continued participation in sport and recreation activity could be part of a coping strategy and assist with developing resilience. In some instances, survivors formed lasting and supportive friendships through sport and recreation and this helped them to cope with the impacts of abuse. We acknowledge that for those who were sexually abused in a sport or recreation context, there are very different associations with these environments.

In our *Sporting clubs and institutions* case study, survivor BXI told us that following the abuse, rugby helped him to become more resilient. He said it also gave him a physical release. He explained that he has a great love of professional cricket and admires the mental toughness, patience and concentration that are needed for the game.[148]

'Cassie Lyn' told us in a private session that after being abused by her coach and having suffered a poor response when she disclosed, she felt she had no option but to quit her sport. 'Cassie Lyn' said she picked up a new sport and had excelled to the point where she was playing for junior state and national teams. She said she also enjoyed refereeing and coaching other younger teams. For 'Cassie Lyn', sport has been important in helping her to cope and move forward.[149]

We were also told in private sessions that cultural activities could be an important coping strategy to help deal with child sexual abuse. 'Lachie' described how playing drums had helped him to deal with his anger and cope with the effects of the abuse he experienced as a child. He said that when he played music, 'nothing else matters'.[150] Similarly, 'Rosie Anne' told us that listening to music and drawing portraits were helpful coping mechanisms for her.[151]

In our qualitative research study of private sessions one survivor told us that his involvement in sport had a positive impact on his life and helped him to cope with his experience of abuse. He said:

> I started sport and I achieved in [sport] [...] Like, that discipline of getting up at five in the morning, and I still do it, this day I was up at five this morning, running, that discipline has also, I think, helped mentally. Like, when I'm not training, and my wife notices it.[152]

2.4 Responsibilities to keep children safe in sport and recreation

Governments, institutions and individuals have duties and obligations to protect children under relevant child protection and other legislation.

The Australian Government has various responsibilities at the domestic and international levels to protect children from sexual abuse.

Australia has ratified a number of international human rights treaties, including the Convention on the Rights of the Child in 1990,[153] which recognise children's right to be protected from sexual abuse.[154] Because of these commitments Australia is obligated to take all appropriate measures to ensure that children are protected and able to realise these rights, including in sport and recreation institutions.

The broader responsibility to protect children is shared by all Australian governments, institutions and the community. Various policy frameworks, such as the National Framework for Protecting Australia's Children, make it very clear that protecting children is everyone's business.

This section outlines the various policy and legal frameworks that place responsibilities on governments, institutions and individuals to keep children safe in sport and recreation.

2.4.1 The national framework

The National Framework for Protecting Australia's Children 2009–2020 makes it clear that the Australian and state and territory governments, and non-government institutions, must work together to protect Australia's children.[155] Strategy 3 of the Third Action Plan aims to improve the way institutions respond to children and young people to keep them safe. The National Framework and its Third Action Plan are discussed in detail in Volume 6, *Making institutions child safe.*

2.4.2 Relevant law and regulation

The Australian Government has ratified a number of international human rights treaties that place responsibilities on the Australian Government to protect children from sexual abuse in all contexts. Our work on child safe institutions is underpinned by the UNCRC, and guided by the child's rights to:[156]

- have their best interests as a primary concern in decisions affecting them
- non-discrimination
- have the responsibilities of parents or carers respected
- participate in decisions affecting them
- be protected from all forms of violence, including all forms of sexual exploitation and sexual abuse, including while in the care of parents, guardians or other carers
- special protection for children with disability.

Consistent with Article 3 of the UNCRC, we believe all institutions concerned with children should act with the best interests of the child as a primary consideration.[157] We believe this foundational principle should be at the core of all child-related institutions' purpose and operation. Institutions and their leaders need to make sure it is widely understood and applied by all staff and volunteers. Further detail is discussed in Volume 6, *Making institutions child safe.*

The UNCRC also recognises the right of children to 'rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts'.[158]

In 2016, Australia co-sponsored a United Nations resolution on *Sport as a means to promote education, health, development and peace*.[159] The resolution recognises the importance of sport and physical activity. It describes the importance of sport in:[160]

- building the confidence and strength of young people including persons with disability and minority groups
- empowering young women and girls
- combating non-communicable diseases.

There are also laws applying to institutions and individuals more generally, including sport and recreation institutions. These include legislation concerning:

- child safe standards (currently in Queensland, South Australia and Victoria)
- Working With Children Checks
- obligatory reporting to external authorities, including mandatory reporting to child protection authorities and criminal offences for failure to report child sexual abuse
- oversight of institutional responses to complaints handling, including under reportable conduct schemes.

Aspects of civil liability under common law are also relevant to the responsibilities of institutions and individuals to keep children safe in sport and recreation.

In addition, government funding agreements are commonly used as a regulatory tool for institutions providing sport and recreation services for children.

Child safe standards

Victoria, Queensland and South Australia have implemented mandatory child safe approaches that generally apply to all organisations providing services for children, including in sport and recreation. An overview of the state and territory specific child safe initiatives is outlined in Section 2.4.3. A detailed discussion of child safe standards is contained in Volume 6, *Making institutions child safe*.

Working With Children Checks

In Australia, each state and territory has its own scheme for conducting background checks for people seeking to engage in child-related work.

These schemes are commonly known as Working With Children Checks (WWCC) and aim to ensure that appropriate people are chosen to work or volunteer with children.[161] They aim to do this by preventing people from working or volunteering with children if records indicate that they may pose an unacceptable level of risk to children.

Each state and territory has its own WWCC scheme, and each of the eight schemes operates independently of the others. In our *Working With Children Checks* report, we found that these schemes are inconsistent and complex, and there is unnecessary duplication across the schemes. There is no integration of the schemes, and there is inadequate information sharing and monitoring of WWCC cardholders.[162]

A person who is working or volunteering for a sport or recreation institution typically requires a WWCC if that service is provided to children.[163] In some states and territories there are certain exemptions for parents or close relatives of children who volunteer in sport or recreation institutions. For example, in Victoria, a parent or close relative of a child is not required to have a WWCC clearance when volunteering in connection with a team or other activity of which that child is a member.[164]

Common screening practices include formal background checks, qualification verifications, interviews and verbal reference checks.[165] While all Australian states and territories have some form of WWCC, it can be a risk for institutions to overly rely on these checks and to avoid other due-diligence screening. An over-reliance on WWCCs can provide a false sense of comfort to parents and communities, and may cause organisations to become complacent due to the belief that people who have undergone WWCCs do not pose any risks to children.[166]

Commissioned research suggested that screening is typically less common and not as involved for volunteer applicants as it is for employee applicants.[167] Suggested screening deficiencies included: a lack of belief in the usefulness of screening; lack of funds and time; or a fear of deterring potential applicants.[168]

WWCCs are considered in more detail in our *Working With Children Checks* report.

Obligatory reporting to external authorities

In each state and territory, certain individuals and institutions are legally obliged to report suspicions, risks and instances of child abuse and neglect, including child sexual abuse, to the police, child protection authorities or oversight agencies. This type of reporting is known as 'obligatory reporting'. The aim of obligatory reporting is to detect, stop and prevent child abuse and neglect by requiring certain individuals and institutions to report to an external authority.[169] Exactly what reporting is required depends on the type of obligatory reporting and varies between states and territories. Obligatory reporting generally applies to a range of types of abuse and neglect of children, including child sexual abuse.

The main types of obligatory reporting that apply to sport and recreation institutions in Australia are discussed below. They are:

- mandatory reporting to child protection authorities
- failure to report offences
- reportable conduct schemes.

Where an institution or an individual associated with an institution does not have any legal reporting obligations, they can make a voluntary report of institutional child sexual abuse to appropriate authorities.[170] In most jurisdictions, the appropriate authorities are the police or the child protection authority. The possibility of making a voluntary report of child sexual abuse exists, whether or not a pathway for such reports is provided by legislation.

Reporting of institutional child sexual abuse to external authorities is discussed in Volume 7, *Improving institutional responding and reporting*.

Mandatory reporting to child protection authorities

Mandatory reporting laws require certain individuals to report suspected cases of child abuse and neglect, including child sexual abuse, to a nominated government department or agency. This is typically the lead department or agency responsible for child protection.[171] Upon receiving a mandatory report, the nominated department or agency may assess the report, investigate the risk of harm (usually in collaboration with the police if sexual offences are suspected) and take steps to protect the safety and wellbeing of any affected children.[172]

Mandatory reporting laws have common features but also differences, including who must report abuse or neglect. South Australia is the only jurisdiction that expressly includes sport and recreation managers, employees and volunteers as mandatory reporters of child sexual abuse.[173] Sport and recreation personnel are also mandatory reporters in the Northern Territory, where all persons are mandatory reporters.[174]

Sport and recreation personnel are not expressly included as mandatory reporters in New South Wales, Victoria, Queensland, Western Australia, Tasmania or the Australian Capital Territory. However, individuals working or volunteering in sport and recreation institutions in these jurisdictions may be mandatory reporters if they fall under an existing mandatory reporter group, for example, if they are a doctor or a nurse.

Failure to report offences

Failure to report offences impose criminal liability on third parties – that is, persons other than the perpetrator of the child sexual abuse – who know or believe that child sexual abuse has taken place but fail to report this abuse to the police. These third parties must report abuse to the police in order to avoid committing a failure to report offence.

New South Wales and Victoria have both enacted reporting offences that may apply to sport and recreation personnel. In New South Wales, if a serious indictable offence has been committed, section 316(1) of the *Crimes Act 1900* (NSW) makes it an offence for an individual who knows or believes that the offence has been committed and that he or she has information that 'might be of material assistance in securing the apprehension of the offender or the prosecution or conviction of the offender' to fail to report that information to the police or other appropriate authority, without a reasonable excuse.[175] In Victoria, section 327(2) of the *Crimes Act 1958* (Vic) requires an adult who has information that leads them to form a reasonable belief that a sexual offence has been committed in Victoria against a child under the age of 16 by another adult to report that information to a police officer as soon as it is practicable to do so, unless they have a reasonable excuse for not doing so.[176]

Failure to report offences are considered in detail in our *Criminal justice* report, Chapter 16, 'Failure to report offences'.[177]

Reportable conduct schemes

Reportable conduct schemes oblige heads of certain institutions to notify an oversight body of any reportable allegation, conduct or conviction involving any of the institution's employees. These schemes are further described below, in relation to oversight of institutional responses to complaints.

Other reporting obligations

Other reporting obligations may require a sport and recreation institution to report child sexual abuse to:

- an oversight body outside the context of reportable conduct
- sector or industry regulators
- a party with which the institution has contractual and policy-based reporting obligations.

Oversight of institutional responses to complaints

In the context of institutional responses to child sexual abuse, oversight is where a government body, such as an ombudsman office or industry regulator, monitors and scrutinises how an institution handles a complaint of child sexual abuse.

Oversight is important in addressing problems that arise in the way institutions handle complaints about child sexual abuse. Oversight can help institutions better identify and manage risks to children. It can also improve institutions' competency, transparency and accountability in complaint handling, and help create a consistent standard of practice across sectors.

In Australia, the only model for independent oversight of institutional responses to complaints of child abuse and neglect across multiple sectors is known as a reportable conduct scheme. Such schemes oblige heads of certain institutions to notify an oversight body of any reportable allegation, conduct or conviction involving any of the institution's employees. The schemes also oblige the oversight body to monitor institutions' investigation and handling of allegations. Under existing reportable conduct legislation, reportable conduct includes both sexual offences and 'sexual misconduct'.[178] The only reportable conduct scheme in full operation during the period of this inquiry was in New South Wales. In July 2017, schemes began in Victoria and the Australian Capital Territory.

Sport and recreation institutions are not covered under the New South Wales, Victorian or Australian Capital Territory schemes except to the extent that they fall into other categories of covered institutions – for example, because they provide educational or accommodation and residential services. The Victorian scheme includes organisations that provide overnight camps for children as part of their primary activity but excludes youth organisations in which children participate or that provide activities in which children participate.[179]

In New South Wales, institutions providing 'substitute residential care' come under the scheme.[180] In a 2016 special report to New South Wales Parliament, the NSW Ombudsman commented on the definition of 'substitute residential care' in light of advice received from the New South Wales Solicitor General.[181] The Ombudsman said that the implications of the advice are far-reaching and may be interpreted as meaning that the definition extends to cover sports and recreational institutions that provide camps for children.[182] These include institutions such as YMCA NSW and Scouts Australia NSW.

In *Case Study 47: Institutional review of YMCA NSW*, we heard that YMCA NSW had, since 2014, notified 40 reportable conduct matters to the NSW Ombudsman.[183] In *Case Study 48: Institutional review of Scouts and Hunter Aboriginal Children's Service*, Scouts NSW submitted that it was consulting with the NSW Ombudsman about the applicability of the scheme and that it would work with the ombudsman to develop a model suitable for not-for-profit, volunteer-run organisations.[184]

In some jurisdictions, sector-specific mechanisms might oversee concerns about child protection that arise in institutional settings; however, there does not appear to be any specific oversight of child protection concerns in the sport and recreation sector in any state or territory.

Volume 7, *Improving institutional responding and reporting* contains further discussion of oversight of institutional complaint handling.

Civil liability

In some circumstances, an institution may be liable for failing to keep children safe, including from sexual abuse. We discuss this in more detail in our *Redress and civil litigation* report.

Government funding agreements

In sport and recreation environments, Australian Government funding is commonly used as a regulatory tool to promote compliance with certain child safe obligations. The Australian Sports Commission and the sport and recreation departments of Queensland, Western Australia and South Australia tie sport and recreation funding to child safety compliance in some form or another.[185] Funding agreements may require institutions to demonstrate that they, for example:[186]

- have clear child safety policies that are communicated to, and accessible by, members
- adhere to legislated child safety practices, such as Working With Children Checks and mandatory reporting requirements
- deploy trained member protection information officers
- lodge a child safety compliance statement with a government child protection agency.

Member protection policy, the Australian Sports Commission

The Australian Sports Commission uses funding to ensure that its members have policies that promote good practice in sport. All its member sports organisations must have a member protection policy, or a similar framework, as a condition of funding.[187]

The Australian Sports Commission provides a template (which is updated periodically) to help member organisations prepare their own member protection policy or child safe approaches.[188] A member protection policy addresses issues such as child abuse and child protection, harassment and discrimination, codes of behaviour and complaint handling.[189] In practice, national peak bodies prepare the policies and the various state and territory bodies, regional associations and local clubs customise them.[190]

Funding can be withdrawn, or the institution may not be recognised, if an institution fails to submit a member protection policy to the Australian Sports Commission.[191]

2.4.3 State and territory child safe initiatives specific to sport and recreation

In addition to Working With Children Check regimes and obligatory reporting and other obligations, state and territory governments have implemented mandatory or voluntary initiatives to improve child safety in sport and recreation environments.

Victoria, Queensland and South Australia have mandatory child safe approaches. New South Wales, Western Australia, Tasmania, the Australian Capital Territory and the Northern Territory have voluntary approaches. These initiatives are outlined in this section.

Mandatory approaches

Victoria

Victoria has implemented a mandatory child safe framework that applies to all organisations providing services to children, including sport and recreation institutions. The implementation of this approach has been staggered. Since January 2017, sport and recreation institutions have been required to have a child safe policy, a code of conduct, and processes for responding to and reporting suspected child abuse.[192]

The framework contains seven child safe standards aimed at promoting child safety, preventing child abuse and guiding institutions to appropriately respond to child abuse.[193] The mandatory child safe standards were introduced in response to a recommendation from the Victorian parliamentary committee report, *Betrayal of trust: Inquiry into the handling of child abuse by religious and other non-government organisations*. The standards have a legislative basis in the *Child Wellbeing and Safety Act 2005* (Vic).[194]

The standards require institutions to develop cultures of child safety, codes of conduct, child safe policies and human resources practices. They also focus on processes for responding to and reporting suspected child abuse, strategies to identify and reduce or remove risks of child abuse, and strategies for children's empowerment.[195] The Commission for Children and Young People (CCYP) is responsible for assisting institutions to comply with the standards.[196]

Through the CCYP website, staff and volunteers of sport and recreation institutions can access guides and information sheets to assist them in implementing the standards.[197] There are also resources for parents and carers about what to look for when choosing a child safe sport or recreation institution.[198]

The Department of Health and Human Services, through its Sport and Recreation division, assists sports clubs to create a child safe environment by offering a range of online resources.[199]

Queensland

As part of Queensland's Working With Children Check scheme, sport and recreation institutions must have risk-management strategies for high-risk activities and special events. The purpose of such strategies is to help institutions identify and minimise the risks of harm to children and young people.[200] Risk-management actions may include communicating with parents.[201]

The Department of National Parks, Sport and Racing provides information on its website about the rules, regulations and rights that govern sports clubs.[202] Information on matters of child safety targeted towards sports administrators includes a safety guideline developed by Sports Medicine Australia and a template junior sport policy.[203] Parents are also provided with a 'joining a club checklist' to assist them in choosing a suitable and safe club for their child.[204] The department's website also directs sport and recreation institutions to the resources and online training offered by the interactive website Play by the Rules, which aims to keep sport safe, fair and inclusive.[205]

South Australia

The South Australian Government has legislated to enhance child safety in sport and recreation institutions through the *Children's Protection Act 1993* (SA). Sport and recreation institutions must have in place appropriate policies and procedures to ensure that child safe environments are established and maintained within the institution.[206]

All sport and recreation organisations that provide sporting or recreation services to children 17 and under are required to lodge an annual compliance statement outlining their child safe policies and procedures with the Department for Education and Child Development.[207] South Australian State Sporting Organisations (SSOs) are required to lodge a child safety compliance statement to the Department for Child Protection to be eligible for state government funding.[208]

Sport and recreation clubs may nominate a person to be a child safe officer. Such officers are positioned to advise on developing child safe environments in institutions. The South Australian Office for Recreation and Sport provides training to assist child safe officers to understand:[209]

- the importance of child protection and the need for appropriate screening processes
- the indicators of child abuse and neglect
- the legal responsibilities of staff and volunteers working with children
- how and why child protection needs to be included in member protection policies
- the Child Abuse Report Line processes and procedures.

The Office for Recreation and Sport's website provides information to the sport and recreation sector on how to create a child safe environment.[210] This includes outlining the steps that sport and recreation institutions should take to comply with the Children's Protection Act. The website also includes materials such as guidelines, templates and booklets to support institutions in implementing these obligations, and directs users to the resources and training offered by Play by the Rules.[211]

Voluntary approaches

New South Wales

In New South Wales, the Office of the Children's Guardian provides information on its website to assist sport and recreation institutions to become child safe.[212] Institutions are encouraged to develop and maintain a child safe environment, particularly by implementing child safe policies and practices.[213] Resources include checklists, brochures and fact sheets.[214] Office-bearers can attend free workshops and seminars on child safety.[215] They can also register to receive a suite of child safe e-learning packages to complement the face-to-face training.[216]

Through its Child Safe Sports campaign, the Office of the Children's Guardian provides training on child safety to sports clubs, including free seminars.[217] The primary aim of the training is to assist administrators, volunteers and individuals in sports clubs to understand their child safe obligations, including WWCC obligations, and to provide information about how to make sports clubs child safe.[218]

The Office of the Children's Guardian raises awareness about child safety in sport in two main ways. Participants, coaches and people involved in local junior sport are encouraged to share their support for keeping children safe by posting a photo with the slogan 'We want sport to keep kids safe' on social media.[219] Professional athletes, coaches, competitors and sports people are also encouraged to become Child Safe Sports supporters and to use their profile and professional networks in promoting and advocating for child safety in their sport.[220]

The Office of the Children's Guardian encourages parents to take an active role in ensuring their children's safety when they participate in sport or recreation activity. Through its website, information and resources are provided to parents about how they can verify the WWCC credentials of tutors and coaches and how to choose child safe programs.[221]

The NSW Government supports and promotes Play by the Rules through several of its websites, including the Advocate for Children and Young People, the Office of the Children's Guardian and the Office of Sport. This provides sport and recreation institutions with access to resources, training, campaigns and initiatives.

Western Australia

The Western Australian Government provides online resources focused on child safety awareness and resources for sports clubs through its Safe Clubs 4 Kids initiative.[222] Safe Clubs 4 Kids is a partnership between the Department of Local Government, Sport and Cultural Industries, WA Sports Federation, the Working With Children Screening Unit of the Department for Child Protection and Family Support, the WA Police Child Abuse Squad and Surf Life Saving WA.

Sports clubs can access Safe Clubs 4 Kids materials on a voluntary basis. Safe Clubs 4 Kids assists clubs by:[223]

- providing member protection policies and codes of conduct
- providing processes for responding to harassment, discrimination, bullying and abuse
- providing staff recruitment and selection processes
- involving children and young people in providing feedback to clubs
- supporting members to understand child abuse
- providing information about where to raise concerns and respond to any disclosures, allegations or suspicions of child abuse.

Leaders, staff and volunteers of sport and recreation clubs can also access resources and guidelines on child safety through the Commissioner for Children and Young People website.[224] They can also register to attend face-to-face seminars on how to develop and maintain a child safe organisational culture.[225]

On its website, the Department of Local Government, Sport and Cultural Industries also supports and promotes Play by the Rules resources, training and initiatives.[226]

Tasmania

The Tasmanian Government has developed information sheets to assist sport and recreation institutions in creating a child safe environment. Office-bearers of institutions can access these resources on the Department of Premier and Cabinet website, through its Communities, Sport and Recreation division. The website also directs users to the resources, training and information offered by Play by the Rules.[227]

Australian Capital Territory

Through the Active Canberra website, the Australian Capital Territory Government provides information to the sport and recreation sector on child safety by promoting Play by the Rules.[228] The government also actively supports Play by the Rules campaigns and initiatives.[229]

Sports institutions that receive funding from the ACT Government are required to have a member protection policy, which contains certain obligations relating to the protection of children from harm and abuse.[230] The ACT Government provides a Member Protection Policy Plan to assist institutions to understand and implement their obligations, and to ensure that children are protected across all levels of their sport.[231]

Northern Territory

Through the Department of Tourism and Culture website, the Northern Territory Government provides child safety information to the sport and recreation sector by promoting and supporting the resources and training offered by Play by the Rules.[232] The department's website also provides officials of sports clubs with tips and advice about how to create a child safe culture and ensure that children feel safe and protected when participating in sport.[233]

2.5 Children's views about keeping safe in sport and recreation

Children and young people are important stakeholders in the sport and recreation sector. While not regulators of their own environments, they have strong views about how these environments should be constructed and operated.

We conducted a series of consultations with children and young people. During these consultations, we asked them to tell us about the factors and circumstances that help them to feel safe in sport and recreation environments. We also asked them to explain the circumstances in which they felt unsafe and if they had any solutions to improve the situation.

This section outlines what children and young people told us in those consultations.[234]

2.5.1 Relationships with adults in sport and recreation

Children and young people told us that continuity of contact is very important in facilitating trust between children and adults. The coach or tutor is often the person the children and young people will go to if they have a concern, especially when that person is well known and shows interest in their lives. Some children and young people had built a relationship with their coach or tutor through participating in the activity over many years or through a family connection. They told us that they recognised the importance of leaders that prioritise child safety and wellbeing.

> I go to learn guitar … to private lessons. It's one-on-one. So, in the beginning it was a bit weird obviously, because it was one-on-one. But eventually, because I've been going for about four or five years now … you build that trust. You build that … relationship. Because you're with this person, like, about two hours every week … it's more personal rather than being in, like, a whole class or in a group. So, yeah, I feel you can, like, you know, trust the person. And there is a bond that has been built over time.[235]

In some instances, children and young people described difficult relationships with adults in sport and recreation contexts. In one example, a coach had a lot of physical contact with children and young people. When the group of young people told their parents about their discomfort, they were encouraged to address the issue themselves with management. They each made a complaint and as a result the coaches were no longer allowed to touch students. Some spoke about being verbally abused by coaches, particularly at games. They were very uneasy in these situations. Young people suggested that adults providing professional services such as coaching undergo training on how to support and communicate with young people.

They also explained that if they raised a concern with an adult and received a poor response they would be very unlikely to do so again.

2.5.2 Peer support

Young people consistently expressed the view that they are most comfortable talking with friends about issues or worries. Young people would prefer to talk to another younger person such as a peer mentor. They told us that they prefer to seek the advice of other young people because the common age and life experience are very important.

They said it is hard to approach an authoritative adult figure with concerns or worries.

> there was, like, an issue that I had in that – the musical last year. It was girls and guys, but it wasn't a major issue. … so I went to a girl that finished uni and like I talked to her and … she told me, like, if I needed anything I could go up to her … because I knew I could tell her anything and she wouldn't tell anyone and she would just be looking out for me, and even, like, if I caught public transport, she would walk with me and make sure, like, she would call me every second and just make sure that I'd be safe. So, like my second sister. So, yeah, it was pretty good.[236]

Young people reported that they commonly listen to other young people, especially older peers. They told us that they did not want to formally complain. They would rather be able to talk to someone they trust in a natural way and would be more likely to report any concerns this way. Some young people said they would seek help from siblings, mentors, role models and people with lived experience. They said they felt that other young people better understand the issues they face, such as the stressors associated with social media.

> it's been good to have someone as a netball coach and authority figure that I can also talk to who is, like, similar to me and very similar age to me. I feel that's really good.[237]

Young people told us that they would like training on how to support a friend. They explained that they had never been taught what to do should they notice a friend in distress. Education is very important if young people are to better understand the experiences and needs of other children from diverse backgrounds, including culturally and linguistically diverse young people, young people with a disability, Aboriginal and Torres Strait Islander young people, and young people from the LGBTQI community.

2.5.3 Counselling and education

Young people explained that if they had to disclose abuse, they would report it to family, police, friends or teachers. This is consistent with commissioned research which showed that friendships were crucial to children's safety in institutions, as 'over half of participants reported that they were more likely to rely on their friends than adults in their institution if they were worried about something'.[238] For some children with disability, this may include a carer or support worker.[239]

Some children and young people advised that some may never disclose abuse. They told us that counselling and support services need to be privately accessible and confidential. They told us that they are often directed to services such as Kids Helpline, but are not advised about how the service works; for example, is the service confidential and will it share personal information.

Young people considered the Love Bites program to be effective. Those who had completed the program particularly liked that it used real examples. Young people said they prefer community education to be based on real people and real experience. They said the use of cartoons, for serious issues, was patronising. They also suggested using creative engagement strategies, such as dance, movement and theatre. We also heard that these types of programs need to be tailored for them to be effective for some children, including children with disability and children from culturally and linguistically diverse backgrounds.[240]

Young people said that they would be more inclined to listen to a young presenter or an older peer in any community education program.

A commissioned report – *Our safety counts: Children and young people's perceptions of safety and institutional responses to their safety concerns* – found that education and information currently provided to children about sexual abuse, particularly to those of high school age, should be reconsidered. The report noted that:

> such education should be informed by young people themselves, to ensure that it meets their needs and promoted strategies they believe they would use in situations when they were unsafe.[241]

2.5.4 Induction

Young people told us they received little or no induction about child safety or who they should go to if they have a concern. If they received an induction, it would generally have been about the rules of the activity and expected behaviour. Young people told us that in sports and other clubs they are not allowed to disobey the rules, but that rules are not always explicit. They said they wanted to know what is expected of them – and what is expected of adults. Induction should include information about adult codes of conduct as well as child codes of conduct. They told us that they would like to be advised of their rights and responsibilities, as well as the rights and responsibilities of others, and where to go should they need help.

2.5.5 Transport, travel and overnight camps

Young people said they considered transport to and from sport a safety issue. Sports clubs generally do not have organised transport. Young people told us that most of the time they would get a lift with whomever they could, including their coaches.

Young people said they considered interstate travel with a coach to be acceptable if they had a safe and supportive relationship. However, they considered it important that a parent or caregiver also attend because they provide support in different ways to a coach. In one consultation session, young people spoke about an overseas trip and explained that they felt safe because they were with their friends and teammates and the travel was managed and organised well. Young people told us that on most occasions there was an opportunity for a parent to accompany them.

Young people told us that their rights and responsibilities and codes of conduct were usually explained to them when away on a camp. However, they were not informed of the codes of conduct relating to adults. A young woman described being away on a camp and having to be escorted to the bathroom by male staff. She said this made her feel uncomfortable, particularly when being escorted by a male staff member whom she did not know.[242]

Young people said they would like more information on the rules and boundaries for adults. They wanted more information on rules for male and female staff. Young people said they thought it necessary to have an option of a female or male adult at overnight camps.

2.5.6 Gender

Young women told us that they are more comfortable in sport and recreation contexts when there are female staff. Some discussed the need to have male and female staff members or a choice of male and female coaches.[243]

Young men reported that they were equally comfortable with male or female staff. They explained that they could face barriers to disclosing abuse because they felt they may be judged. Although talking about feelings was considered more acceptable for this generation of young men, they said they felt there is still stigma attached to being a male victim and gender stereotypes remain. They stated that young men who disclose abuse fear they will not be believed. Young men explained that they would not make use of an adult counsellor and the best way to overcome these barriers was for friends and older men to tell them that it is not shameful to disclose abuse.

2.5.7 Online environments

Some young people told us that they felt safe online and used a range of methods to improve their online safety, including using the privacy settings on social media accounts, making sure their 'public appearance' was appropriate and not accepting random friendships on online accounts.[244] However, not all young people felt safe. In every consultation, young people told us they had experienced, witnessed or knew those involved in online abuse. We heard some stories of online abuse, including young people receiving unwanted explicit photos on phone applications and young people inappropriately altering and sharing photos. Some in our consultations talked about the risks and the difficulties of living in a small community and how the whole community could have viewed a shared image within hours of distribution.

Some young people said that they did not have a problem with image publication in sports contexts on the field or in public performance spaces, provided they had been consulted and retained the right to have something removed. However, we also heard of an image shared in a public newspaper (in print and online) that had been published without the consent of the young people. Young people explained that circumstances like these could be problematic because they had wide distribution and could not be deleted.

Most of the young people told us that they wanted additional education and training on how the online environment could be used appropriately. They told us that education and training should start from a young age, be tailored to particular age groups, and focus on preventing online abuse.

Young people also told us that adults in institutions and parents should receive additional education and training to build their understanding of the way young people use social media and its risks, and build their ability to support victims and respond to instances of online abuse.

2.5.8 Listening to the voices of children and young people

Children and young people told us that they value being given an opportunity to comment and have their voices heard. This is consistent with a research report we commissioned – *Taking us seriously: Children and young people talk about safety and institutional responses to their safety concerns (Taking us seriously)* – which found that characteristics of a child safe institution were ones that valued children and young people and their participation.[245] Children and young people in that research said they wanted to be involved in identifying and dealing with safety issues and believed that, in partnership with adults and institutions, issues such as child sexual abuse could be better dealt with.[246]

Young people in our consultations told us they want opportunities to shape the services and the institutions where they participate. Children like to be able to have a platform through which they can express their views:

> we have, like, a platform where we're able to speak to our leaders in order to change – basically, a system is put in place and they have created the relationship where we can go to them … to share our opinions on how things are run.[247]

Young people also explained that there are problems when they do not have a voice. For example:

> I'd implement more awareness programs like within schools, in sporting institutions, that involve children, just to raise awareness as to what to do when you are in a situation when you could be in trouble. A lot of situations when the children in a lot of places don't speak up, it really exacerbates the problem.[248]

Young people told us that their sense of safety and wellbeing is enhanced when they have an opportunity to be heard.

> It makes me feel that my say is important and it does have an impact in some way.[249]

The *Taking us seriously* report also found that to feel safe, children and young people needed some power and control in an institution.[250] Children and young people told researchers that while being safe and feeling safe were related and interlinked, they should be understood differently. They believed adults were often more focused on observable threats instead of how children feel and what they need to feel safe. Children and young people said they believed adults at times did not recognise or value children's concerns. They thought this was problematic. Participants in the research believed that responses by institutions were limited without an appreciation of children's perceived safety needs.[251]

Research has also identified that a key protective measure for children in institutional settings is 'protection through participation'.[252] Including children in the development of the institution's strategies and responses for their own safety makes it more likely that children will use these strategies, and feel positive about them.

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3 Child sexual abuse in sport, recreation, arts, culture, community and hobby groups

3.1 Overview

This chapter describes the nature and extent of child sexual abuse in sport and recreation institutions as revealed through our case studies and private sessions, with additional information drawn from research we commissioned into child sexual abuse and other research sources. In it we discuss, in the context of sport and recreation:

- the nature and extent of child sexual abuse
- the victims and perpetrators of child sexual abuse
- the contexts and environments where children were abused
- characteristics of child sexual abuse
- grooming behaviours of perpetrators
- the impacts on children and others.

The Royal Commission acknowledges that the vast majority of institutions providing sport and recreation activities promote the health and wellbeing of children. The purpose of this chapter is to expose historic and contemporary cases of child sexual abuse so that individuals, institutions, parents and carers can comprehend the risks and mitigate them in the future. Understanding the factors that have led to child sexual abuse can help us to create sport and recreation cultures and environments that are safer for children.

This chapter builds on a more extensive discussion about the nature and causes of child sexual abuse in Volumes 2, 3 and 4.

3.2 The nature and extent of child sexual abuse in sport and recreation

Through our private sessions we received information from 408 survivors who told us of child sexual abuse in sport and recreation settings.[1] For the most part, private sessions were attended by the survivor in person; however, in some instances a parent or other family member attended. We identified 344 sport and recreation institutions as sites across Australia where survivors told us the abuse occurred.

The experiences that were shared with us provided important insights into the sexual abuse of children in sport and recreation institutions. We acknowledge that the number of private sessions concerning such institutions is relatively small. Nevertheless, the accounts of survivors have helped us to understand the nature and extent of child sexual abuse in these contexts.

3.2.1 Duration and frequency of abuse and number of perpetrators

Information about the 408 survivors who told us in private sessions of child sexual abuse in sport and recreation institutions revealed the following:

- Of those survivors who told us about the duration of abuse (75.7 per cent), more than half (56.0 per cent) told us that the abuse occurred for up to 12 months. Over one-third (36.9 per cent) said that the abuse lasted between one and five years and 8.1 per cent said that the abuse lasted longer than six years.[2]
- Most survivors (93.4 per cent) told us about the frequency of abuse they experienced. Of these, 77.4 per cent told us of multiple instances of abuse – whether by an adult perpetrator or a child with harmful sexual behaviour.
- A small proportion of survivors (3.9 per cent) said the abuse occurred in more than one institution.
- Most survivors (88.0 per cent) told us of being abused by a single adult perpetrator or a child with harmful sexual behaviours, while 12.0 per cent told us they were abused by multiple persons. A small proportion of survivors (1.7 per cent) did not tell us how many people abused them.[3]

3.2.2 Forms of child sexual abuse in sport and recreation

Child sexual abuse covers a wide range of behaviours and can take many different forms. This section outlines forms of abuse in sport and recreation we commonly heard about. It is not a complete summary of all forms of child sexual abuse, but rather a reflection of the experiences in sport and recreation settings that survivors frequently described to us in private sessions. Survivors often told us that they were subjected to multiple forms of child sexual abuse at the same time.

The forms of abuse in sport and recreation contexts reported by survivors included penetrative and non-penetrative contact, violations of privacy, exposure to sexual acts and material, sexual exploitation, and combinations of these. Three hundred and fifty-four survivors (86.8 per cent) spoke in private sessions about the forms of sexual abuse they experienced.

Penetrative abuse includes penetration of the vagina (including labia and other genitalia), anus or mouth with a penis, another body part or an object. It is also described as rape, forced sexual intercourse and sexual assault. In private sessions we heard that female survivors were more likely to experience penetrative abuse in sport and recreation contexts than male survivors. Of the survivors who spoke to Commissioners about the type of abuse they experienced, 55.4 per cent of females said they experienced penetrative abuse, compared with 47.1 per cent of males. In total, 49.4 per cent of survivors in sport and recreation contexts told us about penetrative forms of abuse.

Non-penetrative contact abuse includes sexual touching of a child's body, or making the child touch the perpetrator's body. It can also be described as molestation, sexual harassment and sexual assault, and can include masturbation. In our private sessions, 78 per cent of survivors who spoke to Commissioners about the type of sexual abuse they experienced in sport and recreation contexts said they experienced genital contact of a non-penetrative nature. We heard male survivors were more likely to experience non-penetrative genital forms of abuse than female survivors (80.1 per cent compared with 71.7 per cent).

Other forms of sexual abuse include exposure to sexual acts and material. This can occur in person and online.[4] In person, it includes showing pornographic material to a child, performing sexual acts in front of a child and exposing genitals to a child. It is also described as exhibitionism or 'flashing'. In an online environment, it can involve exposing a child to images, sounds, text and games that are sexually explicit. Exposing a child to adult sexuality can be used as a technique to desensitise the child and normalise sexual behaviour.[5] Of the survivors who told us about the forms of sexual abuse they experienced, 19.5 per cent said they were exposed to sexual acts and materials in sport and recreation contexts.

Child sexual exploitation occurs when a child is manipulated or coerced into participating in a sexual activity in exchange for, or on the promise of, an incentive such as food, accommodation, clothing, drugs, alcohol, cigarettes or money. It can also include incentives such as love, affection or safety.[6] Child sexual exploitation is a distinct form of child sexual abuse because it involves a reward in exchange for sexual activity. Of the survivors who told us about the forms of sexual abuse they experienced, 3.1 per cent described sexual exploitation in sport and recreation contexts.

3.2.3 Related forms of abuse

Without due care, children can be exposed to many risks simply by participating in sport and recreation. Sport and recreation activities can require a high degree of physicality and a competitive spirit. If well managed, these activities foster healthy participation and positive outcomes for children. However, the information reported to us reveals that some institutions tolerate and even encourage bullying, and physical, psychological and emotional abuse. These forms of abuse can occur in conjunction with child sexual abuse. Survivor accounts from private sessions support research which suggests that children frequently experience multiple forms of abuse at the same time.[7]

The physical abuse and emotional maltreatment of participants in sport and recreation is well documented.[8] The research tells us that athletes may be physically abused in the sport setting, on or off the field or wherever the activity takes place.[9] Physical abuse can take many forms, such as age-inappropriate or physique-inappropriate training loads, forced or mandated physical activity when athletes are injured or in pain, and forced alcohol consumption or systematic doping.[10] Physical abuse may also be characterised by neglect and negligence.[11] For example, coaches and other adults in positions of authority may fail to prevent athletes from overtraining or training when injured.[12] Athletes may also be denied food, drink or medical care.[13]

The research also suggests many forms of emotional maltreatment can occur in sport and recreation. Abusive practices in coaching or instructing directed at the participant can include 'belittling, humiliating, shouting, scapegoating, rejecting, isolating and threatening behaviours as well as being ignored, or denied attention and support'.[14] Children may also be punished by being removed from their sporting team or demoted.

In private sessions, we heard that both adult perpetrators and children exhibiting harmful behaviours were the cause of physical abuse and emotional maltreatment in sport and recreation. Of the 128 survivors (31.4 per cent) who told us that they had experienced other forms of abuse as well as sexual abuse:

- 89.1 per cent told us of emotional maltreatment
- 21.1 per cent told us of physical abuse
- 9.4 per cent said they witnessed the abuse of others.

3.3 Who we heard about in sport and recreation

The people who came forward to tell us about child sexual abuse in sport and recreation environments enabled us to understand more about not just the survivors but about adult perpetrators and children with harmful sexual behaviours.

We also learned that child sexual abuse could occur in all areas of sport and recreation activity and across all institutional types. Common institutional types we heard about included small local sport clubs, community groups, hobby groups, arts and cultural associations, dance and music schools, recreation camps, and other outdoor activity-based pursuits such as Scouts.[15]

3.3.1 Survivors

Research into sexual abuse in sport and recreation contexts suggests that sexual abuse can be a risk for all athletes regardless of age, gender, nationality, cultural background, social class, education level, sexual orientation or disability.[16] Nevertheless, research and our information shows that some children can be more vulnerable to abuse than others. This section outlines what we have learned about the survivors of child sexual abuse through our private sessions and research.

Gender

Of the 408 survivors of child sexual abuse in sport and recreation contexts who told us about child sexual abuse in private sessions:[17]

- 305 (74.8 per cent) were male
- 102 (25.0 per cent) were female.

One research study examining child sexual abuse in sport in Australia identified females as being significantly more likely to be sexually abused than males (for both elite and club sports).[18] However, the research generally indicated that survivors of child sexual abuse in sport could be both male and female.[19] A limitation of comparing the risk of child sexual abuse between males and females is that, while the rates of disclosure are minimal for both genders, disclosure rates may be disproportionately lower for males.[20]

Age

Of the 408 survivors of child sexual abuse in sport and recreation contexts who told us about child sexual abuse in private sessions, 86.0 per cent told us when they were first sexually abused. Of these survivors, 65.5 per cent said this occurred when they were between the ages of 10 and 14 and 10.5 per cent said they were aged 15 or older.

Of the 265 male survivors who told us when they were first sexually abused, the majority (70.9 per cent) said they were between the ages of 10 and 14, 20.8 per cent said they were under 10 and 8.3 per cent said they were between 15 and 17. Of the 86 female survivors, the majority (48.8 per cent) said they were first sexually abused between the ages of 10 and 14, 33.7 per cent said they were under 10 and 17.4 per cent said they were between 15 and 17.

Children with disability

Our private sessions information revealed that a small number (2.7 per cent) of those who told us they were sexually abused in a sport or recreation institution had a disability at the time of the abuse. We were told this abuse occurred in mainstream sport and recreation institutions, as well as in disability-specific settings.

Children with disability are at increased risk of child sexual abuse.[21] Research suggests this is also the case for children with disability in sport. Research on child sexual abuse in sport suggests that athletes with disabilities experience a two- to three-times greater risk of abuse, including sexual abuse, when compared with youth athletes in general.[22] While research in this area is limited, the literature suggests this increased risk could be for a number of reasons, including factors beyond sport and recreation settings.[23]

As discussed in Volume 2, *Nature and cause*, research more generally suggests that children with disability are about three times more likely to be psychologically, physically and sexually abused than children without disability.[24] Children with disability are also more likely than other children to have experienced repeated incidents of sexual abuse by the time they reach 18 years of age.[25]

Location of abuse

More than two in three (68.6 per cent) accounts of sexual abuse in sport and recreation settings that we heard about in private sessions were said to have occurred in a major city, more than one in five (20.8 per cent) were in regional settings and a small proportion (1.5 per cent) were in remote or very remote settings.[26]

3.3.2 Adult perpetrators

Of the 408 survivors who told us about child sexual abuse in a sport or recreation context, 74.0 per cent mentioned the age of the perpetrator. Of these, the majority, (94.4 per cent) told us of being sexually abused by an adult perpetrator.

While there is no typical profile of someone who sexually abuses a child in a sport or recreation setting, certain characteristics were reported to us in private sessions more often than others.

Of the 302 survivors who spoke to us about perpetrator age, most (93.7 per cent) told us they were abused by an adult male. Research also suggests that most perpetrators of child sexual abuse in sport and recreation settings are men.[27]

Most survivors (95.1 per cent) who attended private sessions provided information regarding the role of the perpetrator. The majority of these survivors told us they were abused by a youth group leader (36.6 per cent), most of whom we were told were Scout leaders, followed by coaches or instructors (20.4 per cent) and volunteers in the institution (6.4 per cent).

Our research suggests that the trust and respect often attached to a position of authority may allow potential perpetrators to gain exclusive access to children.[28] Children's obedience to people in authority can reinforce compliance with abuse.[29]

We learned that there was no typical adult perpetrator profile in a sport or recreation setting – a range of adults sexually abused children in these contexts. As in other institutional settings, these people have diverse motivations and behaviours and are influenced by various factors which can change over time.

Researchers have developed perpetrator typologies that reflect the behaviours and characteristics of perpetrators. These typologies give some insight into perpetrators and their motivations, but are not definitive. Perpetrators may exhibit features from a number of typologies. In our case studies and private sessions we heard of perpetrators in sport and recreation settings that reflect elements of these perpetrator typologies.[30]

- Fixated and intentional[31] – these perpetrators tend to have a longstanding sexual attraction to children and are often repeat offenders, abusing multiple children throughout their lives.[32] They are more likely than other perpetrators of child sexual abuse to have a 'paedophilic' interest in children and young people,[33] and less likely to have age-appropriate sexual relationships.[34] Some fixated, persistent perpetrators may actively manipulate environments to enable them to abuse a child.[35] They may select occupations that facilitate access to children.[36] They may also take advantage of unplanned situations to abuse.[37] Most perpetrators, however, do not fall within this 'fixed, persistent' typology.[38]
- Opportunistic perpetrators – these perpetrators tend to be less fixated on the sexual abuse of children and may engage in criminal behaviour other than child sexual abuse.[39] They may not prefer children over adults, but use children for sexual gratification.[40] Opportunistic perpetrators are more likely to be older when they sexually abuse a child, to abuse females, and to abuse members of their extended families.[41] Opportunistic perpetrators exploit situations where they have access to and authority over children.[42] These situations can include institutions that give them access to children and young people.[43] Research suggests that opportunistic perpetrators are less likely than other adult perpetrators to intentionally create situations in which children can be abused, but rather abuse children when the opportunity arises.[44] Consequently, they are less likely to use grooming strategies.
- Situational perpetrators – these perpetrators do not usually have a sexual preference for children. Instead, they tend to have similar patterns of sexual arousal to men who do not sexually abuse children.[45] Situational perpetrators sexually abuse children in response to 'stressors' in their own lives.[46] These may include stress, trauma, grief, social isolation, lack of positive adult relationships and low self-esteem.[47] This group is likely to be older when they first sexually abuse a child (usually victimised females), tend to have fewer victims, and continue the abuse over an extended period of time.[48]

> The research tells us that this perpetrator fits the profile of 'a caregiver or other authority figure who has abused a position of trust and who has ongoing access to the victim'.[49] During private sessions, some survivors described elements of this typology in some coach and athlete, and instructor and pupil, contexts.[50]

Research has also suggested that some perpetrators will use their workplace and employment to target children for sexual abuse, and refers to them as 'professional perpetrators'.[51] Research suggests that professional perpetrators are conscious of the need to adapt their behaviour to changing external environments, and understand how others perceive their behaviour within an institution.[52]

Tactics employed by adult perpetrators

Sport and recreation provide environments where adults can join or help support activities for children. In many of these environments, the adult does not need qualifications or particular skills.[53] Sport and recreation contexts can create conditions for perpetrators to isolate the child, both socially and physically.[54] Research tells us that certain types of perpetrators may seek opportunities to sexually abuse children in less supervised environments.[55]

Perpetrators may use a number of tactics to gain access to children and to separate them from peers and others. Some work to engender a level of trust and friendliness with the child's family. Sport and recreation activities can provide opportunities for perpetrators to have close contact with parents and carers. Some perpetrators may actively seek to gain the trust of parents to increase the likelihood that the child will be left unsupervised in their care.[56]

We heard instances where perpetrators manipulated situations to be alone with the child after having gained the trust and confidence of parents or guardians.[57] In some cases, the perpetrator was able to gain unsupervised access to the child as part of the sport or recreation activity. Close relationships between the coach and athlete may appear appropriate in some institutional environments.[58] In other instances we learned that the perpetrator had provided babysitting or transport to children after forming a trusting relationship with the child's family.[59] Some perpetrators targeted vulnerable families, including those with single parents. The offer of child minding or assistance in the home can be welcomed by unsuspecting parents and guardians. [60]

Some perpetrators may exploit a child's desire to succeed by offering or extending opportunities for private tuition. These opportunities provided perpetrators with exclusive access to the child. Parents or guardians often shared their child's desire for success and could be persuaded to relinquish a level of control of the child to the coach to see their child succeed.[61] Coaches and instructors can become quasi-parental figures and spend significant amounts of time with the child.[62] Where coaches and athletes maintain a close psychological and physical relationship, it can be especially difficult to distinguish grooming behaviours from innocuous ones.[63]

In *Case Study 37: The response of the Australian Institute of Music and RG Dance to allegations of child sexual abuse (Centres for performing arts),* dance teacher Grant Davies became close to some mothers of the children who attended the RG Dance studio.[64] He was charismatic and attentive, and exploited parents' desires to see their children succeed in dance. As one student observed, some parents at the highly competitive studio 'would do anything to make their kids a star'.[65] At the public hearing we heard evidence from a mother, BZH, who pleaded guilty to producing, possessing and disseminating pornographic images of her daughters to Davies at the RG Dance studio.[66] She said:

> I wanted more than anything for the girls to succeed in their dance careers, which was a dream I had previously had for myself. I was afraid of putting Grant offside and the girls being punished as a consequence. I sought to please him … It was commonly understood at RG Dance that kids would face consequences if their mothers stood up and disagreed with something Rebecca or Grant did.[67]

BZH provided many videos and images of her daughters to Davies.[68] On the occasions that she did not respond, BZH said that Davies threatened to destroy her and her daughters.[69]

Volume 2, *Nature and cause* examines the influences and motivations of perpetrators in all types of institutions in more detail.

3.3.3 Children with harmful sexual behaviours

During our inquiry, we received information about children who were sexually abused by other children in an institution. As noted, of the 302 survivors (74.0 per cent) in sport and recreation contexts who told us about the age of the perpetrator, a small proportion (6.3 per cent) said that they had been sexually abused by another child.

Research on children with harmful sexual behaviours in sport and recreation contexts is limited. However, some studies suggest that the sexual abuse and harassment of children by teammates and other peer athletes in sport is significant.[70]

For further information about children with harmful sexual behaviours, see Volume 2, *Nature and cause* and Volume 10, *Children with harmful sexual behaviours*.

3.4 Where in sport and recreation children have been sexually abused

Our case studies revealed that children were sexually abused in a range of sporting and recreational settings and contexts. We were also told about a range of places of abuse in our private sessions. Some of the most common were:

- camps, overnight competitions and excursions
- overnight stays
- billeting and hosting arrangements
- travel arrangements
- change rooms and concealed or obscured environments
- public environments.

3.4.1 Camps, overnight competitions and excursions

In *Case Study 36: The response of the Church of England Boys' Society and the Anglican Dioceses of Tasmania, Adelaide, Brisbane and Sydney to allegations of child sexual abuse*, a number of survivors told us that they were sexually abused during camping trips. Some of these camping trips were informally organised by the Society's leaders and people affiliated with it. A common tactic used by the perpetrators was to befriend and gain the trust of parents and families.[71] Children were then encouraged or permitted to stay overnight at isolated locations. We also heard how perpetrators manipulated the sleeping arrangements during camping trips so they could access and abuse children at night.[72]

Survivors told us in private sessions that they were sexually abused in locations and circumstances unique to sport and recreation. In most cases, we were told the abuse in these settings occurred after a long and persistent process of grooming. Perpetrators established friendships and close relationships with children,[73] their parents and other family members. They also established a level of trust with significant adults in the child's life so the child would be entrusted to their care for camping trips as well as overnight competitions and other excursions.

In our private sessions, overnight camps were the most commonly nominated places of abuse.[74] 'Sidney John' told us that he attended his first Scout camp at the age of 11. These large camps were not held often, so the Scout Leader, 'Jock', frequently held smaller camps with only a few boys from the Scout group. 'Sidney John' was about 12 years old when he was invited to one of these smaller camps. He said that when it was time for bed, 'Jock' entered the boys' tent. 'Sidney John' told us was sexually abused and also witnessed the sexual abuse of the other boys.[75]

We heard in private sessions that some camps provided overnight recreation activities for underprivileged or 'at-risk' children and young people.[76] For example, 'Gareth' told us in a private session that he had behavioural and developmental issues as a child and was referred to a 'respite camp' by the school counsellor. We were told the camp operator abused 'Gareth' every time he attended.[77]

We were also told that child sexual abuse occurred when children travelled to take part in competitions, tournaments and events.[78] One research study indicated that national and international tournaments represent a high risk of sexual abuse for young athletes.[79] Sport and recreation settings can include situations where children of different sexes and ages share rooms on trips.[80] We heard of instances where coaches and other adults shared rooms with young athletes.[81] 'Clarissa' told us she was sexually abused by her sports coach on an interstate trip to a sports event when she was 16 years old. She said the coach arranged a hotel room for the two of them to share, then sexually abused 'Clarissa' in her own bed.[82]

Research we commissioned explained that opportunities to abuse were linked with the ability to be alone with a child and the ability to groom a child undetected.[83] The research noted that both the nature of the activity and the circumstances, such as physical environments, contributed to this risk. The research suggested that overnight camps – where children are away from parents or carers for extended periods – can involve an increased situational risk for abuse by adults or children displaying harmful sexual behaviour.[84] This risk can be mitigated by the presence of other young people and adults.[85]

3.4.2 Overnight stays

Some survivors told us that they were abused during overnight stays at the perpetrator's house.[86] BXA gave evidence in *Case Study 39: The response of certain football (soccer), cricket and tennis organisations to allegations of child sexual abuse* (*Sporting clubs and institutions)* that she would often have dinner and stay overnight at her coach's house so she could get to her soccer games the next day. BXA told us she was sexually abused multiple times. Sometimes, the coach's wife would be in the same room while the abuse occurred.[87]

During a private session, 'Pam' told us that, at the age of 15, she had all but moved into the home of her hockey coach. It was at his home that she was sexually abused. She later realised that a process of grooming had been occurring for two years leading up to the abuse:

> Effectively I spent three days a week at his home, and his wife said, oh you know, 'One extra meal. Make it five'. I fitted in. I was no trouble … My mother knew him. My mother knew all of my coaches because for a while there she used to come and watch my games … So there was always that level of trust.[88]

3.4.3 Billeting and hosting arrangements

Without appropriate checks and monitoring, billeting or hosting arrangements can be risk factors for child sexual abuse. Our private sessions included examples of hosts who had exploited billeting or hosting arrangements and abused a child who was living away from home to pursue training opportunities.[89]

For example, 'Vika' told us she reported her concern for a number of young athletes who had been sexually abused during billeting arrangements. We were told these young boys had been recruited by a national sporting organisation and brought to Australia from overseas to train and compete. 'Vika' told us she realised that the boys needed professional counselling following the sexual abuse and a lot of support after leaving their communities and their culture. The sporting organisation 'will bring them in, but then they isolate them from their families'. 'Vika' said she decided to provide accommodation for the boys when she learned that they had been sexually abused by other house parents.[90]

Hosting arrangements can expose children to situational risks as they are separated from adults and may be in private or closed spaces that are not visible to other observers.[91] Once away from home, the child has no networks or history, and may find it difficult to know who to trust.

One survivor told us he was sexually abused by two men offering accommodation to students at a performing arts school. 'Connell' was 'ecstatic' to be accepted into the school but:

> The issue for my family was, okay you're so young, you're going away from the family for the first time and that in itself was quite emotional, and a change for me … I got on the train and went … I knew no one, absolutely no one.[92]

For some victims, staying with a coach or adult in their community was the only way they could continue their sport or recreational activity.[93] 'Darell' loved his sports and was involved in the local rugby league and cricket teams. Because his family lived out of town, he told us he often stayed overnight at 'Father Frank's' house after sports events.[94]

3.4.4 Travel

Children's participation in sport and recreation often involves travelling to and from training or practice. In some cases, playing sport or taking part in a recreation activity is such an important priority for children that they will do what it takes to participate. One stakeholder from the sport and recreation sector told us that 'kids will put their hand up and jump in any car to get to training and to get to their games'.[95]

In private sessions we were told of children being sexually abused during car trips to or from their training, practice session, or recreational or club activities.[96] Travel allows the perpetrator to spend time alone with the child and provides opportunities to offend.[97] The risks of travel are documented in the research literature on child sexual abuse in sporting and recreational contexts.[98]

Our private sessions revealed instances where a child's coach, instructor or youth group leader (which includes Scout leaders) offered to transport the child to and from a sport or recreation activity.[99] 'Brandan' told us about being sexually abused on the trip home from evening activities at his recreation club. We were told the local council administrative officer would often drive a number of children home, but he always dropped 'Brandan' off last. 'Brandan' told us that he 'did not understand what was happening'. He explained that he 'went along with it because I did not know how to get home from where we had parked, and just wanted to get it over with so I could go home'.[100]

Mitigating the risks of one-on-one car journeys can present challenges for sport and recreation institutions as well as parents and carers. Some families live in remote areas and may not have access to a car or the funds to pay for their child to use public transport.[101] We heard of instances where children relied on people other than their parents to drive them because their parents were under considerable pressure due to work or other commitments.[102] 'Justine' told us the abuse started when her mother, a single parent, was late to pick her up from training one night and the coach offered to help out by driving her.[103] Another survivor, 'Max', described how a 'father figure' from his local recreation club offered to drive all the boys from vulnerable families. We were told this was done under the guise of taking pressure off the boys' parents. 'Max' said, 'He had a way of picking a target week by week – who he'd drop home last, be alone in the car with'.[104]

3.4.5 Change rooms and concealed environments

Many sporting and recreational activities require children to change clothing and shower before and after their practice or training. Children may also need to use change rooms and showers during overnight camps. Change rooms are uniquely intimate settings where the boundaries of children's private space can become blurred.[105] While most institutions take great care to protect children's privacy, we were told that victims were sexually abused in the change rooms and showers of sport or recreation venues.[106]

The *Centres for performing arts* case study demonstrates the particular risks of the change room. We were told that students at RG Dance would often have 'quick changes' during performances, requiring them to undress and change costumes between routines. These changes often took place in areas where there was little or no privacy. The change rooms at the dance studio were also not conducive to privacy, and parents and teachers would walk past the children as they were undressing.[107] As one ex-student said during the public hearing, 'Grant [Davies] was in and out of the change room all the time. He would announce he was coming in, but he would immediately walk in without listening for an answer. Nothing was out of bounds for him'.[108]

In addition, private dance lessons were common at the RG Dance studio. These lessons allowed dancers to prepare for solo performances in concerts and competitions. Parents were not usually allowed to watch and it was not possible to see into the studio when the door was closed.[109]

In the *Centres for performing arts* case study, CAA told us that music tutor Victor Makarov would sexually abuse him during his piano lessons at the Australian Institute of Music. Makarov took advantage of concealed parts of the classroom: 'There was one particular corner in his room at the institute where he would take me and abuse me. I believe that you could not see that corner of the room from the door, which just had a small window, so Makarov must have felt safe there'.[110]

In a private session, 'Kristy' told us about the lack of privacy at a camp she attended as a child. There were no doors on the showers or toilets, which 'Kristy' thought was odd. She said, 'We'd go to get changed and [the perpetrator would] say, "Oh, it's okay. We're all the same"'.[111]

Child sexual abuse disproportionately happens when perpetrators are alone with children in spaces that are not visible to others.[112] We heard of instances where a hidden or obscured location created opportunities for coaches or instructors to abuse children without scrutiny.[113] For example, 'William' told us that he was sexually abused underwater by his coach during surf lifesaving activities.[114]

We also heard about children being abused during private coaching or tuition sessions that were conducted one-on-one with the perpetrator.[115] In a private session, a 17-year-old survivor told us she was sexually abused by her female music teacher. 'Trina Beth' described how the lessons were conducted in soundproof rooms which were isolated from other teaching areas in the school. 'Trina Beth' said, 'Sometimes the classes were in different spots but the majority of the time it was in like the most unsafe place it could have been'.[116]

3.4.6 The internet and associated technology

The internet and associated technology can create opportunities for perpetrators to groom children outside the physical boundaries of an activity or institution. Perpetrators may interact with children using phones, computers, email, text messages, social media platforms or online forums.[117] In some instances the internet is used to groom children. Perpetrators may use these various tools to groom children or to share images or content of a sexual or intimate nature, in some instances of the child. This sharing of images is unlawful and is often associated with other forms of abuse.

In the *Centres for performing arts* case study, we learned that the perpetrator of abuse, Grant Davies, regularly communicated with students and parents at RG Dance through Facebook, MSN and text messaging. Davies used several grooming strategies to groom RG Dance students and parents, such as:[118]

- engendering a sense of intimacy and a special relationship by exchanging messages at a time when the child was more likely to be alone
- normalising an intimate, sexual relationship by expressing interest in the non-sexual aspects of the child's life

- expressing affection
- using explicit sexual content to normalise a sexual relationship with the child
- overcoming potential victim inhibitions by escalating the explicit nature of communication.

In our private sessions we heard of instances of online child sexual abuse. 'Jodie' told us that a coach whom she had met only once, years before, had created a false online profile of her and then sent explicit sexual images to young male athletes, requesting images of themselves in return. 'Jodie' told us she was tormented by her peers for over a year: they believed she had sent the images herself. She said that although there was no physical element in her experience, she had been 'humiliated, objectified, bullied, isolated and used as a sexual pawn'.[119]

'Horrie' told us that his daughter 'Debbie' was 16 years of age when her sports coach began contacting her through Facebook messaging. We were told the coach obtained nude photos of 'Debbie' from her mobile phone without her knowledge and later showed her the images on his phone, claiming he had found them on a website.[120]

Monitoring the internet and associated technology can present particular challenges for administrators and staff of institutions. Camera phones are widely used in sport and recreation and it can be difficult to monitor the taking of illicit photographs inside change rooms and other facilities. Sometimes these images can and have been used for sexual exploitation.[121] One survivor, 'Murray Tim', told us that an adult member of his local football club took photos of the boys in the showers and distributed one of them to 'Murray Tim's' mother.[122]

We were told in private sessions that coaches and instructors created intimacy with the child by having conversations with them via text message, Facebook and other unsupervised online forums.[123]

3.4.7 Public environments

Our private sessions revealed instances where children were abused in very public settings, sometimes in plain sight of parents and other adults.

In a private session, 'Peggy Louise' told us that she was sexually abused by an adult member of her sports club when she was sitting on his lap in the clubroom. She said, 'The way that was done was so brazen, in front of people and everything … To do something like that, he's done it before and he's probably done it many times'.[124] Another survivor reported being abused in the pool by her swim coach while her mother sat watching in the stands. She said the perpetrator 'was facing towards the deep end and I was facing the shallow end and Mum saw my face and she knew immediately that something was wrong'.[125]

3.5 Characteristics of, and risk factors for, child sexual abuse in sport and recreation

There is no simple explanation for why child sexual abuse occurs. We learned that abuse is not the result of a single factor but rather the complex interaction between diverse factors related to individual sport and recreation institutions and contexts as well as perpetrators and victims in those settings. For instance, a sport or recreation setting may provide opportunities for children to be sexually abused by allowing a perpetrator a high level of unsupervised access to them. Although all children participating in sport and recreation are vulnerable to abuse in these environments, some may be more or less vulnerable due to their exposure to certain risk or protective factors.

This section focuses on the risk factors that we were told existed, and continue to exist, in sport and recreation settings. Understanding the risk factors unique to these settings is important because it helps us to better understand the reasons why child sexual abuse occurs there as well as how best to prevent it and respond when it does occur.

In sport, information gathered from case studies and private sessions told us that children were exposed to such risks across all levels, from elite to club level. Children were also exposed to risks in recreation contexts, including organised activities as well as those that were casual and informally arranged. The risks examined in this section were identified as being common to a broad range of sport and recreation contexts. A proliferation of research has helped our understanding of child sexual abuse in sporting contexts.[126] The risks of child sexual abuse in recreation contexts are relatively unexamined.

3.5.1 Grooming

The forms of grooming we heard about in sport and recreation settings followed many of the same patterns in other institutional contexts (see Volume 2, *Nature and cause*). Although grooming is difficult to pinpoint and quantify, of the 354 survivors of child sexual abuse in sport and recreation settings who told us about the type of abuse they experienced, 37.0 per cent said that grooming was a factor in the abuse. The forms of grooming behaviours evident in sport and recreation included manipulative techniques, such as coaxing and cajoling, as well as coercive techniques, such as blackmail and threats.

Some common grooming strategies in sport and recreation settings we heard about are outlined below.

Coaching relationships

Perpetrators can exploit their power and authority over children through the private and exclusive relationship of a coach or instructor.[127] The literature on child sexual abuse in institutional contexts, including sports and recreation, describes the particular risks in these relationships.[128] Our work has shown that instructor and pupil relationships in the arts and cultural sectors pose similar risks.[129] These exclusive relationships are exploited by perpetrators to groom and abuse children in their care.

In the *Centres for performing arts* case study, CAA told us that he developed a close relationship with his music teacher, Victor Makarov, over many years of private piano tuition. Makarov used manipulative tactics so he could be alone with CAA who, in evidence at the public hearing, said:

> I noticed that lessons with my parents [watching] would be average and basic but if my parents were not there he would give me a musically fantastic lesson, really explaining how to play a piece well and so on. As a result of this I encouraged my parents not to come to the lessons.[130]

In some contexts, a coach's close relationship with a high-potential athlete can act as camouflage for grooming behaviours.[131] Coaches may have the opportunity to develop close relationships and build trust with young athletes, especially where this may be viewed as necessary for athletic success.[132] In these instances, intrusions into the athlete's personal life are sometimes justified on the grounds of performance enhancement.[133] This can include the coach influencing and exerting control over the athlete's menstrual cycles and contraceptive habits, weight, diet, sleep patterns, interpersonal relationships and schoolwork. [134] In addition, many young athletes spend significant periods of time in the care of their coaches.[135] Athletes may normalise concerning behaviours and may not perceive sexual abuse by a coach as inappropriate.[136] These factors can also make it especially difficult for other staff in a sports club to discern manipulative and controlling behaviours from those that are required for the sport.

A perpetrator may try to cultivate a 'special relationship' with the child and the child may then develop affection for the perpetrator. For example, 'Chanel' told us in a private session that she was competing at an elite level when her self-appointed manager 'provided an opportunity' to take her training further. We were told he initiated an emotional relationship with 'Chanel', confiding in her and sharing his problems. 'Chanel' told us that she felt she could not disclose the abuse to her parents or anyone else.[137] Similarly, 'Lizzy' told us that she refused to tell her mother about the 'relationship' she had with a sports organiser who was introduced to her by her coach, who accompanied her on interstate and overseas trips to competitive events. It was after 'Lizzy' saw the organiser acting inappropriately with another young athlete that she came to realise the relationship had been sexually and emotionally abusive.[138]

Inappropriate activity and adult material

Survivors told us in private sessions that alcohol and other enticements were used by perpetrators as a form of grooming.[139] This exposure to inappropriate activity is consistent with research findings about grooming and child sexual abuse in sport and recreation.[140]

Commissioners heard from 'Arturo', who told us that the head of his sports club would engage him in conversations about inappropriate adult sexual activity and supply him with alcohol. This was framed as a 'male bonding kind of thing'. In the late 1990s 'Arturo' was seeing a counsellor 'when the penny dropped around this stuff ... I got a really clear sense of what actually was going on. He was grooming me. He wanted to have a relationship – like a sexual relationship – with me'.[141]

In another private session, 'Jesse' recounted how his coach used various tactics to encourage him to keep going to his house: 'He would give me cigarettes, chocolates, alcohol and marijuana … I'd never smoked pot before I met 'Barry''.[142]

A number of survivors who told us about abuse in sport and recreation institutions told us that perpetrators exposed them to pornographic material.[143] This included showing them pornographic material in magazines, on DVDs and online. In rarer instances, survivors told us that they were exposed to sexual acts in person. For example, in our *Sporting clubs and institutions* case study, BXE gave evidence that he was sexually abused by his cricket coach, Mr Ross. BXE told us he was about 13 years old when Mr Ross began to show him and some of the other boys at cricket training pornographic magazines.[144]

Research tells us that perpetrators may use exposure to pornography to desensitise the child to sexual behaviour.[145] This desensitisation may be a form of grooming.[146] They may also use pornography to gauge the child's reaction, helping them to decide whether to continue the grooming process.[147] In a private session, 'Katie' told us that her tennis coach showed her and a friend some pornographic magazines at his house: 'He came back out and said, "How did you like that?" And that was sort of the beginning of it'.[148]

Volume 6, *Making institutions child safe* sets out our work on preventing and responding to online child sexual abuse in institutions. This includes our work on online grooming.

Erosion of interpersonal boundaries

In some sport and recreation environments, perpetrators may be able to employ subtle behaviours aimed at eroding the interpersonal boundaries of the child. In the sport or recreation context, the coach can shift the interpersonal boundaries from the acceptable – for example, legitimate touching to correct a swim stroke – to the inappropriate. Research suggests that perpetrators in sport use similar grooming tactics to those more broadly described in the

literature.[149] This includes behaviour that 'moved the limits of his interpersonal boundaries', and a process of 'gradual entrapment' whereby the coach (in this instance) employs behaviours to both disempower the athlete and reduce their individual autonomy.[150] This has an effect of increasing the athlete's dependence on the coach, where the coach is able to isolate the athlete and control their lives.[151]

Sport and recreation activities such as martial arts, dance, gymnastics and swimming all involve some direct physical contact between children and their instructors. Often the instructors have legitimate reasons to touch in order to correct a child's technique, for example, repositioning arms or legs. Touch may also be an integral part of coaching and caring for young athletes with disabilities.[152]

However, we heard that in some sport and recreation contexts there was a blurring of the line between appropriate and inappropriate physical contact. In the *Centres for performing arts* case study, we found that Grant Davies, owner and teacher at RG Dance, openly initiated physical contact with his students on many occasions.[153] As one of his past students told us, 'Grant was also physically "handsy" with the "favourite" kids. He would touch their bodies in class, when correcting or adjusting dance moves. The touching was more than was necessary for teaching them'.[154] Davies would touch students in a manner indicative of a personal relationship and made inappropriate sexualised comments about students.[155] In 2016, Davies was convicted of child sexual offences against a number of students.[156]

In private sessions, survivors told us that they might have felt uncomfortable with certain forms of touch, but at the time they were uncertain about its appropriateness and they did not feel sufficiently confident to call a stop to it. In one private session, a survivor told us that the sports teacher at her school would inappropriately touch the students during gymnastics class. The perpetrator's grooming tactics caused some concern among parents and other adults, but the abuse continued over a number of years. She said:

> He taught gymnastics so whenever we were doing gymnastics, he would always be touchy-touchy, feely-feely – inappropriately touching. Everyone seemed to know about it. All the kids said he was creepy, parents all seemed to know that there was something going on with him. You always heard comments that they knew he touched the girls up and stuff like that. I don't know if anyone ever said anything. Certainly nothing was ever done.[157]

Targeting vulnerability

Commissioned research has examined the factors that influence the vulnerability of children to grooming and sexual abuse.[158] Some risk factors relate to the family characteristics and circumstances in the child's life, including family conflict, violence and breakdown, poor relationships with primary carers, lack of parental supervision and availability, and family devotion or loyalty to the institution.[159] These may increase the risk of child sexual abuse

because they decrease the quality and quantity of supervision provided.[160] Research suggests that young athletes who are experiencing difficulties in their home life can be particular targets for perpetrators.[161]

Commissioners heard from survivors who described family circumstances such as family dysfunction, alcohol abuse, and the ill-health or death of a parent at the time of the abuse.[162] 'Jacklyn' told us in a private session that she was abused at a time when her parents were unwell and frequently in hospital for treatment. During this time, 'Jacklyn' often had to take care of her siblings and be in charge at the family home. 'Mr Andrews' was 'Jacklyn's' sports coach and lived on the same street. He would often give 'Jacklyn' lifts to practice. 'Jacklyn' recalls 'Andrews' being an affectionate man who cuddled all the girls during practice. We were told that one afternoon, when 'Jacklyn' was 14, 'Andrews' sexually abused her. 'Jacklyn' didn't tell anyone about the sexual abuse. She didn't want to worry anyone, especially her parents in their condition.[163]

Another survivor told us in a private session:

> Things were tough at home. Dad had started drinking heavily and the family that was sharing the house with us were quite violent. Home was not a nice place to be at this time in my life so I guess this is why I [sought] a kind of refuge at [the perpetrator's] house. I think it was the lesser of two evils at the time.[164]

We were also told that overnight camps and excursions were a welcome reprieve from family difficulties, and that some adults exploited these vulnerabilities.[165]

We heard from survivors who told us that one or both parents were absent at the time the abuse occurred. Survivors told us that they were without a father figure.[166] Research into sexual abuse in sport suggests that the coaches who sexually abuse young athletes may act as parental figures.[167] We identified this behaviour in sport and recreation contexts.

For example, in the *Centres for performing arts* case study, we heard that Grant Davies would focus his attention on students whose fathers did not attend performances or pick their children up following lessons.[168] Davies assumed the role of a brother or father figure to win children's trust and affection.[169]

In a private session, 'Donovan' told us about being sexually abused by 'Lachlan', a volunteer at an organisation that helped families in need and provided recreation activities for underprivileged children. 'Lachlan' became close to 'Donovan' and eventually started dating his mother. He became very affectionate and would often give him presents: 'He exploited very much the fact that I was desperate for a father figure'. A couple of years later, 'Lachlan' proposed to 'Donovan's' mother. 'Donovan' said, 'It was all just a front. He didn't even like my mum at all, to be honest'. We were told it was soon after the proposal that the sexual abuse began.[170]

Research suggests that children who are socially isolated for reasons of race or family background may be more vulnerable to child sexual abuse.[171] In a private session, 'Huan' told Commissioners she was socially isolated when the abuse occurred. She explained that this made her more vulnerable because she was unable to tell her peers at school. She said:

> Even though my parents did well in their work, we were also from a disadvantaged background in that I didn't have many friends and families around, and for some time I grew up in poverty. I was isolated from the girls at [the school] where I attended and felt that I wanted to be around people who were Western.[172]

3.5.2 Societal and community cultures

Institutions can reflect the cultures and values held by the wider community. Prevailing cultural and social norms can have a major impact on sport and recreation environments.

Generally, the environment at sport and recreation institutions is an open one, welcoming parents, children and volunteers as spectators, participants, coaches or office-bearers. These institutions are relatively accessible when compared with others such as schools. For this reason, they are particularly permeable and open to broader cultural influences.

Our research has shown that some of these broader cultural influences can create risk factors for child sexual abuse.[173] This section describes the various cultural contexts that have created risks for children, including normalising them to violence, harassment and sexualised cultures, and valuing adults over children. Children's level of involvement in sport or recreation pursuits can also be a risk factor.

Normalised violence and harassment

Commissioned research suggests that in hyper-competitive sport contexts, violent and aggressive behaviours can become normalised.[174] While this is not exclusive to male cultures, our commissioned research tells us that some all-male environments allow high levels of sexualised bullying and homophobic taunts. In *Case Study 57: Nature, cause and impact of child sexual abuse in institutional contexts*, we were told that children and young people who identify (or are in the process of identifying) as lesbian, gay, bisexual or transgender are particularly vulnerable to sexual abuse in institutions with homophobic cultures.[175]

In some instances, violent and aggressive behaviours become part of expressing masculinity.[176] Sporting contexts may facilitate abuse, for example, in private spaces such as the locker room where there may be a high tolerance for sexually exploitative conduct.[177] Sometimes these behaviours are simply shrugged off as a joke and 'just part of what we do here'.[178]

A common form of harassment in sport is verbal, which can include 'trash talk' or 'sledging'.[179] Some sport cultures can also sexualise their traditions through songs, jokes, nicknames, rituals and pranks.[180] Athletes may be verbally harassed and abused by their teammates and peers.[181] In particular, there are two types of particularly harmful behaviours that were associated with these forms of violence – bullying and hazing.

- Bullying is 'unwanted, repeated and intentional, aggressive behaviour usually among peers and can involve a real or perceived power imbalance'.[182] This bullying can occur in online environments as well as face to face.
- Hazing is 'an organised, usually team-based, form of bullying … involving degrading and hazardous initiation of new team members by veteran team members'.[183] Coaches are sometimes present during hazing and initiation practices. Research suggests that hazing is commonly practised among male athletes, particularly in North America.[184] However, the practice is increasingly being adopted by female athletes and recognised as a significant concern elsewhere.[185] Hazing can be difficult to identify, in part because hazing cultures enforce secrecy and the protection of team members.[186]

Adult perpetrators may target children who are socially isolated, including those who are being bullied by their peers. Our commissioned research suggests that when adults do not respond effectively to children's concerns about bullying, children will not feel confident in their ability to share their fears, and this may lead to increased risk of sexual abuse.[187] The study found that children looked at how institutions responded to bullying to predict how they might respond to their other safety concerns.[188] Boys and young men may be particularly reluctant to disclose experiences of abuse in hyper-masculine sport cultures.[189] These sport cultures may normalise and condone abusive practices, which may make it difficult for both adults and children to identify sexually harmful and abusive behaviours.[190]

In our private sessions, we heard of instances where children were subjected to bullying, hazing and harassment by adults or other children who were demonstrating harmful sexual behaviours.[191] This was sometimes part of new members' initiation to the club.[192] These behaviours were precursors to, or part of, child sexual abuse. See Volume 2, *Nature and cause* and Volume 10, *Children with harmful sexual behaviours* for further information about children with harmful sexual behaviours.

We heard that sexualised bullying often included homophobic elements as well as the bullying of younger or less experienced team members about their naivety or lack of sexual knowledge. In some instances, adults in positions of authority implicitly or explicitly condoned this behaviour.

In one private session, we heard from a 15-year-old survivor, 'Tristan', who told us about the abuse he experienced at the age of 14 while on an interstate sport trip. Because he was younger than most of the boys in his team, 'Tristan' was designated the 'team bitch'. When an older, more aggressive and sometimes 'dirty' player joined the team, the bullying escalated and the 'team bitch' game reached 'a whole new level'.

We were told that one night 'Tristan' was threatened that he was going to be tied up with duct tape. 'Tristan' played along, thinking it was just another case of 'mucking around'. One of the boys demanded that 'Tristan' strip down to his underwear. Still believing that this was a joke and he would be untied, 'Tristan' agreed. We were told he was then bound so tightly to the chair that he could barely move and told 'face it, you're going to get raped'. 'Tristan' was taunted, shown pornography, and several of the boys filmed the abuse on their phones. 'Tristan's' mother told us that people at the club minimised the incident and accused her and 'Tristan' of overreacting.[193]

Sexualised taunts and bullying are not exclusive to all-male environments. We heard about male coaches who taunted girls about their physical development. 'Melinda' told Commissioners in a private session that the culture at her sport club was 'terrible' for girls, especially while they were going through puberty. The coaches would often make crude comments about the girls' weight and tan lines. She recalled being told she was 'flat-chested' and 'frigid' by her coach. 'Melinda' told us that at 13 years of age, her coach started sexually abusing her.[194]

Normalised sexualised cultures

Sexualised behaviour can sometimes be a feature of dance. Television and social media play a major role here, and are increasingly sexualising the dance environment;[195] for example, certain styles of dancing contain sexually suggestive material.[196] Sexualised cultures can create particular risks for children. By encouraging or tolerating high levels of sexualised behaviour, these cultures may erode boundaries between adults and children and unintentionally endorse grooming tactics and sexual misconduct.[197] Environments that encourage sexualised behaviours can create a culture where the perpetrator can escalate inappropriate behaviours and evade detection.[198] The behaviours, dress and speech of adults and children in these situations may all contribute to a sexualised environment.[199]

In the *Centres for performing arts* case study, we learned that dance teacher Grant Davies created a sexualised environment.[200] A former dance teacher of the studio told us:

> I saw BZM perform sexualised dance moves towards Grant that made my skin crawl. At the time BZM was about 14 years old … It made me more aware that the students were too familiar with Grant.[201]

In this case study we also heard from CAG, a former student at the dance studio. She described the sexualised conversations that often occurred between Davies and his students:

> [Sexualised] conversations amongst us were not unusual and didn't shock us at all. It never occurred to me to report things Grant had said and done. We were so conditioned to think it was normal.[202]

CAG is now a dance teacher. She raised concerns about the sexualised culture of some parts of the dance sector:

> As a dance teacher, I am aware that the dance industry is quite sexualised, and I think that plays a part in normalising sexualised behaviour. The older you get in dance, the sexier they want you to be, and this sexualised environment trickles down to young kids at dance schools.[203]

Valuing adults over children

Our case studies revealed that music, dance and other instructors in the arts and cultural sectors could be highly valued for their expertise. We were told similar accounts in our private sessions. Similarly, sports coaches may enjoy a significant level of power, prestige and status within their field. As performance is a key measure of success, a coach's history and reputation as an 'athletic champion' may place them in a position of superiority.[204] Sometimes this prestige extends to the broader Australian community. Further, the skills and talents of coaches and instructors are usually scarce and in high demand.[205] Because of this, many sport and recreation institutions place a high value on the expertise and knowledge that coaches or instructors bring to their organisation. However, sport and recreation institutions driven by results and the pursuit of excellence may overlook the potential harm in valuing coaches and instructors over the wellbeing of the child.[206]

In the *Centres for performing arts* case study we found that the Australian Institute of Music permitted Victor Makarov to continue to teach at the school even though criminal charges relating to child sexual abuse had been laid against him.[207] We also found that a number of parents had withdrawn their children from the institute's Young Musicians Program so that Makarov could teach them as private students in his home. These parents were aware of the charges against Makarov.[208]

In the *Sporting clubs and institutions* case study, we learned Ms Amanda Chaplin, a high-level tennis coach, reported allegations of the sexual abuse of a young tennis player to Tennis NSW. The alleged perpetrator had a high profile in the tennis and broader Australian community. Ms Chaplin said that she received no support from Tennis NSW and was victimised by people in the tennis industry because of her involvement in the complaint. She resigned from Tennis NSW as a result. We found that Tennis NSW failed to take appropriate steps to protect Ms Chaplin from victimisation.[209]

In private sessions we heard how sport and recreation institutions and communities continued to support a coach or instructor despite allegations of abuse against them.[210] In some instances, we were told abhorrent behaviours were tolerated, especially in highly competitive environments.

The power, authority and influence that some perpetrators hold can be far reaching. We heard how entire sport or recreation communities, particularly those in regional and rural areas, could place a high value on coaches or instructors because they were so difficult to get in these places. In a private session, 'Darren' told us he was living in a small Victorian town when he said he was sexually abused by his sports coach. He described how the coach manipulated people in the broader community and exploited his elevated status:

> I look at the situation I was in as a little kid. Very impressionable. There's a new bloke in town, no one knows him, he arrives in town and slowly but surely he wins the hearts of the kids and the families. And before you know it, there's a problem.[211]

Some survivors told us how their sport or recreation community responded to allegations of abuse by alienating the victim and treating them as complicit or responsible.[212] Others told us that their credibility was undermined. For example, 'Melinda Grace' described her frustrations during the prosecution process against the perpetrator, who had a high profile in the sporting community:

> So, if I was successful and well known, this would be okay to go forward with … but because there's such a David and Goliath relationship here, then I must be the one making it up ... I have the credibility issues and I have to prove myself. He doesn't.[213]

We were told that support persons were victimised because of their involvement in abuse allegations.[214]

Level of involvement

Our commissioned research told us that children who had a high level of involvement in institutional settings were likely to be at greater risk of abuse than other children.[215] Research on sexual abuse in sport suggests that athletes may be exposed to an increased risk of sexual abuse as they advance through the ranks of competitive sport.[216] Many young athletes spend significant periods of time in the care of their coaches during training.[217] They might also travel extensively to compete in national and international competitions and tournaments.[218] The demands of training and travelling can socially isolate children and challenge their physical and psychological wellbeing.[219] These factors, together with the misuse of power by adults in positions of authority, can make the child more vulnerable to abuse.[220]

We heard in the *Centres for performing arts* case study that dance training was physically and psychologically demanding for some children and prioritised performance over their best interests.[221] BZS told us: 'On reflection, the environment at RG Dance was intense, with a strong focus on winning competitions and pushing the flexibility and strength of students'.[222] It was not unusual for children to spend as many as 30 hours per week at the studio. Students trained several evenings each week and all day on Saturday.[223] They also often performed at eisteddfods and competitions on Sundays.[224] As one parent told us during the public hearing:

> My daughters were always busy with dancing. They trained at RG Dance every weeknight, Monday to Friday after school until 9 pm or sometimes later. On Saturday they trained from about 10 am to 6 pm and on Sundays at eisteddfods and competitions … I understood that Grant was always very demanding and required the girls to attend training no matter what, even when they were ill or had broken limbs.[225]

One research study examining elite swimming suggests that hyper-competitive and intensive cultures can normalise psychologically and emotionally abusive practices and disempower athletes.[226] These environments may make children more vulnerable to other forms of abuse.[227]

3.6 The impacts of child sexual abuse particular to sport and recreation

The impacts of child sexual abuse in institutional contexts can be devastating. These impacts are different for each victim. Some experience deep, complex trauma, which pervades all aspects of their lives; others do not perceive themselves to be profoundly harmed by the experience. Some impacts are immediate and temporary, while others can last into adulthood. Some emerge only after 'trigger' events or at different life stages, and others accumulate over time.

While each experience shared with us was unique, some impacts were commonly described by survivors. Most often nominated in our private sessions was the effect on survivors' mental health. This was followed by difficulties in survivors' interpersonal relationships and impacts on education, employment and overall economic security. Survivors also described impacts on their physical health, social wellbeing, culture, spirituality, sexual behaviour, sexuality and gender identity. Although some survivors told us about one or two impacts, others described a range of impacts which were interconnected in complex ways. Part of the explanation for this complex web of effects lies in the detrimental impact that interpersonal trauma can have on the biological, social and psychological development of the child (see Volume 3, *Impacts*).

Commissioners found that the effects of child sexual abuse in institutional contexts were similar to those of sexual abuse in other settings. Abuse in institutional contexts can carry some additional impacts such as mistrust and fear of institutions and authority, and loss of religious beliefs or community. The way an institution responds to the disclosure of abuse can in itself have a significant impact, and compound the effects of the abuse. Inadequate responses can leave victims feeling betrayed, ostracised or isolated, and lead to continued sexual abuse and retraumatisation.

The effects of child sexual abuse and institutional responses to that abuse extend beyond victims: their parents, siblings, partners, carers and children can be significantly affected. Other children and adults in the institution can also be affected. The effects can be intergenerational and can change entire communities.

This section focuses on what we were told about the particular impacts of child sexual abuse in sport and recreation contexts. These include:

- disengagement from the sport or recreation activity
- isolation from the sport or recreation community
- mental health and emotional impacts
- impacts on interpersonal relationships
- impacts on families, carers and others
- educational and economic impacts.

3.6.1 Disengagement

Commissioners heard examples where child sexual abuse had irretrievably damaged the passion and enthusiasm that the child once had for the sport or recreation activity.[228] We were told that many people stopped participating in their once-loved sport or recreation activity after abuse. Some survivors described the loss of the activity as creating additional, long-term impacts. As one survivor told us in a private session, 'I don't have the same enthusiasm for [sport] … I think as a kid I was always motivated to get on the team. I don't see the enjoyment of it anymore'.[229]

In addition to feeling that they could no longer engage with their once-loved activity, we heard that many people lost the positive physical and emotional benefits that flowed from participation. They were denied the very resilience factor that could have helped them to recover from or cope with the trauma of the abuse.

We heard one survivor who had envisaged a life as a professional sportsperson, only to have their career disrupted following the abuse:

> This person took the best of my teenage years and my [sports] years, stripped me of any and all confidence and forced me to grow up much sooner than I should have had to. But worst of all he took from me my love, passion and commitment for … the sport that I dedicated my life to since I was five, the sport that I gave everything to in the hope that one day it would become my life … I had nothing but fear of the sport, fear of the people who were supposed to be our protectors and role models, and fear of men.[230]

Survivors of abuse may find their reputation damaged by the adverse publicity associated with their allegations. In *Case Study 15: Response of swimming institutions, the Queensland and NSW Offices of the DPP and the Queensland Commission for Children and Young People and Child Guardian to allegations of child sexual abuse by swimming coaches*, AEA gave evidence that his coaching career had been 'irretrievably damaged' as a result of the publicity surrounding his allegations of abuse against Terry Buck. He has since found it difficult to secure employment in swimming.[231]

We heard that some people were later able to regain their passion and enthusiasm for sport or recreation activity. BZP told us of being sexual abused by her dance teacher Grant Davies. She told us in the *Centres for performing arts* case study public hearing:

> The strongest blow was [that] Mr Grant had torn my dreams of becoming a dancer. Something which I had a strong love for from a young age. After some counselling, I realised that I loved dance, and it was only that particular studio and person which ruined everything. So I gave it another try.[232]

In the same case study, we heard that CAA went on to study music with another music teacher in Moscow after being abused by his music teacher in Australia.[233] Being able to find an alternative teacher was the key to enabling him to pursue his passion.

3.6.2 Isolation

Research tells us that elite-level athletes are frequently isolated from peer groups outside their activity.[234] Their lives can be insular, and social contact limited to those people who are within the sport community.[235] Disengaging from these small communities as a consequence of abuse can be severely isolating for these children.

We heard about one survivor who had been an enthusiastic member of Scouts for several years. He left the Scout group to avoid the boys who had abused him. He described feeling isolated as a child and now as an adult, and finds it especially difficult to be around males:

> I went from a kid who really enjoyed life to one who was putting it on all the time … Kids didn't like me … It was very hard to be myself … I'm a target, I don't want to be. Having gone through this, the last thing I want to do is raise my profile. I just want to crawl under a leaf and hide.[236]

3.6.3 Mental and emotional health

Commissioned research has suggested a strong link between the experience of child sexual abuse and long-term mental health problems.[237] Also debilitating were emotional problems that did not reach a threshold of mental illness. The accounts we heard are consistent with the research on abuse in sport which shows that an abusive institutional culture can lead to a range of mental health difficulties.[238]

Some survivors told us that anger and rage dominated their emotions. This anger could be directed at the perpetrator and the institution, but it could also manifest itself in family and work life. In the *Sporting clubs and institutions* case study we heard from BXI, who described the 'endless rage' he felt as a result of being sexually abused by his cricket coach:

> By the time I was 18 years old, I had an incredible amount of rage inside of me. At that point in my life, I was getting into a lot of fights for no apparent reason. I put it down to possibly needing to vent frustration. It started to get to the point where I wanted to physically hurt [the perpetrator] and I had started to put a plan together of what I was going to do to him, which I found quite disturbing. It made me angry that I was in this position. Instead, I put everything into Rugby League … Sometimes my uncontrolled aggression spilled into my footy for all the wrong reasons.[239]

The institution's response to a disclosure can compound the emotional and mental health impacts for victims. In the same case study, BXJ's mother gave evidence that her daughter started to suffer serious depression and became involved with drugs after Tennis NSW's investigation into her allegations of abuse against one of its coaches.[240] At the time of the public hearing, BXJ was too unwell to give evidence.[241] Her mother said she was borderline anorexic and had tried to commit suicide.[242]

Of the survivors of child sexual abuse in a sport or recreation context who spoke to us in a private session, 373 (91.4 per cent) mentioned the impact of the abuse. Of these, 91.4 per cent told us that the abuse had detrimentally impacted their mental health. In one private session, 'Micky'[243] told us that after reporting an incident of abuse on a student by his gymnastics coach to his parents and the headmaster, he decided not to report the incident to police. 'Micky' left the college he was attending and 'the incident was never spoken of again … There was no support, no counselling, nothing'.[244] 'Micky' struggled with depression all his life and after talking to a psychologist realised that the abuse was one of the key causes of his depression.

3.6.4 Interpersonal relationships

Survivors of abuse in sport and recreation institutions told us about their difficulties with interpersonal relationships, including intimate partners, family members and friends.[245] Certain aspects of sexual abuse can shape the world view of the child and the emerging adult. In particular, we heard that the abuse of children often occurred in the context of a close, personal relationship between the adult perpetrator and the child. These relationships were built on trust and safety. We heard that victims felt unable to place trust in others following the abuse. This affected their ability to form and maintain friendships and other relationships, especially with intimate partners.

BXI told us in the *Sporting clubs and institutions* case study that he was unable to trust men, including his father, after being abused by his male cricket coach. BXI said at the public hearing:

> I have struggled with men all my life. I have trouble trusting men. The abuse robbed me of my ability to show love to my father. I have always suppressed my emotions and feelings towards him. I struggle to urinate in a public urinal if other men are present. I find it awkward to be around other men's penises so I try to avoid having showers in a locker room after playing sport, or try to be the last one to shower.[246]

Of the survivors of child sexual abuse in a sport or recreation context who mentioned the impact of the abuse in a private session, 66.2 per cent told us that the abuse had a detrimental impact on their relationships. One survivor told us in a private session she was unable to socialise with people for many years after the abuse. 'Huan' said:

> I dissociated quite a lot and then I was bullied for not being clever enough even though I graduated with an extremely high TER [Tertiary Entrance Rank]. I was treated like I was stupid for a long time because I was so silent, and I was silent because I was dealing with my trauma.[247]

Another survivor told us that her intimate relationships had suffered as a result of being sexually abused by her coach when she was a junior athlete: 'I've never really had a lot of friends … I don't trust anyone really'.[248]

3.6.5 Families, carers and others

The impacts of child sexual abuse can be far reaching, often affecting not just the victim, but also the victim's family, carers and friends. There can be flow-on effects to other children and staff in the institution, the local community and the wider society. These 'secondary victims' are frequently the key supporters of the victim, such as parents, carers, siblings, partners and friends. We heard how these individuals can be devastated by both the abuse itself and the subsequent response of the institution.

Secondary victims can suffer adverse impacts on their mental health, relationships, family functioning, employment, financial security and social connectedness. These negative effects often mean they struggle to provide vital support to primary victims. We heard from a number of parents who explained the devastating consequences of learning that their child had been sexually abused.

At the public hearing as part of the *Sporting clubs and institutions* case study, BXJ's mother gave evidence that the impacts of the abuse, and BXJ's subsequent illness, had profoundly affected the whole family. She said she grieved for her daughter's loss of opportunity and happiness. As BXJ requires the financial support of her parents, BXJ's father has not been able to retire. The family has not had a holiday of note for 15 years.[249]

In a private session, 'Virginia' told us that she and her family were profoundly affected by the sexual abuse of her son by his coach and the subsequent criminal process. After the magistrate dismissed the charges against the perpetrator, her son's anger grew and his drug-taking increased as he struggled to cope. Her son's life ended when he was 30 after a drug overdose. We were told it took the police another 10 years to obtain a conviction against the perpetrator for child sexual assault against a minor. 'Virginia' grieved for the loss of her son and had been through four years of counselling.[250]

'Shona' told us about the sexual abuse of her two daughters. She described how she had been affected by the experience:

> I would call it life changing, although I don't want it to define my life and I do want to get through all of this … and then move on. But probably the thing I've found most confronting was the deceit and the manipulation and the change in my reality. So, up until not that long ago, I had this view of how I had raised my teenage daughters, how I felt I had been as a parent ... and that reality … was not reality at all. It's been stolen from me. I find that really confronting.[251]

3.6.6 Educational and economic

Through the survivors who described experiences of abuse in sport and recreation contexts, we learned how the effects of child sexual abuse could accumulate over time. It affected survivors' social and economic wellbeing, including their education, employment and overall economic security.[252]

Survivors of abuse spoke about their lack of educational achievement and the effect on their adult lives. This included negative impacts on their ability to participate in the workforce and be financially secure. BXI gave evidence in the *Sporting clubs and institutions* case study that the abuse he endured by the cricket coach (who was also employed as a groundsman at his school) destroyed his aspirations to be a physical education teacher or physiotherapist. BXI struggled at school and finished in Year 11.[253]

Of the survivors of child sexual abuse in a sport and recreation context who mentioned the impact of the abuse in a private session, 47.2 per cent told us that the abuse had detrimentally affected their educational and economic outcomes. For example, 'Brendon' told us he was sexually abused on multiple occasions by a Scout leader who was also the father of a friend. 'Brendon' told us that he suffered from a range of physical and mental health problems, including alcohol abuse. He has also struggled to maintain employment. 'Brendon' now fears losing his home.[254]

Some victims felt that the impacts of child sexual abuse played a direct role in their criminality.[255] The pathway for victims of child sexual abuse to criminal behaviour is complex and depends on a variety of factors. We heard common patterns in the life journeys of many survivors who subsequently became involved in criminal behaviour. Some said their behaviour deteriorated in the years following the abuse, most commonly in their teens and early 20s. These years were marked by increased substance abuse, and antisocial and/or rebellious behaviour which led to criminal offending.[256]

Of the survivors of child sexual abuse in a sport and recreation context who mentioned the impact of the abuse in a private session, 16.4 per cent mentioned involvement in crime. For example, 'Hogan' was in jail when he told us during a private session about being sexually abused by his football coach. He said that the abuse ruined his life. As well as the trauma associated with the abuse, he told us that he felt he had been damaged by keeping it a secret. 'Hogan' had turned to drugs as a way to self-medicate. This eventually led to a series of criminal offences resulting in substantial prison sentences. Much of his life has been spent in jail.[257]

For a more in-depth examination of what we learned about the ripple or secondary effects of child sexual abuse in institutional settings and the responses of institutions, see Volume 3, *Impacts.*

Endnotes

1 When we discuss quantitative information from private sessions in this volume, we use the term 'survivor' to refer both to survivors and victims who attended a private session and those (including deceased victims) whose experiences were described to us by family, friends, whistleblowers and others. This quantitative information is drawn from the experiences of 6,875 victims and survivors of child sexual abuse in institutions, as told to us in private sessions to 31 May 2017.

2 Percentages exceed 100% as survivors told us about multiple episodes of abuse.

3 Percentages exceed 100% as survivors told us about multiple episodes of abuse.

4 T Krone & RG Smith, *Trajectories in online child sexual exploitation offending in Australia*, Australian Institute of Criminology, Canberra, 2017, pp 1–2.

5 AM McAlinden, 'Setting 'Em Up': Personal, familial and institutional grooming in the sexual abuse of children', *Social & Legal Studies*, vol 15, no 3, 2006, pp 339–62.

6 S Greijer & J Doek, *Terminology guidelines for the protection of children from sexual exploitation and sexual abuse*, End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes (ECPAT) International, Luxembourg, 2016, pp 24–5.

7 D Finkelhor, 'Prevalence of child victimization, abuse, crime and violence exposure' in JW White, MP Koss & AE Kazdin (eds), *Violence against women and children: Mapping the terrain*, American Psychologist Association, Washington DC, 2011, pp 9–29. See also United Nations, *General comment No 13: The right of the child to freedom from all forms of violence,* United Nations, 2011, para 19; Australian Institute of Family Studies, *What is child abuse and neglect? Child Family Community Australia (CFCA) resource sheet*, 2015, www.aifs.gov.au/cfca/publications/what-child-abuse-and-neglect (viewed 30 May 2017); M Mountjoy, C Brackenridge, M Arrington, C Blauwet, A Carska-Sheppard, K Fasting, S Kirby, T Leahy, S Marks, K Martin, K Starr, A Tiivas & R Budgett, 'International Olympic Committee consensus statement: Harassment and abuse (non-accidental violence) in sport', *British Journal of Sports Medicine*, vol 50, no 17, 2016, p 1020.

8 T Vertommen, J Kampen, N Schipper-van Veldhoven, K Wouters, K Uzieblo & F Van Den Eede, 'Profiling perpetrators of interpersonal violence against children in sport based on a victim survey', *Child Abuse and Neglect*, vol 63, 2017, pp 172–82; M Mountjoy, C Brackenridge, M Arrington, C Blauwet, A Carska-Sheppard, K Fasting, S Kirby, T Leahy, S Marks, K Martin, K Starr, A Tiivas & R Budgett, 'International Olympic Committee consensus statement: Harassment and abuse (non-accidental violence) in sport', *British Journal of Sports Medicine*, vol 50, no 17, 2016, pp 1019–29; AE Stirling & G Kerr, ''Elite female swimmers' experiences of emotional abuse across time', *Journal of Emotional Abuse*, vol 7, no 4, 2008, pp 89–113; AE Stirling & GA Kerr, ''Abused athletes' perceptions of the coach–athlete relationship', *Sport in Society: Cultures, Commerce, Media, Politics*, vol 12, no 2, 2009, pp 227–39.

9 M Mountjoy, C Brackenridge, M Arrington, C Blauwet, A Carska-Sheppard, K Fasting, S Kirby, T Leahy, S Marks, K Martin, K Starr, A Tiivas & R Budgett, 'International Olympic Committee consensus statement: Harassment and abuse (non-accidental violence) in sport', *British Journal of Sports Medicine*, vol 50, no 17, 2016, pp 1019–29.

10 M Mountjoy, C Brackenridge, M Arrington, C Blauwet, A Carska-Sheppard, K Fasting, S Kirby, T Leahy, S Marks, K Martin, K Starr, A Tiivas & R Budgett, 'International Olympic Committee consensus statement: Harassment and abuse (non-accidental violence) in sport', *British Journal of Sports Medicine*, vol 50, no 17, 2016, pp 1019–29.

11 M Mountjoy, C Brackenridge, M Arrington, C Blauwet, A Carska-Sheppard, K Fasting, S Kirby, T Leahy, S Marks, K Martin, K Starr, A Tiivas & R Budgett, 'International Olympic Committee consensus statement: Harassment and abuse (non-accidental violence) in sport', *British Journal of Sports Medicine*, vol 50, no 17, 2016, pp 1019–1029.

12 M Mountjoy, C Brackenridge, M Arrington, C Blauwet, A Carska-Sheppard, K Fasting, S Kirby, T Leahy, S Marks, K Martin, K Starr, A Tiivas & R Budgett, 'International Olympic Committee consensus statement: Harassment and abuse (non-accidental violence) in sport', *British Journal of Sports Medicine*, vol 50, no 17, 2016, pp 1019–29.

13 M Mountjoy, C Brackenridge, M Arrington, C Blauwet, A Carska-Sheppard, K Fasting, S Kirby, T Leahy, S Marks, K Martin, K Starr, A Tiivas & R Budgett, 'International Olympic Committee consensus statement: Harassment and abuse (non-accidental violence) in sport', *British Journal of Sports Medicine*, vol 50, no 17, 2016, pp 1019–29.

14 M Mountjoy, C Brackenridge, M Arrington, C Blauwet, A Carska-Sheppard, K Fasting, S Kirby, T Leahy, S Marks, K Martin, K Starr, A Tiivas & R Budgett, 'International Olympic Committee consensus statement: Harassment and abuse (non-accidental violence) in sport', *British Journal of Sports Medicine*, vol 50, no 17, 2016, pp 1019–29.

15 For example: Name changed, private session, 'Ern'; Name changed, private session, 'Justine Kate'; Name changed, private session, 'Jim Allen'; Name changed, private session, 'Shona'; Name changed, private session, 'Carter Ian'; Name changed, private session, 'Izaac'; Name changed, private session, 'Clyve'.

16 M Mountjoy, C Brackenridge, M Arrington, C Blauwet, A Carska-Sheppard, K Fasting, S Kirby, T Leahy, S Marks, K Martin, K Starr, A Tiivas & R Budgett, 'International Olympic Committee consensus statement: Harassment and abuse (non-accidental violence) in sport', *British Journal of Sports Medicine*, vol 50, no 17, 2016, p 1021.

17 A small number of survivors told us they were gender-diverse or did not disclose gender.

18 T Leahy, G Pretty & G Tenenbaum, 'Prevalence of sexual abuse in organised competitive sport in Australia', *Journal of Sexual Aggression*, vol 8, no 2, 2002, pp 16–36.

19 C Brackenridge, JD Bringer & D Bishopp, 'Managing cases of abuse in sport', *Child Abuse Review,* vol 14, 2005, pp 259–74.

20 K Kaufman & M Erooga, *Risk profiles for institutional child sexual abuse: A literature review*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2016, pp 7, 25.

21 G Llewellyn, S Wayland & G Hindmarsh, *Disability and child sexual abuse in institutional contexts*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2016.

22 M Mountjoy, C Brackenridge, M Arrington, C Blauwet, A Carska-Sheppard, K Fasting, S Kirby, T Leahy, S Marks, K Martin, K Starr, A Tiivas & R Budgett, 'International Olympic Committee consensus statement: Harassment and abuse (non-accidental violence) in sport', *British Journal of Sports Medicine*, vol 50, no 17, 2016, pp 1019–29; T Vertommen; N Schipper-van Veldhoven; M Hartill & F Van Den Eede, 'Sexual harassment and abuse in sport: The Netherlands Olympic Committee and the Netherlands Sports Confederation (NOC*NSF) helpline', *International Review for the Sociology of Sport*, vol 50, no 7, 2013, pp 822–39.

23 S Kirby, G Demers, & S Parent, 'Vulnerability/prevention: Considering the needs of disabled and gay athletes in the context of sexual harassment and abuse', *International Journal of Sport and Exercise Physiology*, vol 6, no 4, 2008, pp 407–46.

24 G Llewellyn, S Wayland & G Hindmarsh, *Disability and child sexual abuse in institutional contexts,* report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2016, p 41; PM Sullivan & JF Knutson, 'Maltreatment and disabilities: A population-based epidemiological study', *Child Abuse & Neglect*, vol 24, no 10, 2000, pp 1257–73.

25 S Robinson, *Enabling and protecting: Proactive approaches to addressing the abuse and neglect of children and young people with disability*, Children with Disability Australia, 2012, pp 5, 27.

26 9.3 per cent of survivors could not be linked with a remoteness category due to unavailable postcode information. Remoteness categories derived from the Australian Bureau of Statistics' Australian Statistical Geography Standard (ASGS): Correspondences, July 2011. There are instances in the ASGS remoteness classification where postcodes represent multiple remoteness categories. In these instances, the least remote classification is assigned to that postcode.

27 M Proeve, C Malvaso & P DelFabbro, *Evidence and frameworks for understanding perpetrators of institutional child sexual abuse*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2016, p 18; T Vertommen, J Kampen, N Schipper-van Veldhoven, K Wouters, K Uzieblo & F Van Den Eede, 'Profiling perpetrators of interpersonal violence against children in sport based on a victim survey', *Child Abuse and Neglect*, vol 63, 2017, pp 172–82.

28 D Palmer, *The role of organisational culture in child sexual abuse in institutional contexts,* report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2016, p 24; I Katz, A Jones, BJ Newton & E Reimer, *Life journeys of victim/survivors of child sexual abuse in institutions: An analysis of Royal Commission private sessions*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney 2017, p 47.

29 D Palmer, *The role of organisational culture in child sexual abuse in institutional contexts,* report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2016, p 65; G Kerr, A Stirling & E MacPherson, 'A critical examination of child protection initiatives in sport contexts', *Social Sciences*, vol 3, no 4, 2014, pp 742–57.

30 For example: Royal Commission into Institutional Responses to Child Sexual Abuse, *Report of Case Study No 1: The response of institutions to the conduct of Steven Larkins*, Sydney, 2014; Royal Commission into Institutional Responses to Child Sexual Abuse, *Report of Case Study No 2: YMCA NSW's response to the conduct of Jonathan Lord*, Sydney, 2014; Royal Commission into Institutional Responses to Child Sexual Abuse, *Report of Case Study No 15: Response of swimming institutions, the Queensland and NSW Offices of the DPP and the Queensland Commission for Children and Young People and Child Guardian to allegations of child sexual abuse by swimming coaches,* Sydney, 2015; Royal Commission into Institutional Responses to Child Sexual Abuse, *Report of Case Study No 21: The response of the Satyananda Yoga Ashram at Mangrove Mountain to allegations of child sexual abuse by the ashram's former spiritual leader in the 1970s and 1980s,* Sydney, 2016; Royal Commission into Institutional Responses to Child Sexual Abuse, *Report of Case Study No 36: The response of the Church of England Boys' Society and the Anglican Dioceses of Tasmania, Adelaide, Brisbane and Sydney to allegations of child sexual abuse,* Sydney, 2016; Royal Commission into Institutional Responses to Child Sexual Abuse, *Report of Case Study No 37: The response of the Australian Institute of Music and RG Dance to allegations of child sexual abuse*, Sydney, 2017; Royal Commission into Institutional Responses to Child Sexual Abuse, *Report of Case Study No 39: The response of certain football (soccer), cricket and tennis organisations to allegations of child sexual abuse*, Sydney, 2016. See also: Name changed, private session, 'Jim Allen'; Name changed, private session, 'Lizzy'; Name changed, private session, 'Claudia'; Name changed, private session, 'Kendal'.

31 M Proeve, C Malvaso & P DelFabbro, *Evidence and frameworks for understanding perpetrators of institutional child sexual abuse*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2016, p 24.

32 P O'Leary, E Koh & A Dare*, Grooming and child sexual abuse in institutional contexts*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2017, p 13; R Wortley & S Smallbone, 'Applying situational principles to sexual offenses against children' in R Wortley & S Smallbone (eds), *Situational prevention of child sexual abuse*, Lynne Rienner Publishers, London, 2006, pp 7–36.

33 Paedophilia or paedophilic disorder is a psychiatric diagnosis which indicates a sustained sexual preference towards prepubescent children. This may be reflected by sexual fantasies, sexual urges and thoughts, arousal patterns or behaviour. The current edition of the Diagnostic and Statistical Manual (DSM-5), the psychiatric practitioners' guide to mental illness and mental disorders, defines paedophilia as: 'the presence of sexually arousing fantasies, behaviours or urges that involve some kind of sexual activity with a prepubescent child (with the diagnostic criteria for the disorder extending the cut off point for prepubescence to age 13) for six months or more, or that the subject has acted on these urges or suffers from distress as a result of having these feelings. The criteria also indicate that the subject should be 16 or older and that the child or children they fantasize about are at least five years younger than them'. American Psychiatric Association, *Diagnostic and statistical manual of mental disorders*, 5th ed, American Psychiatric Association,

Washington, 2013. The Royal Commission has adopted the DSM-5 definition of paedophilic disorder because it is the most widely used and understood definition of this condition in Australia. These individuals may or may not act on their attraction to children. K Richards, 'Misperceptions about child sex offenders', *Trends and Issues in Crime and Criminal Justice*, no 429, 2011, p 2. See also M Proeve, C Malvaso & P DelFabbro, *Evidence and frameworks for understanding perpetrators of institutional child sexual abuse*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2016, pp 26–8.

34 M Proeve, C Malvaso & P DelFabbro, *Evidence and frameworks for understanding perpetrators of institutional child sexual abuse*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2016, p 25.

35 M Colton, S Roberts & M Vanstone, 'Sexual abuse by men who work with children', *Journal of Child Sexual Abuse*, vol 19, no 3, 2010, pp 345–64. This study quotes a perpetrator: 'I planned the job to get close to young boys. When I got the job, it was like walking into a pet shop with a goldfish bowl and I could pick what I wanted. I was in a trusted position, and as time went on, I became more trusted. I got the job because I was sexually attracted to boys aged 8 to 12'.

36 M Proeve, C Malvaso & P DelFabbro, *Evidence and frameworks for understanding perpetrators of institutional child sexual abuse*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2016, p 36.

37 P O'Leary, E Koh & A Dare*, Grooming and child sexual abuse in institutional contexts*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2017, p 13.

38 R Wortley & S Smallbone, 'Applying situational principles to sexual offenses against children' in R Wortley & S Smallbone (eds), *Situational prevention of child sexual abuse*, Lynne Rienner Publishers, London, 2006, pp 7–36. In a study by Smallbone & Wortley, 23% of the sample were identified as persistent sexual offenders, including 5% who had previous convictions for sexual offences only, and 18% who had previous convictions for both sexual and non-sexual offences.

39 R Wortley & S Smallbone, 'Applying situational principles to sexual offenses against children' in R Wortley & S Smallbone (eds), *Situational prevention of child sexual abuse*, Lynne Rienner Publishers, London, 2006, pp 7–36. In the study by Smallbone & Wortley, 41% of the sample were serving their first sentence for a sexual offence, but had previous convictions for non-sexual offences.

40 P O'Leary, E Koh & A Dare*, Grooming and child sexual abuse in institutional contexts*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2017, p 14.

41 R Wortley & S Smallbone, 'Applying situational principles to sexual offenses against children' in R Wortley & S Smallbone (eds), *Situational prevention of child Sexual abuse*, Lynne Rienner Publishers, London, 2006, pp 7–36.

42 K Kaufman & M Erooga, *Risk profiles for institutional child sexual abuse: A literature review*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2016, p 36.

43 K Kaufman & M Erooga, *Risk profiles for institutional child sexual abuse: A literature review*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2016, p 36.

44 P O'Leary, E Koh & A Dare*, Grooming and child sexual abuse in institutional contexts*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2017, p 14.

45 M Proeve, C Malvaso & P DelFabbro, *Evidence and frameworks for understanding perpetrators of institutional child sexual abuse*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2016, p 25. See also K Kaufman & M Erooga, *Risk profiles for institutional child sexual abuse: A literature review*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2016, p 36.

46 M Proeve, C Malvaso & P DelFabbro, *Evidence and frameworks for understanding perpetrators of institutional child sexual abuse*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2016, p 25.

47 P O'Leary, E Koh & A Dare*, Grooming and child sexual abuse in institutional contexts*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2017, p 14.

48 R Wortley & S Smallbone, 'Applying situational principles to sexual offenses against children' in R Wortley & S Smallbone (eds), *Situational prevention of child sexual abuse*, Lynne Rienner Publishers, London, 2006, pp 7–36.

49 R Wortley & S Smallbone, 'Applying situational principles to sexual offenses against children' in R Wortley & S Smallbone (eds), *Situational prevention of child sexual abuse*, Lynne Rienner Publishers, London, 2006, pp 7–36.

50 For example: Name changed, private session, 'Clyve'; Name changed, private session, 'Chanel'; Name changed, private session, 'Lizzy'; Name changed, private session, 'Shona'.

51 J Sullivan & A Beech, 'Professional perpetrators', *Child Abuse Review*, vol 11, no 3, 2002, pp 153-167.

52 P O'Leary, E Koh & A Dare*, Grooming and child sexual abuse in institutional contexts*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2017, p 12.

53 Royal Commission into Institutional Responses to Child Sexual Abuse, Making institutions child safe private roundtable, Sydney, 2016.

54 M Cense & C Brackenridge, 'Temporal and development risk factors for sexual harassment and abuse in sport', *European Physical Education Review*, vol 7, no 1, 2001, pp 61–79.

55 P Parkinson & J Cashmore, *Assessing the different dimensions and degrees of risk of child sexual abuse in institutions,* report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2017, p 58.

56 K Kaufman & M Erooga, *Risk profiles for institutional child sexual abuse: A literature review*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2016, p 42.

57 For example: Name changed, private session, 'Justine Kate'; Name changed, private session, 'Pedro'.

58 D Palmer, *The role of organisational culture in child sexual abuse in institutional contexts*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2016, p 56.

59 For example: Names changed, private sessions, 'Bronwyn and Rafe'; Name changed, private session, 'Pam'.
60 For example: Names changed, private sessions, 'Max and Andy'; Name changed, private session, 'Dale William'.
61 G Kerr, A Stirling & E MacPherson, 'A critical examination of child protection initiatives in sport contexts', *Social Sciences*, vol 3, 2014, pp 742–57.
62 S Parent & G Demers, 'Sexual abuse in sport: a model to prevent and protect athletes', *Child Abuse Review*, vol 20, no 2, 2010, pp 120–33; Australian Sports Commission Clearinghouse for Sport, *Sexuality and gender perspectives on sports ethics*, 2017, www.clearinghouseforsport.gov.au/knowledge_base/sport_participation/sport_integrity/sexuality_and_gender_perspectives_on_sports_ethics (viewed 2 February 2017); M Gervis & N Dunn, 'The emotional abuse of elite child athletes by their coaches', *Child Abuse Review*, vol 13, no 3, 2014, pp 214–23.
63 A McAlinden, *Grooming and the sexual abuse of children*, Oxford University Press, Clarendon Studies in Criminology, 2012, p 170.
64 Royal Commission into Institutional Responses to Child Sexual Abuse, *Report of Case Study No 37: The response of the Australian Institute of Music and RG Dance to allegations of child sexual abuse*, Sydney, 2017, p 47.
65 Royal Commission into Institutional Responses to Child Sexual Abuse, *Report of Case Study No 37: The response of the Australian Institute of Music and RG Dance to allegations of child sexual abuse*, Sydney, 2017, p 47.
66 Royal Commission into Institutional Responses to Child Sexual Abuse, *Report of Case Study No 37: The response of the Australian Institute of Music and RG Dance to allegations of child sexual abuse*, Sydney, 2017, pp 58–60.
67 Exhibit 37-0016, 'Statement of BZH', Case Study 37, STAT.0880.001.0001_R at 0012_R & 0013_R.
68 Exhibit 37-0016, 'Statement of BZH', Case Study 37, STAT.0880.001.0001_R at 0015_R.
69 Exhibit 37-0016, 'Statement of BZH', Case Study 37, STAT.0880.001.0001_R at 0015_R.
70 See studies cited in T Vertommen, J Kampen, N Schipper-van Veldhoven, K Wouters, K Uzieblo & F Van Den Eede, 'Profiling perpetrators of interpersonal violence against children in sport based on a victim survey', *Child Abuse and Neglect*, vol 63, 2017, pp 172–82. See also: M Mountjoy, C Brackenridge, M Arrington, C Blauwet, A Carska-Sheppard, K Fasting, S Kirby, T Leahy, S Marks, K Martin, K Starr, A Tiivas & R Budgett, 'International Olympic Committee consensus statement: Harassment and abuse (non-accidental violence) in sport', *British Journal of Sports Medicine*, vol 50, no 17, 2016, pp 1019–29.
71 Royal Commission into Institutional Responses to Child Sexual Abuse, *Report of Case Study No 36: The response of the Church of England Boys' Society and the Anglican Dioceses of Tasmania, Adelaide, Brisbane and Sydney to allegations of child sexual abuse,* Sydney, 2016, p 142.
72 Royal Commission into Institutional Responses to Child Sexual Abuse, *Report of Case Study No 36: The response of the Church of England Boys' Society and the Anglican Dioceses of Tasmania, Adelaide, Brisbane and Sydney to allegations of child sexual abuse,* Sydney, 2016, p 142.
73 P Parkinson & J Cashmore, *Assessing the different dimensions and degrees of risk of child sexual abuse in institutions*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2017, p 30.
74 For example: Name changed, private session, 'Mike Alexander'; Name changed, private session, 'Sidney John'; Name changed, private session, 'Noah Carl'; Name changed, private session, 'Charles'.
75 Name changed, private session, 'Sidney John'.
76 For example: Name changed, private session, 'Donovan'; Name changed, private session, 'Claudette'.
77 Name changed, private session, 'Gareth'.
78 For example: Name changed, private session, 'Lizzy'; Name changed, private session, 'Chanel'; Name changed, private session, 'Izaac'.
79 C Brackenridge, 'Dangerous sports? Risk, responsibility and sex offending in sport', *Journal of Sexual Aggression*, vol 9, no 1, 2003, pp 13–14. See also: M Cense & C Brackenridge, 'Temporal and development risk factors for sexual harassment and abuse in sport', *European Physical Education Review*, vol 7, no 1, 2001, pp 61–79.
80 C Brackenridge, 'Dangerous sports? Risk, responsibility and sex offending in sport', *Journal of Sexual Aggression*, vol 9, no 1, 2003, pp 3–12.
81 For example: Name changed, private session, 'Chanel'.
82 Name changed, private session, 'Clarissa'.
83 P Parkinson & J Cashmore, *Assessing the different dimensions and degrees of risk of child sexual abuse in institutions*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2017, p 31.
84 P Parkinson & J Cashmore, *Assessing the different dimensions and degrees of risk of child sexual abuse in institutions*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2017, p 30.
85 P Parkinson & J Cashmore, *Assessing the different dimensions and degrees of risk of child sexual abuse in institutions*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2017, p 30.
86 For example: Name changed, private session, 'Jonno'; Name changed, private session, 'Clyve'; Name changed, private session, 'Clarissa'; Name changed, private session, 'Mike Alexander'; Name changed, private session, 'Bronwyn and Rafe'; Name changed, private session, 'Pedro'.
87 Exhibit 29-0005, 'Statement of BXA', Case Study 39, STAT.0970.001.0001_R at 0005_R to 0007_R; Royal Commission into Institutional Responses to Child Sexual Abuse, *Report of Case Study No 39: The response of certain football (soccer), cricket and tennis organisations to allegations of child sexual abuse,* Sydney, 2016, p 25.
88 Name changed, private session, 'Pam'.
89 Name changed, private session, 'Connell'; Name changed, private session, 'Vika'; Name changed, private session, 'Darell'.
90 Name changed, private session, 'Vika'.
91 P Parkinson & J Cashmore, *Assessing the different dimensions and degrees of risk of child sexual abuse in institutions,* report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2017, p 83.

92 Name changed, private session, 'Connell'.
93 For example: Name changed, private session, 'Clyve'.
94 Name changed, private session, 'Darell'.
95 Royal Commission into Institutional Responses to Child Sexual Abuse, Making institutions child safe private roundtable, Sydney, 2016.
96 For example: Name changed, private session, 'Val'; Name changed, private session, 'Dale William'; Name changed, private session, 'Jacklyn'.
97 K Kaufman & M Erooga, *Risk profiles for institutional child sexual abuse: A literature review*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2016, p 78.
98 K Kaufman & M Erooga, *Risk profiles for institutional child sexual abuse: A literature review*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2016, p 76.
99 For example: Name changed, private session, 'Val'; Name changed, private session, 'Dale William'; Name changed, private session, 'Jacklyn'; Name changed, private session, 'Tara Michelle'; Name changed, private session, 'Bronwyn and Rafe'; Name changed, private session, 'Grigor'.
100 Name changed, private session, 'Brandan'.
101 CH Brackenridge, *Spoilsports: Understanding and preventing sexual exploitation in sport*, Routledge, London & New York, 2001, p 73.
102 For example: Name changed, private session, 'Clarissa'.
103 Name changed, private session, 'Justine Kate'.
104 Name changed, private session, 'Max and Andy'.
105 A McAlinden, *Grooming and the sexual abuse of children*, Oxford University Press, Clarendon Studies in Criminology, 2012, p 170.
106 For example: Name changed, private session, 'Myra Heather'; Name changed, private session, 'Stewart'; Name changed, private session, 'Nathan James'; Name changed, private session, 'Darren Craig'.
107 Exhibit 37-0016, 'Statement of BZH', Case Study 37, STAT.0880.001.0001 at 0028_R.
108 Exhibit 37-0018, 'Statement of CAG', Case Study 37, STAT.0874.001.0001_R at 0003_R.
109 Exhibit 31-0011, 'Statement of BZR', Case Study 37, STAT.0878.001.0001_R at 0008_R & 0025_R.
110 Exhibit 37-0001, 'Statement of CAA', Case Study 37, STAT.0871.001.0001_R at 0011_R.
111 Name changed, private session, 'Kristy'. See also: Name changed, private session, 'Donny Michael'. 'Donny' was a member of a surf lifesaving club and told us how one of the coaches of the club was well-known for watching the boys while they got changed.
112 P Parkinson & J Cashmore, *Assessing the different dimensions and degrees of risk of child sexual abuse in institutions,* report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2017, p 83.
113 For example: Name changed, private session 'Nigel John'; Name changed, private session 'Teddy David'; Name changed, private session 'Lindsay Mark'; Name changed, private session 'Michael and Jane'.
114 Name changed, private session, 'William'.
115 For example: Name changed, private session, 'Teri'.
116 Name changed, private session, 'Trina Beth'.
117 K-KR Choo, *Online child grooming: A literature review on the misuse of social networking sites for grooming children for sexual offences*, Australian Institute of Criminology, Canberra, 2009, pp ix–x.
118 Royal Commission into Institutional Responses to Child Sexual Abuse, *Report of Case Study No 37: The response of the Australian Institute of Music and RG Dance to allegations of child sexual abuse*, Sydney, 2017, p 93.
119 Name changed, private session, 'Sally Anne and Jodie'.
120 Name changed, private session, 'Horrie'.
121 M Mountjoy, C Brackenridge, M Arrington, C Blauwet, A Carska-Sheppard, K Fasting, S Kirby, T Leahy, S Marks, K Martin, K Starr, A Tiivas & R Budgett, 'International Olympic Committee consensus statement: Harassment and abuse (non-accidental violence) in sport', *British Journal of Sports Medicine*, vol 50, no 17, 2016, pp 1019–29.
122 Name changed, private session, 'Murray Tim'.
123 For example: Name changed, private session, 'Lizzy'; Name changed, private session, 'Chanel'; Name changed, private session, 'Shona'.
124 Name changed, private session, 'Peggy Louise'.
125 Name changed, private session, 'Sofie'.
126 K Kaufman & M Erooga, *Risk profiles for institutional child sexual abuse: A literature review*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2016, p 74.
127 P Parkinson & J Cashmore, *Assessing the different dimensions and degrees of risk of child sexual abuse in institutions,* report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2017, p 30.
128 P Parkinson & J Cashmore, *Assessing the different dimensions and degrees of risk of child sexual abuse in institutions,* report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2017, p 30.
129 For example: P Parkinson & J Cashmore, *Assessing the different dimensions and degrees of risk of child sexual abuse in institutions,* report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2017, pp 40, 83, 86; Royal Commission into Institutional Responses to Child Sexual Abuse, *Report of Case Study No 37: The response of the Australian Institute of Music and RG Dance to allegations of child sexual abuse,* Sydney, 2017. See also: Name changed, private session, 'Clyve'.
130 Exhibit 37-0001, 'Statement of CAA', Case Study 37, STAT.0871.001.0001_R at 0007_R.

131 A McAlinden, *Grooming and the sexual abuse of children*, Oxford University Press, Clarendon Studies in Criminology, 2012, p 170.
132 M Cense & C Brackenridge, 'Temporal and development risk factors for sexual harassment and abuse in sport', *European Physical Education Review*, vol 7, no 1, 2001, pp 61–79.
133 A McAlinden, *Grooming and the sexual abuse of children*, Oxford University Press, Clarendon Studies in Criminology, 2012, p 170.
134 A McAlinden, *Grooming and the sexual abuse of children*, Oxford University Press, Clarendon Studies in Criminology, 2012, p 170; AE Stirling & GA Kerr, 'Abused athletes' perceptions of the coach–athlete relationship', *Sport in Society: Cultures, Commerce, Media, Politics*, vol 12, no 2, 2009, pp 227–39.
135 AE Stirling & GA Kerr, 'Abused athletes' perceptions of the coach–athlete relationship', *Sport in Society: Cultures, Commerce, Media, Politics*, vol 12, no 2, 2009, pp 227–39.
136 D Palmer, *The role of organisational culture in child sexual abuse in institutional contexts,* report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2016, p 56.
137 Name changed, private session, 'Chanel'.
138 Name changed, private session, 'Lizzy'. See also (for other examples of close and exclusive relationships): Name changed, private session, 'Shona'; Name changed, private session, 'Clarissa'; Name changed, private session, 'Tara Michelle'.
139 For example: Name changed, private session, 'Chet'; Name changed, private session, 'Donny Michael'; Name changed, private session, 'Frederick Michael'.
140 K Kaufman & M Erooga, *Risk profiles for institutional child sexual abuse: A literature review*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2016, p 77; P O'Leary, E Koh & A Dare, *Grooming and child sexual abuse in institutional contexts*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2017, pp 10, 14.
141 Name changed, private session, 'Arturo'.
142 Name changed, private session, 'Jesse Mark'.
143 For example: Name changed, private session, 'Sidney John'; Name changed, private session, 'Jerry Lachlan'; Name changed, private session, 'Clarke Adam'.
144 Royal Commission into Institutional Responses to Child Sexual Abuse, *Report of Case Study No 39: The response of certain football (soccer), cricket and tennis organisations to allegations of child sexual abuse*, Sydney, 2016, p 42.
145 A McAlinden, *Grooming and the sexual abuse of children*, Oxford University Press, Clarendon Studies in Criminology, 2012, p 170; P O'Leary, E Koh & A Dare, *Grooming and child sexual abuse in institutional contexts*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2017, p 10; K Kaufman & M Erooga, *Risk profiles for institutional child sexual abuse: A literature review*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2016, p 78.
146 A McAlinden, *Grooming and the sexual abuse of children*, Oxford University Press, Clarendon Studies in Criminology, 2012, p 170.
147 D Palmer, *The role of organisational culture in child sexual abuse in institutional contexts*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2016, p 60.
148 Name changed, private session, 'Katie'.
149 M Cense & C Brackenridge, 'Temporal and development risk factors for sexual harassment and abuse in sport', *European Physical Education Review*, vol 7, no 1, 2001, p 67. See also P O'Leary, E Koh & A Dare, *Grooming and child sexual abuse in institutional contexts*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2017.
150 M Cense & C Brackenridge, 'Temporal and development risk factors for sexual harassment and abuse in sport', *European Physical Education Review*, vol 7, no 1, 2001, pp 67–8.
151 M Cense & C Brackenridge, 'Temporal and development risk factors for sexual harassment and abuse in sport', *European Physical Education Review*, vol 7, no 1, 2001, p 68.
152 CH Brackenridge, *Spoilsports: Understanding and preventing sexual exploitation in sport*, Routledge, London & New York, 2001, p 210.
153 Royal Commission into Institutional Responses to Child Sexual Abuse, *Report of Case Study No 37: The response of the Australian Institute of Music and RG Dance to allegations of child sexual abuse*, Sydney, 2017, p 16.
154 Royal Commission into Institutional Responses to Child Sexual Abuse, *Report of Case Study No 37: The response of the Australian Institute of Music and RG Dance to allegations of child sexual abuse*, Sydney, 2017, p 49.
155 Royal Commission into Institutional Responses to Child Sexual Abuse, *Report of Case Study No 37: The response of the Australian Institute of Music and RG Dance to allegations of child sexual abuse,* Sydney, 2017, p 52.
156 Royal Commission into Institutional Responses to Child Sexual Abuse, *Report of Case Study No 37: The response of the Australian Institute of Music and RG Dance to allegations of child sexual abuse*, Sydney, 2017, p 42.
157 Name changed, private session, 'Katie'.
158 K Kaufman, M Erooga, K Stewart, J Zatkin, E McConnell, H Tews & D Higgins, *Risk profiles for institutional child sexual abuse: A literature review,* report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2016, p 24.
159 M Irenyi, LM Bromfield, L Beyer & D Higgins, 'Child maltreatment in organisations: Risk factors and strategies for prevention', *Child Abuse Prevention Issues*, vol 25, 2006, p 6. See also K Kaufman, M Erooga, K Stewart, J Zatkin, E McConnell, H Tews & D Higgins, *Risk profiles for institutional child sexual abuse: A literature review,* report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2016, p 26.

160 KL Kaufman, H Tews, JM Schuett & BR Kaufman, 'Prevention is better than cure: The value of situational prevention in organisations' in M Erooga (ed), *Creating safer organisations: Practical steps to prevent the abuse of children by those working with them,* John Wiley & Sons, Ltd, Chichester, 2012, p 28. See also P Parkinson & J Cashmore, *Assessing the different dimensions and degrees of risk of child sexual abuse in institutions,* report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2017, pp 37–8.
161 P O'Leary, E Koh & A Dare, *Grooming and child sexual abuse in institutional contexts*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2017, pp 15–16.
162 For example: Name changed, private session, 'Dale William'; Name changed, private session, 'Claudette'; Name changed, private session, 'Jamie John'; Name changed, private session, 'Kendal'.
163 Name changed, private session, 'Jacklyn'.
164 Name changed, private session, 'Aloysius'.
165 For example: Name changed, private session, 'Kenny'.
166 For example: Name changed, private session, 'Manny'; Name changed, private session, 'Donall'; Name changed, private session, 'Max and Andy'; Name changed, private session, 'Nathan James'; Name changed, private session, 'Jesse Mark'.
167 P Parkinson & J Cashmore, *Assessing the different dimensions and degrees of risk of child sexual abuse in institutions*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2017, p 30; S Parent & J Bannon J, 'Sexual abuse in sport: What about boys?', *Children and Youth Services Review*, vol 34, no 2, 2012, pp 354–59.
168 Exhibit 37-0007, 'Statement of BZN', Case Study 37, STAT.0884.001.0001_R at 0006_R.
169 Exhibit 37-0005, 'Statement of BZS', Case Study 37, STAT.0886.001.0001_R at 0003_R; ; Royal Commission into Institutional Responses to Child Sexual Abuse, *Report of Case Study No 37: The response of the Australian Institute of Music and RG Dance to allegations of child sexual abuse*, Sydney, 2017, p 53.
170 Name changed, private session, 'Donovan'.
171 P O'Leary, E Koh & A Dare, *Grooming and child sexual abuse in institutional contexts*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2017, pp 15–16.
172 Name changed, private session, 'Huan'.
173 K Kaufman & M Erooga, *Risk profiles for institutional child sexual abuse: A literature review*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2016, pp 75–7.
174 K Kaufman & M Erooga, *Risk profiles for institutional child sexual abuse: A literature review*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2016, pp 75–6.
175 Transcript of D Finkelhor, Case Study 57, 28 March 2017 at 27647:22–28.
176 D Palmer, *The role of organizational culture in child sexual abuse in institutional contexts*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2016, p 54.
177 A McAlinden, *Grooming and the sexual abuse of children*, Oxford University Press, Clarendon Studies in Criminology, 2012, p 170.
178 Transcript of W O'Brien, Case Study 45, 20 October 2016 at 21659:45–46.
179 M Mountjoy, C Brackenridge, M Arrington, C Blauwet, A Carska-Sheppard, K Fasting, S Kirby, T Leahy, S Marks, K Martin, K Starr, A Tiivas & R Budgett, 'International Olympic Committee consensus statement: Harassment and abuse (non-accidental violence) in sport', *British Journal of Sports Medicine*, vol 50, no 17, 2016, pp 1019–29.
180 C Brackenridge, 'Dangerous sports? Risk, responsibility and sex offending in sport', *Journal of Sexual Aggression*, vol 9, no 1, 2003, pp 3–12.
181 M Mountjoy, C Brackenridge, M Arrington, C Blauwet, A Carska-Sheppard, K Fasting, S Kirby, T Leahy, S Marks, K Martin, K Starr, A Tiivas & R Budgett, 'International Olympic Committee consensus statement: Harassment and abuse (non-accidental violence) in sport', *British Journal of Sports Medicine*, vol 50, no 17, 2016, pp 1019–29.
182 M Mountjoy, C Brackenridge, M Arrington, C Blauwet, A Carska-Sheppard, K Fasting, S Kirby, T Leahy, S Marks, K Martin, K Starr, A Tiivas & R Budgett, 'International Olympic Committee consensus statement: Harassment and abuse (non-accidental violence) in sport', *British Journal of Sports Medicine*, vol 50, no 17, 2016, pp 1019–29.
183 M Mountjoy, C Brackenridge, M Arrington, C Blauwet, A Carska-Sheppard, K Fasting, S Kirby, T Leahy, S Marks, K Martin, K Starr, A Tiivas & R Budgett, 'International Olympic Committee consensus statement: Harassment and abuse (non-accidental violence) in sport', *British Journal of Sports Medicine*, vol 50, no 17, 2016, pp 1019–29.
184 M Mountjoy, C Brackenridge, M Arrington, C Blauwet, A Carska-Sheppard, K Fasting, S Kirby, T Leahy, S Marks, K Martin, K Starr, A Tiivas & R Budgett, 'International Olympic Committee consensus statement: Harassment and abuse (non-accidental violence) in sport', *British Journal of Sports Medicine*, vol 50, no 17, 2016, pp 1019–29.
185 M Mountjoy, C Brackenridge, M Arrington, C Blauwet, A Carska-Sheppard, K Fasting, S Kirby, T Leahy, S Marks, K Martin, K Starr, A Tiivas & R Budgett, 'International Olympic Committee consensus statement: Harassment and abuse (non-accidental violence) in sport', *British Journal of Sports Medicine*, vol 50, no 17, 2016, pp 1019–29.
186 M Mountjoy, C Brackenridge, M Arrington, C Blauwet, A Carska-Sheppard, K Fasting, S Kirby, T Leahy, S Marks, K Martin, K Starr, A Tiivas & R Budgett, 'International Olympic Committee consensus statement: Harassment and abuse (non-accidental violence) in sport', *British Journal of Sports Medicine*, vol 50, no 17, 2016, pp 1019–29.
187 T Moore, M McArthur, D Noble-Carr & D Harcourt, *Taking us seriously: children and young people talk about safety and institutional responses to their safety concerns,* report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Melbourne, 2015, p 54.
188 T Moore, M McArthur, D Noble-Carr & D Harcourt, *Taking us seriously: Children and young people talk about safety and institutional responses to their safety concerns,* report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2015, p 46.

189 K Kaufman & M Erooga, *Risk profiles for institutional child sexual abuse: A literature review*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2016, p 75; S Parent & J Bannon, 'Sexual abuse in sport: What about boys?', *Children and Youth Services Review*, vol 34, no 2, 2012, pp 354–59.
190 K Kaufman & M Erooga, *Risk profiles for institutional child sexual abuse: A literature review*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2016, p 76; Transcript of W O'Brien, Case Study 45, 20 October 2016 at 21659:41-47.
191 For example: Name changed, private session, 'Nick Vincent'; Name changed, private session, 'Kenny'.
192 For example: Name changed, private session, 'Alexi John'; Name changed, private session, 'Marshall John'; Name changed, private session, 'Ern'.
193 Name changed, private session, 'Tristan and Bonnie'.
194 Name changed, private session, 'Melinda Grace'.
195 M Coy, 'Milkshakes, lady lumps and growing up to want boobies: how the sexualisation of popular culture limits girls' horizons', *Child Abuse Review*, vol 18, no 6, 2009, pp 372–83; W Oliver, 'The Influence of pop culture and mass media on dance education today', *Journal of Dance Education*, vol 11, no 4, 2011, pp 111–12.
196 Senate Standing Committee on Environment, Communications and the Arts, *Sexualisation of children in the contemporary media*, Parliament House, Canberra, 2008, p 42.
197 K Kaufman & M Erooga, *Risk profiles for institutional child sexual abuse: A literature review*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2016, p 44.
198 K Kaufman & M Erooga, *Risk profiles for institutional child sexual abuse: A literature review*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2016, p 44.
199 K Kaufman & M Erooga, *Risk profiles for institutional child sexual abuse: A literature review*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2016, p 44.
200 Royal Commission into Institutional Responses to Child Sexual Abuse, *Report of Case Study No 37: The response of the Australian Institute of Music and RG Dance to allegations of child sexual abuse*, Sydney, 2017, p 17. See also: Royal Commission into Institutional Responses to Child Sexual Abuse, *Report of Case Study No 36: The response of the Church of England Boys' Society and the Anglican Dioceses of Tasmania, Adelaide, Brisbane and Sydney to allegations of child sexual abuse,* Sydney, 2016, p 142.
201 Exhibit 37-0017, 'Statement of Tracie-Marie Speipel', Case Study 37, STAT.0890.001.0001_R at 0015_R.
202 Exhibit 37-0018, 'Statement of CAG', Case Study 37, STAT.0874.001.0001_R at 0011_R.
203 Exhibit 37-0018, 'Statement of CAG', Case Study 37, STAT.0874.001.0001_R at 0013_R.
204 AE Stirling & GA Kerr, 'Abused athletes' perceptions of the coach–athlete relationship', *Sport in Society: Cultures, Commerce, Media, Politics*, vol 12, no 2, 2009, pp 227–39.
205 D Palmer, *The role of organisational culture in child sexual abuse in institutional contexts*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2016, p 71.
206 G Kerr, A Stirling & E MacPherson, 'A critical examination of child protection initiatives in sport contexts', *Social Sciences*, vol 3, no 4, 2014, p 744.
207 Royal Commission into Institutional Responses to Child Sexual Abuse, *Report of Case Study No 37: The response of the Australian Institute of Music and RG Dance to allegations of child sexual abuse*, Sydney, 2017, pp 31–33, 35.
208 Royal Commission into Institutional Responses to Child Sexual Abuse, *Report of Case Study No 37: The response of the Australian Institute of Music and RG Dance to allegations of child sexual abuse*, Sydney, 2017, p 37.
209 Royal Commission into Institutional Responses to Child Sexual Abuse, *Report of Case Study No 39: The response of certain football (soccer), cricket and tennis organisations to allegations of child sexual abuse*, Sydney, 2016, p 73.
210 For example: Name changed, private session, 'Shona'; Name changed, private session, 'Virginia'.
211 Name changed, private session, 'Darren Craig'.
212 For example: Name changed, private session 'Michael and Jane'; Name changed, private session, 'Chanel'. The institution reprimanded 'Chanel', not the perpetrator, on learning about 'Chanel' being in the perpetrator's room at an overseas sport event.
213 Name changed, private session, 'Melinda Grace'.
214 For example: Name changed, private session 'Michael and Jane'.
215 K Kaufman & M Erooga, *Risk profiles for institutional child sexual abuse: A literature review*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2016, p 28.
216 M Mountjoy, C Brackenridge, M Arrington, C Blauwet, A Carska-Sheppard, K Fasting, S Kirby, T Leahy, S Marks, K Martin, K Starr, A Tiivas & R Budgett, 'International Olympic Committee consensus statement: Harassment and abuse (non-accidental violence) in sport', *British Journal of Sports Medicine*, vol 50, no 17, 2016, pp 1019–29. See also AE Stirling & GA Kerr, ''Abused athletes' perceptions of the coach–athlete relationship', *Sport in Society: Cultures, Commerce, Media, Politics*, vol 12, no 2, 2009, pp 227–39; C Brackenridge, 'Dangerous sports? Risk, responsibility and sex offending in sport', *Journal of Sexual Aggression*, vol 9, no 1, 2003, pp 3–12.
217 P Parkinson & J Cashmore, *Assessing the different dimensions and degrees of risk of child sexual abuse in institutions*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney, 2017, pp 19, 30; AE Stirling & GA Kerr, ''Abused athletes' perceptions of the coach–athlete relationship', *Sport in Society: Cultures, Commerce, Media, Politics*, vol 12, no 2, 2009, pp 227–39.
218 M Gervis & N Dunn, 'The emotional abuse of elite child athletes by their coaches'', *Child Abuse Review*, vol 13, no 3, 2014, pp 214–23.
219 M Gervis & N Dunn, 'The emotional abuse of elite child athletes by their coaches'', *Child Abuse Review*, vol 13, no 3, 2014, pp 214–23.

220 M Gervis & N Dunn, 'The emotional abuse of elite child athletes by their coaches'', *Child Abuse Review*, vol 13, no 3, 2014, pp 214–23.
221 Royal Commission into Institutional Responses to Child Sexual Abuse, *Report of Case Study No 37: The response of the Australian Institute of Music and RG Dance to allegations of child sexual abuse (Centres for performing arts)*, Sydney, 2017, p 44; Exhibit 37-0015, 'Statement of BZE', Case Study 37, STAT.0891.001.0001_R at 0004_R.
222 Exhibit 37-0005, 'Statement of BZS', Case Study 37, STAT.0886.001.0001_R at 0003_R.
223 Royal Commission into Institutional Responses to Child Sexual Abuse, *Report of Case Study No 37: The response of the Australian Institute of Music and RG Dance to allegations of child sexual abuse*, Sydney, 2017, p 43.
224 Exhibit 37-0015, 'Statement of BZE', Case Study 37, STAT.0891.001.0001_R at 0004_R.
225 Exhibit 37-0015, 'Statement of BZE', Case Study 37, STAT.0891.001.0001_R at 0004_R.
226 A Stirling & G Kerr, 'Elite female swimmers' experiences of emotional abuse across time', *Journal of Emotional Abuse*, vol 7, no 4, 2008, pp 89–113.
227 A Stirling & G Kerr, 'Elite female swimmers' experiences of emotional abuse across time', *Journal of Emotional Abuse*, vol 7, no 4, 2008, pp 89–113.
228 For example: Name changed, private session, 'Peggy Louise'; Name changed, private session, 'Grigor'; Name changed, private session, 'Melinda Grace'. See also: Royal Commission into Institutional Responses to Child Sexual Abuse, *Report of Case Study No 39: The response of certain football (soccer), cricket and tennis organisations to allegations of child sexual*, Sydney, 2016, pp 41–2.
229 Name changed, private session, 'Chanel'.
230 Name changed, private session, 'Sally Anne and Jodie'.
231 Royal Commission into Institutional Responses to Child Sexual Abuse, *Report of Case Study No 15: Response of swimming institutions, the Queensland and NSW Offices of the DPP and the Queensland Commission for Children and Young People and Child Guardian to allegations of child sexual abuse by swimming coaches,* Sydney, 2015, p 157.
232 Exhibit 37-0010, 'Statement of BZP', Case Study 37, STAT.0889.001.0001_R at 0022_R.
233 Exhibit 37-0002, 'Statement of CAD', Case Study 37, STAT.0876.001.0001_R at 0016_R.
234 M Cense & C Brackenridge, 'Temporal and development risk factors for sexual harassment and abuse in sport', *European Physical Education Review*, vol 7, no 1, 2001, pp 61–79.
235 M Cense & C Brackenridge, 'Temporal and development risk factors for sexual harassment and abuse in sport', *European Physical Education Review*, vol 7, no 1, 2001, pp 61–79.
236 Name changed, private session, 'Clark James'.
237 T Blakemore, JL Herbert, F Arney & S Parkinson, *Impacts of institutional child sexual abuse on victims/survivors: A rapid review of the research findings,* report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, 2017, p 47; I Katz, A Jones, BJ Newton & E Reimer, *Life journeys of victim/survivors of child sexual abuse in institutions: An analysis of Royal Commission private sessions*, report prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney 2017, p 47.
238 M Mountjoy, C Brackenridge, M Arrington, C Blauwet, A Carska-Sheppard, K Fasting, S Kirby, T Leahy, S Marks, K Martin, K Starr, A Tiivas & R Budgett, 'International Olympic Committee consensus statement: Harassment and abuse (non-accidental violence) in sport', *British Journal of Sports Medicine*, vol 50, no 17, 2016, pp 1019–29.
239 Exhibit 39-0010, 'Statement of BXI', Case Study 39, STAT.0977.001.0001_R at 0011_R.
240 Royal Commission into Institutional Responses to Child Sexual Abuse, *Report of Case Study No 39: The response of certain football (soccer), cricket and tennis organisations to allegations of child sexual abuse,* Sydney, 2016, p 59.
241 Royal Commission into Institutional Responses to Child Sexual Abuse, *Report of Case Study No 39: The response of certain football (soccer), cricket and tennis organisations to allegations of child sexual abuse*, Sydney, 2016, p 55.
242 Royal Commission into Institutional Responses to Child Sexual Abuse, *Report of Case Study No 39: The response of certain football (soccer), cricket and tennis organisations to allegations of child sexual abuse,* Sydney, 2016, p 59.
243 Name changed, private session, 'Micky'.
244 Name changed, private session, 'Micky'.
245 For example: Name changed, private session, 'William'; Name changed, private session, 'Mordechai'.
246 Exhibit 39-0010, 'Statement of BXI', Case Study 39, and STAT.0977.001.0001_R at 0014_R. See also: Exhibit 39-0011, 'Statement of BXE', Case Study 39, STAT.0976.001.0001_R at 0007_R.
247 Name changed, private session, 'Huan'.
248 Name changed, private session, 'Ruthie'.
249 Royal Commission into Institutional Responses to Child Sexual Abuse, *Report of Case Study No 39: The response of certain football (soccer), cricket and tennis organisations to allegations of child sexual abuse*, Sydney, 2016, p 59.
250 Name changed, private session, 'Virginia'.
251 Name changed, private session, 'Shona'.
252 Name changed, private session, 'Neilson'.
253 Exhibit 39-0010, 'Statement of BXI', Case Study 39, STAT.0977.001.0001_R at 0012_R and 0013_R.
254 Name changed, private session, 'Brendon'.
255 For example: Name changed, private session, 'Grigor'.
256 For example: Name changed, private session, 'Sandi'.
257 Name changed, private session, 'Hogan'.

4 Institutional responses to child sexual abuse in sport and recreation

4.1 Overview

Sport and recreation is provided to children by many different institutional types, of different sizes, and with different governance structures and accountability frameworks. The case studies in this chapter describe inappropriate responses to child sexual abuse in sport and recreation, and factors that contributed to abuse. Information we received through private sessions also provides examples of what we were told about institutional responses and contributing factors. These examples do not necessarily reflect the sport and recreation sector as a whole, and we do not intend to generalise any failings or attribute any institutional behaviours to the sector.

Sport and recreation institutions failed in responding and protecting children from child sexual abuse in many ways, for example:

- institutional cultures that created risks for children
- institution policies and governance arrangements that were inadequate
- poor risk management
- failures in complaint handling and poor responses to child sexual abuse
- poor recordkeeping.

Both victims and personnel also face barriers to disclosure or reporting in sport and recreation institutions.

Our case studies are intended to show where institutional practices and actions have led to heightened risk or inappropriate responses to child sexual abuse, supported by examples of what we were told in our private sessions. It was not possible to capture the full array of sport and recreation institutions, but we have attempted to profile a range of different institutional types such as small businesses, large federated sporting organisations, regional sport and recreation clubs, and tutor arrangements.

The failures of these particular institutions to mitigate risks and appropriately respond to cases of child sexual abuse can be instructive for other institutions. We record these failings so that sport and recreation stakeholders can understand the institutional risks and manage them in future. The examples also demonstrate, in some instances, problems common across institutions and, in some large institutions, systemic problems.

Some sport and recreation institutions have already developed child safe measures in response to our findings.

4.2 Institutional responses to improve child safety across the sector

In this section we briefly revisit the common institutional frameworks and mechanisms that have been implemented to guide sport and recreation.

Given the diversity of the sport and recreation institutional types, we know that there has been relatively little uniformity in approaches to child safety. The diverse governing arrangements in sport and recreation mean that many institutions have different obligations and are operating with different guidance and resource levels.

Notwithstanding the differences in the capacity and resources of sport and recreation institutions, some of the measures most commonly used by these institutions to mitigate risks of child sexual abuse were:

- screening of adults with specified roles through Working With Children Checks
- following mandatory child safety requirements where required by law
- following member protection policies and establishing member protection information officers in organisations where required, notably among member organisations of the Australian Sports Commission
- requiring children, parents, volunteers, coaches, instructors and other participants to adhere to codes of conduct and other prescribed standards of behaviour
- accessing publicly funded child protection training and information materials.

4.2.1 Preventative measures

Screening

Federal, state and territory governments have been the key drivers of child safety approaches in sport and recreation institutions since the early 2000s. Institutional providers of sport and recreation have followed government guidance, primarily in response to legislative and policy direction. However, not all institutions have been in a position to implement child safety measures beyond mandatory requirements.

In consultations with the sector, we heard that the introduction of Working With Children Checks served as a catalyst for sport and recreation institutions to implement new recruitment practices and to consider the safety of children more broadly.[1] Until the checks were introduced in the early 2000s, the child protection approaches of sport and recreation institutions had been limited.[2]

Member protection policies

Since 2001, the Australian Sports Commission has been taking steps to increase child protection among its National Sporting Organisation members. Australian Sports Commission members must have a member protection policy, which details how a National Sporting Organisation complies with child safety and child protection policies and laws, and specifies processes for handling complaints.[3] The Australian Sports Commission designed a 'template member protection policy' to help National Sporting Organisations develop and implement their own member protection policy.[4]

Institutions affiliated with the Australian Sports Commission have developed member protection information officer positions. These officers serve as the first point of contact in sports institutions for child protection enquiries or complaints. They are volunteers within sporting institutions who provide information to clubs about child and member protection.[5] They are impartial and do not mediate grievances or investigate complaints.[6] The extent to which these officers operate differs by sport.

The most common way member protection information officers receive training is through the Play by the Rules website (an interactive education and information website on discrimination, harassment and child protection in sport, described in Chapter 5). Play by the Rules gives a general understanding of the issues associated with child protection.

Registration and club accreditation

Some peak sport and recreation institutions endeavour to regulate their members and associates through participant registration processes. At the point of registration, players, coaches and administrators agree to comply with the institution's regulations, member protection policy and code of conduct.[7] The code of conduct aims to strengthen the sport's reputation by establishing performance, behavioural and professional standards for its members. It also attempts to deter conduct that could impair confidence in the character of its participants. The code of conduct includes a variety of sanctions that may be imposed for breaches, such as fines, registration bans and suspensions from taking part in any activity related to the sport.[8]

We heard that some institutions have used this registration process to rate the performance of clubs. Football Federation Australia administers the National Club Accreditation Scheme, which is a program that aims to raise the standards of grassroots football clubs by recognising and rewarding clubs that implement measures which contribute to quality football experiences for players, volunteers and parents.[9] It seeks to help parents and players identify whether a club demonstrates the advanced standards of quality that a parent or player can desire in a club.[10]

At the international level, accreditation processes require sporting institutions to comply with child safe policies. The Australian Olympic Committee requires Olympic sports to establish and comply with a child protection policy. If they fail to comply, their athletes will not be accredited to participate in future Olympic Games.[11]

For the Rio 2016 Summer Olympics, the International Olympic Committee developed a draft framework, applicable to all participants, including children, to safeguard them from harassment and abuse, including sexual abuse.[12] The framework provides:[13]

- educational materials and other information on harassment and abuse in sport for participants
- appointment of an International Olympic Committee welfare officer, responsible for following up on all alleged incidents of harassment and abuse
- establishment of a procedure for reporting and addressing allegations of harassment and abuse
- disciplinary procedures for substantiated claims of harassment and abuse.

This framework was intended to serve as a pilot at the Olympic Games then be refined and used at Youth Olympic and Winter Olympic Games.[14]

4.2.2 Complaint handling

Some of the larger, federated sport and recreation institutions have developed policies and procedures to respond to complaints of child sexual abuse or inappropriate behaviour in their institution. National Sporting Organisations linked to the Australian Sports Commission have developed processes through which complaints of inappropriate behaviour would trigger investigative actions by institutional management. If allegations are substantiated, disciplinary action usually follows. Inappropriate behaviour is assessed against a code of conduct or policies that specify professional conduct or behavioural standards. For example, the Australian Sports Commission's code of conduct provides that personnel can be suspended or dismissed because of inappropriate behaviour.[15] A report is usually prepared and information shared with relevant institutional management.[16]

Play by the Rules has sought to improve complaint handling in the sport and recreation sector. For example, on its website, sport and recreation institutions can access information on how to deal with complaints appropriately and efficiently,[17] and an online training course on complaint handling.[18] Resources are targeted towards administrators, coaches, officials, parents, children, spectators and anyone interested in the welfare of children in sport and recreation.
The information includes:[19]

- how to make a complaint
- what happens if you are complained about
- what are the procedures for making a complaint
- how to talk and listen to the people involved in the complaint
- how to respond to suspicions of harm against a child.

4.2.3 Risk management and insurance

As part of insurance obligations, public and private institutions are generally required to show evidence of risk management policies, including risk management for children if they provide services to children. Sport and recreation institutions are recommended to review the ways in which they reduce liabilities and risks, if they are to obtain insurance.[20] This includes risk of injury, damage or loss to people, facilities and finances.[21]

Insurance protects institutions that provide services to children against financial loss. The organisations can: transfer some risk to an insurer in return for payment of a premium; budget for costs; and eliminate the need to keep large reserves on hand just in case someone is injured.[22]

We were advised by the Insurance Council of Australia that institutions providing services to children are considered a higher level of risk than organisations that do not directly engage with children:

> Institutions, businesses or organisations whose activities involve children are, from an insurance perspective, a high underwriting risk. Children, because of their age, level of development and experience in life, are more vulnerable to injury or abuse. As such, institutions that provide care and services to them are already subject to a more onerous standard of care and supervision than other service providers and organisations that do not have any direct association with children.[23]

Premiums for such institutions are likely to be substantially higher than other institutions. This reflects their more onerous duty of care and the increased liability exposure.[24] According to the Insurance Council of Australia, having an effective risk management approach can help 'support the affordability and availability of liability insurance to cover the risk of child sexual abuse'.[25]

Some institutions with a common purpose have come together to increase their insurance purchasing power. For example, Ausdance, the peak body for dance in Australia, has negotiated a dance-specific insurance package for dance instructors, studios, professional dancers and groups, independent artists and companies.[26] The Australian Sports Commission, and other state-based government sport and recreation agencies, have developed materials to help local sport and recreation clubs develop risk management strategies and obtain appropriate insurance.[27] In some instances, peak bodies, such as Cricket Australia, assist local grassroots clubs by organising and paying for the required insurance.[28]

4.3 Barriers to disclosure by victims

The disclosure of child sexual abuse can take many forms and occur at any stage in the life of a victim. It can be verbal or non-verbal, accidental or intentional, partial or unclear. Disclosure is rarely a one-off event, and many victims will disclose in different ways to different people throughout their lives. Some victims never disclose. There is often a significant delay between the abuse and disclosure and many victims disclose for the first time when they are adults. As Volume 4, *Identifying and disclosing child sexual abuse* identifies, victims who came forward to the Royal Commission took on average 23.9 years to disclose. However, almost one-third (30.8 per cent) told Commissioners they disclosed during the abuse or shortly after.

The disclosure of child sexual abuse is of great importance: first of all, it allows the victim to receive help and start the healing process; secondly, it helps to detect perpetrators and unhealthy behaviours, and is a crucial step in protecting children from ongoing or potential abuse.

The Royal Commission was told about many significant barriers that victims had to overcome before they were able to disclose their experiences of abuse. We were also told about barriers that had to be overcome before adults were able to recognise abuse or indicators of abuse. We were told about the barriers to disclosing and identifying child sexual abuse particular to sport and recreation. Other barriers are detailed in Volume 4, *Identifying and disclosing child sexual abuse*, including additional barriers particular to children with disability and other groups.

4.3.1 Fear of not being believed

We heard from survivors in sport and recreation who said they did not disclose the sexual abuse because they did not think they would be believed.[29] These accounts are consistent with research on disclosure of abuse generally and in sports institutions.[30] In some instances, perpetrators manipulated the child into believing that non-offending adults were already aware of the abuse, or would not believe the child if they disclosed.

In *Case Study 15: Response of swimming institutions, the Queensland and NSW Offices of the DPP and the Queensland Commission for Children and Young People and Child Guardian to allegations of child sexual abuse by swimming coaches (Swimming Australia and the DPP)*, we heard the victim of abuse, Ms Simone Boyce, did not tell anyone about the sexual abuse she suffered because the alleged perpetrator, swimming coach Mr Scott Volkers, was so well regarded in the swimming community. She believed that she could not complain if she were to have a future in competitive swimming, and that no one would believe her if she did.[31]

A number of survivors told us in private sessions that they did not report the abuse because they felt the abusing adult had greater credibility and power.[32] In sport and recreation contexts, the elevated status and authority of a respected sports coach, Scout leader, or dance or music

instructor – both within the institution and sometimes the broader community – contributed to this perception. We heard of instances where the victim's fear of not being believed was heightened when the perpetrator was a celebrated and revered coach or instructor.

In some cases, the power imbalance between the perpetrator and the child not only inhibited disclosure at the time of the abuse but also in the years that followed. One survivor told us in a private session that he was reluctant to tell his parents about being sexually abused. He feared they would accuse him of lying, especially as the perpetrator had befriended the victim's parents, and was charming, well liked and respected in the community as the leader of the local Scout group.[33]

4.3.2 Fear of consequences

In small communities and close-knit environments children participate in sport and recreation activities in high numbers. As the Australian Sports Commission highlights, 'sport plays an important role in rural, regional and remote Australia'.[34] The local sports facility – whether a football ground, tennis court or swimming pool – is often a central feature of the town.[35]

In *Case Study 39: The response of certain football (soccer), cricket and tennis organisations to allegations of child sexual abuse (Sporting clubs and institutions)*, we heard about the experience of BXI, who was sexually abused by a volunteer coach at his local cricket club. He described the difficulties he faced in disclosing the abuse in a small community:

> For a very long time I did not tell anyone about my abuse, I think the fact that I lived in a small town made it hard to report my abuse … I felt that if I reported the abuse or told anyone what was happening, me and my family would be vilified or scrutinised.[36]

Consistent with research,[37] a number of survivors described the particular dynamics in small towns and communities that made disclosure of abuse especially difficult.[38] The size of the community could affect victims' efforts to disclose, with small, tight-knit communities sometimes 'posing formidable resistance'.[39] We heard from survivors who expressed particular concerns about confidentiality and the consequences of community members learning about the abuse.

'Tony Peter' told us during a private session that he was sexually abused in a small town by his sports coach. 'Tony Peter' was concerned about how people in the town would react if he disclosed the abuse. He had observed the experience of a girl in the same town who was alienated and stigmatised at her school after she made allegations of abuse against a different perpetrator. He said, 'Once I saw what happened to her I retreated even more – like there was no way I could come forward from there'. 'Tony Peter' told us how it could be difficult for victims still living in their home town to access mental health and other services, creating an additional barrier to disclosure:

> The trouble with regional areas is there's not a lot of psychologists and counsellors … It's just not that easy … I think sometimes people feel there's no way out and they take their own lives.[40]

4.3.3 Feelings of shame and embarrassment

Across all institution types, the most commonly reported barrier to disclosure was shame or embarrassment (see Volume 4, *Identifying and disclosing child sexual abuse*). Of the 267 survivors (65.4 per cent) who told us of abuse in sport and recreation institutions and also told us about barriers to disclosure, over half (51.3 per cent) said that feelings of shame and embarrassment had prevented them from telling anyone. As one survivor told us: 'I was ashamed of this for a long, long – a lot of years of my life. And I was too scared to even speak up … As I've gotten older I've been thinking, "You know what? I'm not the criminal here"'.[41]

Community attitudes to gender and sexuality can influence the decisions of children to disclose abuse. In sport, strength and aggression may be viewed as essential qualities of the male athlete, while the disclosure of harassment and abuse experiences may be associated with weakness.[42] These value judgments can be harmful and may deter male victims from disclosing.[43] Shame can also be a strong emotional inhibitor for boys who are victims of abuse.[44]

Hyper-masculinity and the perceived stigma of homosexuality can sometimes manifest itself in aggressive behaviour and homophobic behaviour in sporting cultures.[45] Boys and young men might withhold disclosure to avoid violent or homophobic responses from others who do not understand abuse.[46] In some settings, these fears may be well founded. The Australian Sports Commission notes that discrimination based on gender and or sexual identity in sport is often linked to other issues such as violence, harassment or abuse.[47] Discrimination and abuse towards lesbian, gay, bisexual and transgender athletes in sporting institutions is well-documented.[48]

In a private session 'Clark' told us about the sexualised bullying he experienced from the older boys in his Scout group. He said he felt weak and ashamed, and thought that if he told anyone about the abuse, people would judge him. It took 10 years before he felt ready to disclose.[49]

4.3.4 Uncertainty about what is abusive

Victims might not disclose if they are unsure that their experience was abusive. Uncertainty about what constitutes sexual abuse can be influenced by the child's age, development stage or disability. Some victims of sexual abuse do not have the language or conceptual understanding to know what is happening to them and, because of this uncertainty, do not report their concerns.[50]

In sport and recreation, a child may feel uncertain about what is abusive where the activity necessarily involves direct physical contact. We heard instances where the coach or instructor tried to convince the child that their behaviour was not abusive.[51] Sport-related activities involving direct physical contact, such as massage, can compound this uncertainty. For example, in our *Swimming Australia and the DPP* case study, Ms Julie Gilbert told us that she was touched inappropriately while receiving a massage from her coach, Mr Volkers.[52] She did not tell anyone at the time because she thought it was part of training; it was only later that she realised it was sexual abuse. She said that Mr Volkers had told her that the other girls did the same thing.[53] Given that post-training massages are routine in high-performance swimming, this form of touching is not usually questioned. In fact, Ms Gilbert told us that after she disclosed, there were people in the sporting community who assumed she had mistaken massage for abuse:

> I recall seeing TV reports showing swimmers being massaged, normally with lines of text underneath to the effect, 'Is this sexual abuse?' as if my sexual abuse allegations were the result of an innocent normal massage rather than the actual sexual abuse I had been subjected to.[54]

Research suggests that young athletes who are harassed and subjected to dominant behaviours of parents or carers in the home may regard these same patterns as normal in the sport context.[55] They may be unable to identify what a healthy coach–athlete relationship looks like.[56]

4.3.5 Fear of negative impacts on future success

Studies suggest that victims weigh the potential risks and benefits before telling others about their experience of sexual abuse.[57] We heard from survivors who described a real fear of the perpetrator or of particular consequences of disclosure. For example, 'Clyve' told us in a private sessions that the perpetrator threatened to 'kill' him if he told anyone about the abuse.[58] 'Jamie', who told us he was abused at a local athletics club, thought the impact of the abuse would have been different if he knew he could have talked about it and not get into trouble.[59] Others feared their disclosure of abuse would not be confidential and that they would be ostracised by their social networks and the broader community.[60]

In a sport or recreation context, athletes might fear disclosing sexual abuse if they believe it will jeopardise their potential for success.[61] This fear is significant in sport and recreation contexts where children may be encouraged to sacrifice identity 'for the good of the team'.[62] Aspiring athletes might fear that disclosing abuse will alienate them from their team mates and sports administrators.[63] One study indicated that such victims of child sexual abuse are more likely to disclose when they are older and less focused on their sport.[64]

We learned how some arts and cultural settings could promote the pursuit of excellence above other considerations. These environments encouraged young dancers, musicians and performing artists to prioritise success above their personal safety or wellbeing.[65] We heard from survivors who recalled having both talent and passion in their chosen field. They told us that their reluctance to disclose was, in part, because they feared it would affect their opportunities for participation.[66]

In *Case Study 37: The response of the Australian Institute of Music and RG Dance to allegations of child sexual abuse (Centres for performing arts)*, we heard that music and piano were CAA's passion. He told us that he believed he had to put up with music tutor Victor Makarov's abuse in order to get the best possible lessons.[67] At the time, CAA thought that it was 'part and parcel' of what he had to do to become a successful concert pianist.[68] CAA said:

> I had not reported Makarov's behaviour to anybody earlier because music is everything to me and at that time I believed that having Makarov as my teacher was the only way that I would be able to achieve my goals. All I wanted to do was practise and play for people. I thought as soon as I told my parents then all contact with Makarov would stop and I felt at that stage that my music was more important ... From the beginning, Makarov made me feel that I needed him to succeed.[69]

Some survivors feared that disclosing the abuse would mean they could no longer take part in their much-loved activity. For example, 'Carter' was a railway enthusiast as a child and volunteered at his local railway. He told us that he was sexually abused by two senior railway workers who encouraged his love of trains. He said he never told anyone about the abuse at the time, in part because he loved working with trains and did not want to stop volunteering.[70]

In some instances, victims feared that disclosure would damage their reputation and livelihood. In the *Swimming Australia and the DPP* case study, we heard how Mr Terrence Buck was an Olympic swimming champion and Australian sporting icon. By virtue of these achievements, he elicited a level of deference in the swimming community as well as the broader Australian community. AEA told us during the case study's public hearing that he was a victim of abuse by Mr Buck. AEA did not disclose the abuse to anyone at the time. In his statement, AEA described feeling ashamed.[71] He was leading what he thought to be a 'normal life' and had his own sporting profile.[72] As a swimming coach himself, he was concerned that 'any publicity about child sexual abuse would seem sinister' and could affect his livelihood.[73] AEA stated that:

> at the time of the sexual abuse, I did not feel like I could report it to anyone at the Clovelly Surf Life Saving Club or to my family. Terry Buck was a legend around the Eastern Suburbs swimming and surf clubs, because he was an Olympian and he went to the 1964 Olympics in Tokyo. He was eulogised at the Clovelly Surf Life Saving Club as an Australian sporting icon.[74]

4.4 Reporting of and responding to complaints of child sexual abuse

4.4.1 Not reporting complaints externally

The Royal Commission's work has shown that institutional child sexual abuse has been under-reported to external government authorities in situations where the abuse was known or suspected, including in sport and recreation institutions.[75] As a result, child victims were further abused, other children were placed at risk of abuse, and perpetrators were not held to account for their criminal behaviour.

A number of our case studies show examples of adults associated with a sport and recreation institution not reporting known or suspected child sexual abuse to an external government authority.[76] We also heard similar accounts in private sessions. The reasons for this inaction are complex and varied. We examine two main reasons for under-reporting in sport and recreation: inconsistency in obligatory reporting models, and barriers to reporting.

Inconsistency in obligatory reporting models

Variations in obligatory reporting models across jurisdictions mean that institutional staff have different obligations to report institutional child sexual abuse, depending on their state or territory. In many Australian jurisdictions, sport and recreation personnel are under no legal obligation to report child sexual abuse to an external government authority such as the police or a child protection department. We heard of circumstances where institutional staff were not legally required to report complaints of child sexual abuse to an external authority and complaints were kept in-house, to the detriment of children's safety.[77]

Obligatory reporting for sport and recreation is discussed in more detail in Chapter 2.

Barriers to reporting by personnel

Sport and recreation personnel face an array of obstacles and competing priorities when deciding whether to report known or suspected child sexual abuse. These barriers to reporting may be institutional or personal, or a combination of both.

Institutional barriers

We commissioned a number of research reports to examine the role of organisational culture in the reporting of child sexual abuse to external authorities. The research identified certain features of an institution that could deter reporting, such as the institution's culture, leadership and governance.

Commissioned research examined two of the Royal Commission's case studies, focusing on why institutional staff failed to report child sexual abuse in sport and recreation contexts: *Case Study 1: The response of institutions to the conduct of Steven Larkins (Scouts and Hunter Aboriginal Children's Service)* and *Case Study 2: YMCA NSW's response to the conduct of Jonathan Lord (YMCA NSW)*.[78] This research suggests that institutional culture can be a strong barrier to reporting.[79] In our *YMCA NSW* case study, it was apparent that a culture had developed where staff did not place high importance on adherence to child protection policies and procedures.[80] The *YMCA NSW* case study contains many examples of people of varying levels of seniority breaching procedures in their interactions with children, for example in babysitting and being physically affectionate with children.[81] This culture allowed childcare worker Jonathan Lord to groom and abuse children in his care 'without appearing strikingly different from colleagues'.[82]

According to our research, a collective approach to improving institutional culture and reporting is important:

> While it is possible to criticise an individual's approach for being lax, seeking to change this attitude requires a group-wide strategy since each individual will have been influenced in adopting this attitude by the behavior of colleagues. Moreover, it is important to look beyond the local group and consider whether wider organisational factors helped this cultural norm to develop.[83]

Commissioned research suggests that some institutional cultures may normalise child sexual abuse.[84] *Case Study 21: The response of the Satyananda Yoga Ashram at Mangrove Mountain to allegations of child sexual abuse by the ashram's former spiritual leader in the 1970s and 1980s (Satyananda Yoga Ashram)* is an example of an institutional culture that acted to prevent staff from reporting child sexual abuse. In this case study, 11 survivors reported that they were sexually abused by the leader of the ashram, Akhandananda, when they were children living at the Mangrove Mountain ashram.[85] We were satisfied that Shishy, who was second in command at the ashram, was aware that Akhandananda was sexually abusing at least two of these children.[86]

We were also satisfied that Shishy was aware that Akhandananda's conduct was criminal and she did not report his conduct to external authorities in a timely way to protect the children from further abuse.[87] Shishy gave evidence that the 'climate' in which they were living at the ashram was 'not normal' and she did not think to report the abuse to anybody because she did not see it as abuse. She did not fully appreciate that Akhandananda's conduct was wrong until she left the ashram.[88]

Personal barriers

Personal relationships between a potential reporter and other members of a sport and recreation institution can deter reporting. In the *Centres for performing arts* case study, we heard that a familial relationship could act as a barrier to reporting.[89] Ms Rebecca Davies accepted that when she met with police to discuss allegations of child sexual abuse made against her brother, Grant Davies, in 2007, she did not tell the police about her brother's admission that he had told a student about a sex dream.[90] Ms Davies accepted that she 'certainly could have told [the police] much more'.[91] Ms Davies said that 'the fact that Grant Davies was my older brother affected and indeed impaired my judgment and my objectivity, particularly in relation to the 2007 incident'.[92]

Concerns about consequences

We heard that potential reporters in sport and recreation have fears and concerns about the responsibility and personal consequences of reporting outside their sport and recreation institution. They fear they might face social ostracism, bullying, backlash and isolation.

In some instances, reporting can take many years and only happen after there is a level of information or proof about the allegation.

In the *Sporting clubs and institutions* case study, Ms Amanda Chaplin told us she first harboured concerns for two female junior tennis players who were coached by Mr Noel Callaghan in 1988 and 1989.[93] Ms Chaplin was a tennis coach herself and employed by Mr Callaghan. She described Mr Callaghan's behaviour towards the players as 'unusually friendly … sleazy and unprofessional'.[94] Ms Chaplin discussed her concerns with a fellow coach; however, she did not take the matter any further because she had no 'proof' of inappropriate behaviour.[95]

In mid-1998, Ms Chaplin became aware of allegations of abuse against Mr Callaghan by another female tennis player, BXJ.[96] By this time, Mr Callaghan was the state coach.[97] Ms Chaplin told us that she sought BXJ's consent before reporting the alleged abuse to Tennis NSW.[98] We heard that Ms Chaplin was subsequently victimised and ostracised by Mr Callaghan, his family and some of his close associates. She believed this treatment was a result of reporting the allegations against Mr Callaghan.[99]

4.4.2 Complaint handling

Information available to this Royal Commission shows that the sport and recreation sector faces a number of significant challenges and has demonstrated some poor practices in complaint handling.[100] In our case studies, we heard of instances where complaints of child sexual abuse were poorly or inappropriately managed. Sometimes the complaint was not adequately investigated by the institution. Where an investigation was conducted, it was sometimes initiated after considerable delay and handled in an inappropriate and insensitive manner.[101]

We heard of cases where sport and recreation institutional staff failed to effectively investigate complaints of child sexual abuse. As noted in the previous section, in the *Sporting clubs and institutions* case study, we heard how Tennis NSW poorly handled an investigation into allegations of sexual abuse made by BXJ against her coach, Mr Callaghan. Tennis NSW retained a law firm to conduct the investigation and interview BXJ.[102] BXJ's mother told us that she and her husband were not allowed to be in the interview and said they 'were made to feel it wasn't our business'.[103] During the interview she could hear BXJ's extreme distress and crying from outside the interview room.[104] BXJ's mother said:

> I believe she was questioned in a way that never gave her the opportunity to be heard with respect or dignity and that the Tennis NSW internal investigation was directed at discrediting her.[105]

We found that the interview with BXJ was conducted in an inappropriate way. It was inappropriate that senior administrators of Tennis NSW were present at the interview where sensitive personal information was discussed. We found that some of the questions asked were irrelevant and offensive. The interview was not conducted in a sensitive way and insufficient consideration was shown for BXJ's needs.[106]

Even though the investigator had found it more likely than not that BXJ's allegations were true and that the Board of Tennis NSW believed her complaint, this was not communicated to BXJ. Tennis NSW decided to take no further action and invited BXJ to take her allegations to the Equal Opportunity Tribunal or NSW Police. We found that in doing so, Tennis NSW abrogated its responsibility to BXJ and completely disregarded her welfare and interests.[107] Tennis NSW also failed to consider the risk that Mr Callaghan may have presented to other young players.[108]

BXJ's mother told us that the process of the investigation and the type of questions she was asked had a 'profound effect' on BXJ.[109] We heard that BXJ 'was not defeated by the abuse, but by the subsequent handling of the matter'.[110]

Our case studies into sport and recreation institutions include instances where managers did not act immediately in response to complaints of abuse and failed to adequately assess and manage risks.[111] These institutions enabled the alleged offender to continue to have access to children and failed to consider other potential child victims. In some instances, we found that an institution's approach to risk management did not strike the right balance between the interests of the child and those of the alleged perpetrator.[112]

'Connell' told us during a private session that he left home in Year 10 to study at an interstate performing arts school. The school billeted students in home stay arrangements with adults. 'Connell' told us he was sexually abused by two men at two different placements. We were told that when 'Connell' told the school counsellor about the abuse, the counsellor dismissed and minimised his experience, saying he just had to 'get used to it'. She told 'Connell' it was part of the life he had chosen and told him to 'go and sort your sexuality out'. She also recommended that since 'Connell' had nowhere else to go, he should ask the perpetrator at his second placement whether he could stay a few more weeks until other accommodation could be found. We were told no assessment of the risks associated with the billeting arrangements was conducted.[113]

In another private session, 'Sandra' told us that her daughter 'Lizzy' was sexually abused by 'Dawsett', a man who was involved with her sporting association and organised overseas trips for young athletes to attend competitions. After 'Sandra' informed the association of 'Dawsett's' inappropriate behaviour, she received a reply from the head of the association stating that 'Dawsett' had been directed not to have face-to-face contact with her daughter. However, 'Dawsett' was able to continue in his role. He also continued to accompany children on overnight trips to competitions and events. A few years later, 'Dawsett' was convicted and sentenced to a term of imprisonment for child sex offences. Neither 'Lizzy' nor 'Sandra' received an apology from the sport's governing body. 'Sandra' said:

> I just feel that organisations should take care of their members more … As a parent I felt betrayed by them. I'd always had great faith in them so I felt as if they not only betrayed me, but they've just done everything the wrong way round like protect the wrong person.[114]

Small sport and recreation institutions

Small sport and recreation institutions face particular challenges in handling complaints of child sexual abuse. Many of these institutions are small businesses with no peak or professional body affiliation, and limited resources and capacity to implement complaint handling mechanisms. We were told that managers of these institutions have struggled to find authoritative guidance on how to handle complaints of child sexual abuse.[115]

For adults associated with small sport and recreation institutions, such as staff, volunteers and parents, making a complaint of child sexual abuse to the institution can be complex. We heard there was often no function for intra-institutional complaint making and limited complaint handling policies, practices and procedures.[116] Small institutions generally consist of closely connected groups of people, which has implications for confidentiality.[117] We were satisfied in our *Centres for performing arts* case study that reports of child sexual abuse were not made in a timely manner or were otherwise hindered because Grant Davies's standing and position within RG Dance intimidated students.[118]

Research we commissioned into institutional culture identified that some institutions were more prone to inadequate complaint handling procedures than others.[119] Smaller institutions might be prone to inadequate complaint handling procedures because of the prevailing organisational culture and informal group dynamics.[120] Administrators of sports clubs, for example, could be reluctant to address complaints about child sexual abuse because doing so requires them to choose between defending the accused coaches and supporting the abused athletes.[121] Responding to such complaints can be perceived as clashing with the values of group cohesion.[122]

4.4.3 Support for those affected by a complaint

In our case studies, we learned that sport and recreation institutions sometimes failed to support victims after a disclosure of child sexual abuse.[123] We were told similar accounts in our private sessions. The impacts of disclosure on victims of child sexual abuse can vary considerably. A supportive institutional response to disclosure greatly helps survivors to manage these impacts.

In our case study into the *Satyananda Yoga Ashram* we heard that a Working Together Taskforce was formed to provide support to the ashram management in dealing with various issues, including the ashram's response to complaints of child sexual abuse.[124] One survivor told us:

> Everything was wrong from my perspective, from the hastily cobbled together apology ceremony to the formation of a taskforce comprising Akhandananda's past supporters … I was angry that the important work of sensitively and comprehensively looking at the needs of victims was delegated away from senior management to well-meaning but uninformed and inexperienced volunteers.[125]
>
> The underlying message is that I am not worth their thoughts, efforts or time, and as a person I am insignificant and forgettable … I have never received any meaningful, comprehensive or unqualified apology from any person in the ashram who represents them at the highest level.[126]

In 2014, the taskforce decided to offer survivors of child sexual abuse at the ashram a 'survivor support pack'.[127] We heard that the pack took 'less than a week to formulate',[128] and that the ashram did not consult or seek to engage with the survivors of abuse.[129] Several of the survivors who had received the survivor support pack told the Royal Commission that they found it unhelpful, patronising and even upsetting.[130] We found that the survivor support pack was ill-conceived and of little or no apparent assistance to the survivors of child sexual abuse.[131]

We heard from survivors who told us that they received little or no support from the institution where the abuse occurred. Institutional staff failed to provide or arrange access to professional support services such as counselling.[132]

In a private session, 'Chanel' told us she was sexually abused by 'Rappel', who was closely associated with her sporting club. 'Rappel' provided food and water during competitions and chaperoned 'Chanel' overseas to compete in sports events. He also referred to himself as the team 'manager'. 'Chanel' believes her parents notified her sporting club after they became aware of the abuse and the sporting club funded a few sessions with a psychologist, but it did not help her. She said, 'I was in a mess for two-and-a-half years … And no one stepped out of their way to support [me]'.[133]

The impacts of child sexual abuse are far reaching. In addition to the victim or survivor, many others such as parents and carers, siblings, and the children of survivors could be affected by the abuse.[134] These secondary victims, as they are often termed, could also require psychological support and counselling. An institution's complaint handling process should reflect the need for secondary victims to be supported following a disclosure of abuse.

In a private session, we heard from 'Virginia' who told us her son was abused by his sports coach. 'Virginia' described how the club failed to support her and her family after she reported the abuse. She also felt threatened by the victimisation she and her son experienced following the complaint. She consequently stopped her son playing sport and moved the family interstate. The coach continued coaching at the club. The abuse had a profound impact on her son, who died of a drug overdose when he was 30 years of age. 'Virginia' told us she remains deeply disappointed that the club never contacted the family to see how they were coping or to offer support.[135]

4.5 Contributing factors to child sexual abuse in the sport and recreation sector

The Royal Commission learned that a number of sport or recreation institutions failed to act appropriately to prevent, identify or respond to child sexual abuse.

Our sport and recreation case studies reveal some common factors in the way institutions failed to protect children from abuse, including cases where the institution compounded the abuse through poor practices or inappropriate responses.

In the case study and private session examples in this section, we aim to show the ways in which institutions created environments where child sexual abuse could occur. The common factors that led to child sexual abuse in sport and recreation institutions include:

- poor leadership, governance and culture
- inadequate policy or guidelines on child safety
- child safety policies not being followed, understood or communicated
- inadequate education, training and communication of policies
- inadequate recordkeeping.

4.5.1 Institutional leadership, governance and culture

Institutional culture consists of the collective values and practices that guide the attitudes and behaviour of staff and volunteers in institutions.[136] A positive child-focused culture can help to protect children from sexual abuse and facilitate the identification and proper response to child sexual abuse.[137] Leaders play a crucial role in creating the tone and culture of sport and recreation institutions. The actions and modelling of leadership, both good and bad, can have profound impacts on the attitudes and behaviour of paid staff, volunteers, families and children.[138]

Unchecked and unaccountable leaders

In our case studies we heard that the professional standing of sports coaches and performance arts instructors facilitated the sexual abuse of the children in their care. Several institutions operated without adequate governance and accountability mechanisms, which allowed these leaders to have great latitude in their contact with, and treatment of, children. Some had such prominent standing in an institution that they were in a position to ignore, intimidate or discredit staff, parents or victims who challenged their behaviour.

RG Dance was established in 2001 by Grant Davies and his sister Ms Rebecca Davies as a family partnership.[139] It was one of the performing arts institutions examined in the *Centres for performing arts* case study.

RG Dance was a highly successful children's dance school in Sydney until May 2013, when Grant Davies was arrested after his wife found pornographic material and sexually explicit messages to a 12-year-old girl on his laptop computer and reported him to the police.[140] He was charged with 63 offences related to child sexual abuse committed over 13 years.[141] In 2016, Davies pleaded guilty to 47 offences and was sentenced to 24 years imprisonment, with a non-parole period of 18 years.[142]

We heard evidence from former students, their parents and former teachers about the culture in RG Dance. It was an intense environment that fostered a focus on winning competitions.[143] It was an environment strongly shaped by Grant Davies's personality. He was well regarded throughout the dance community, particularly by students and their parents. He was described as 'charming, charismatic and funny', 'motivational and very encouraging':[144]

> Grant was a master communicator … He was the type of motivational speaker that could inspire an army … The kids would go beyond pushing their bodies to extremes to please Grant rather than anger Grant. He would say things to them like 'give me 100% plus more' or 'give me something special from deep inside' or 'you're not connecting enough'. Grant would justify his methods by saying, 'it gets results'.[145]

We also heard that Davies had favourites. Later, they would be 'dumped' and his behaviour towards them would become aggressive. One student said he was often angry and changeable and that, if a move or performance didn't go well, he would 'turn sour' and yell at students

or pick on them. The mother of two students described him as 'intimidating' and said that he 'yelled at parents'.[146] The 'dance mums' became intense and over-involved. One witness observed that they 'would do anything to make their kids a star'.[147] A former teacher at RG Dance said that students were 'on a constant emotional roller-coaster'.[148]

The culture of RG Dance was characterised by its:

- Competitive nature and long hours – we heard that Grant and his sister Ms Rebecca Davies often talked about 'wiping out the competition' and being superior to other dance studios.[149] The competitive culture at RG Dance was instilled in the students every day. The flexibility and strength of students were consistently 'pushed'. Students were expected to spend a large amount of time training. If they failed to attend, they would be punished by being taken out of their position in the troupe or taken off stage. Former students gave evidence of the hours they spent at RG Dance; usually between 15 and 30 hours per week.[150] A former student described it as an intense environment where students were commonly pitted against each other.[151]
- Control over students – we heard that students were constantly pushed to practice, had to keep food diaries and stretch journals, and felt pressurised by inspirational photos and quotations.[152] Sometimes Davies or his wife would criticise students for their choice of foods and yell at them in front of the whole class. If a journal was forgotten or if they had not performed their stretches, students would be punished – for example, by being forced to physically hold a stretch for an abnormally long time.[153] Students were shamed over their size and height.[154] Davies and his wife did not accept that being injured or sick was an excuse to miss dance classes. A former student gave evidence of instances where, even with a doctor's certificate, Davies forced her to train and perform.[155]
- Dance uniforms and costumes – a former teacher at RG Dance said the costumes became smaller and smaller, eventually along the lines of briefs or bikini-type costumes.[156] She recalled a student telling her that she had openly expressed in class concerns about the size of the costume: she thought them too revealing and uncomfortable when menstruating. Grant Davies told the girls to 'get Brazilians' and that females could choose to 'get [their periods] fixed by a doctor'.[157] Another student said that the uniforms just covered the students' private parts. RG Dance had a rule that during performances the students could only wear a G-string if they wore underwear at all. This rule applied to all children competing, even to those as young as four years of age.[158]
- Choreography – we heard evidence that an 'RG mount' involved standing with your crotch facing the audience and then tilting sideways so that the hips are hyper-extended and the groin is essentially protruding: an unorthodox move, performed *en face,* meaning facing the audience. Ms Rebecca Davies did not accept that RG Dance specialised in *en face* choreography. She did accept that she taught the position where the student's leg would hyper-extend to 'go over' and that during one '14 and under' performance an adjudicator wrote on the report, 'too much sexuality' and 'totally inappropriate'. Ms Davies was not sure if this referred to the costumes or the choreography.[159]

RG Dance had no child protection policies, procedures or practices during its entire operation.[160] The absence of any benchmark or framework to assess and potentially limit Davies's inappropriate behaviour, combined with the institutional culture at RG Dance, made it more difficult for students, parents and teachers to challenge Davies's behaviour.[161]

Students groomed and sexually abused by Davies spoke of him as being 'like a big brother' or a 'father figure'.[162] This engendering of a sense of intimacy is a significant aspect of the students' and parents' experience in this case study. It is a common feature of grooming in all institutional settings.

Students and parents felt a strong desire to succeed in dance and feared that non-compliance with Davies's demands would have a negative impact on students' dance careers.[163] A mother who was subsequently convicted of offences relating to producing, possessing and distributing child abuse materials relating to her daughters for Davies's use stated that Davies 'promised to turn her daughters into "stars"'.[164] The case study involving RG Dance exemplifies the potential for a person in a leadership position in the performing arts to exploit their power. It also highlights the effect that a highly competitive environment can have, leading to a climate in which the pursuit of success may compromise the safety of children.

Pursuit of excellence at any cost

In our case studies we heard of poor leadership where people in positions of power were motivated by the pursuit of success. This form of leadership is one that encourages winning over the wellbeing of children. We heard of instances where an institution's commitment to success meant a lack of vigilance for, or challenge to, the inappropriate behaviour of a highly valued instructor or coach. This is consistent with research into child abuse and child protection in sport and recreation institutions.[165] The research indicates that some sport and recreation institutions can be particularly driven by results and overlook potential harms in the pursuit of excellence.[166]

In our *Swimming Australia and the DPP* case study we heard that Mr Scott Volkers, a high-performance head coach at an elite swimming institution, was allowed to keep coaching at the Queensland Academy of Sport despite not having a Working With Children Check.[167] In 2008, Swimming Queensland inducted Mr Volkers into its Hall of Fame in recognition of his outstanding contribution to the sport of swimming.[168] In mid-2008, Mr Bennett King, Executive Director of the academy, introduced a new policy requiring all staff to have a working with children clearance or blue card.[169]

The academy applied for a blue card on behalf of Mr Volkers, together with applications for some 59 other staff. The Queensland Commission for Children and Young People and Child Guardian (CCYPCG) issued blue cards for all other academy staff applicants. It expressed concern about Mr Volkers's suitability to work with children, based on police information relating to prior allegations of child sexual abuse. Ultimately the CCYPCG did not process Mr Volkers's application on jurisdictional grounds. From July 2008, Mr Volkers was the only coach employed by the academy who did not have the required blue card.[170]

In explaining the decision to retain Mr Volkers's services, Mr King indicated that he was kept on because he was a strong coach:

> I was attempting to try to work with the sport of swimming to try to ensure that coaching remained strong within Queensland and that there continued to be a coach mentor for coaches in Queensland.[171]
>
> … I was advised through my upper management that it was in swimming's best interests to keep him employed.[172]
>
> … I made the decision to keep him employed because he was good for Swimming Queensland and for the coaches.[173]

In our *Centres for performing arts* case study we heard evidence of the experience of CAA, a survivor of child sexual abuse perpetrated by Victor Makarov, the head of the Australian Institute of Music's (AIM) piano department. Makarov was an internationally renowned pianist and teacher.[174]

CAA told us how Makarov had 'free rein', and he was able to teach whenever he wanted, pick students he wanted to teach, and 'answer to no one'.[175] CAA observed that Makarov would often behave in an unusual and strange manner but because he 'brought AIM so much business, it would have been suicide for them to get rid of him'.[176] CAA also told us that Makarov's behaviour was tolerated because that was the price of success:

> Makarov seemed to be accepted at AIM and by parents as a 'mad genius'. People were scared of him but they put up with him because of his success. If you played with him, you were bound to become a success or you were bound to quit.[177]

On learning of CAA's allegations of sexual abuse against Makarov, the Principal of AIM, Dr Raffaele Marcellino, contacted the NSW Ombudsman and was advised that the police must be notified. On 13 February 2004 he spoke with Ms Linda Nilsson from Chatswood Joint Investigation Response Team, who advised that a police investigation would occur. She also expressed concern to Dr Marcellino that Makarov was continuing to teach at AIM. Later the same day Dr Marcellino contacted Detective Sergeant Lyn Marshall, who gave him details of 10 other allegations of aggravated sexual assault and 30 allegations of aggravated indecent assault. DS Marshall urged Dr Marcellino to consider suspending Makarov.[178]

Dr Marcellino stressed to the investigative authorities that Makarov was irreplaceable.[179] He contended that despite the allegations, Makarov should not be suspended because he would take his students with him and that this would hurt AIM financially:

> Dr Marcellino indicated that Professor Makarov is just not another teacher who could be replaced. If he was suspended the piano department would cease to operate and Professor Makarov's students would have to leave the institute to study with him privately. Dr Marcellino stated his belief that the students were safer at the institute where Professor Makarov was being supervised and that suspending Professor Makarov would have significant financial implications for the institute.[180]

Despite being advised in April 2004 by the Senior Risk Assessor in the Employment Screening Unit of the NSW Department of Education and Training (DET) that Makarov was rated as posing a high level of risk, AIM did not suspend Makarov.

In May 2004 Makarov was charged with numerous offences of child sexual abuse, including charges relating to offences at AIM. Dr Marcellino was advised by police that under Makarov's amended bail conditions, he had to be supervised by a parent or someone authorised by a parent. This was facilitated, but Dr Peter Calvo, the Director of AIM, continued to employ Makarov. Dr Calvo gave his reasons for not changing AIM's risk assessment as being that 'in so far as the courts are concerned, this man has his liberty … it is not for [AIM] to judge where there is no evidence – that is to say admissible evidence – in front of a court of law, to condemn him'.[181]

We were satisfied on the evidence that in May 2004, AIM's decision to permit Makarov to continue to teach did not adequately take into account the fact that DET had assessed him as posing a high level of risk to children and that further criminal charges relating to child sexual abuse (in addition to the charges relating to CAA) had been laid. By May 2004 AIM should have suspended Makarov. In not doing so, it did not take proper steps to protect the students of AIM.

On 7 July 2004, Dr Marcellino was advised that Makarov had requested leave from AIM. Leave was granted.[182]

Protection of reputation as a primary concern

Our case studies into sport and recreation institutions also provide insights into the ways in which leaders may fail to adequately protect the safety of the children in their care, choosing instead to protect the reputation of their institution. We heard that leaders failed to take action to investigate, report and communicate regarding inappropriate behaviour of members, both within the organisation and external to the organisation. Our research into organisational cultures shows that leaders can be motivated to protect the institution from legal action or negative publicity following disclosures of abuse.[183] In some instances, institutional leaders have responded to disclosures of child sexual abuse in such a way as to minimise reputational damage and adverse legal consequences, even though this resulted in poor responses to abuse.[184]

In our *Scouts and Hunter Aboriginal Children's Service* case study we found that the response of Scouts Australia NSW to concerns about the behaviour of one of its members, Steven Larkins, Assistant Scout Leader, was influenced by a desire to protect the institution's reputation.[185]

Scouts Australia NSW was first made aware of Larkins's inappropriate behaviour in 1994, when a complaint was made that he had slept in a tent with a young boy while on a Scout activity.[186] Larkins was 'stood down' from the First Stockton Scout Troop. This action was ineffective because it was not recognised by other Scouts leaders as an indication that Larkins should not be in charge of young Scouts. After being stood down, he joined the Scouts in the town of Raymond Terrace in the Hunter region of NSW, where he went on to become a district leader.[187]

In 1997, Scouts received a further complaint concerning Steven Larkins's actions at the Stockton swimming pool, where he was alleged to have approached children offering to buy them lollies and asking them to join Scouts. The Group Leader of Stockton Scouts reported the incident to police and to a senior Scout member.[188] Mr Allan Currie, Scouts Regional Commissioner of the Hunter and Coastal Region of NSW, asked Mr Peter Elliot, the Regional Commissioner (Youth Programs), to investigate the matter. Mr Elliot did not speak to the police. From internal Scout inquiries, Mr Currie discovered reports of other disturbing behaviour involving Larkins and young Scouts.[189] Larkins was subsequently issued with an 'official warning' in a letter drafted by Mr Currie. A copy was placed on a paper file to which few people had access.[190]

In the letter, Mr Currie wrote that the attention resulting from the incident at Stockton pool was something that the Scouts could do without and emphasised the importance of the institution's reputation:

> This type of publicity as you would well realise is something that we in the Scouts Association can well do without. The Stockton Group are at present running in damage control mode and it may be very difficult for them to get the local community back on side … One of my responsibilities as Regional Commissioner is improving our public image and I must do what is necessary to keep our good name.[191]

We found that the 'official warning' against Larkins was not effectively recorded or communicated to those who were responsible for appointing and supervising leaders in Scouts Australia NSW. We also found that Mr Currie was influenced by his desire to protect the reputation of the institution.[192] As a consequence, Larkins remained able to be in the company of young Scouts with no other adult present.[193]

In August 2011, Larkins was charged with 19 offences related to the abuse of children at Scouts and other institutions. In July 2012 Larkins pleaded guilty to two charges of aggravated indecent assault, three charges of possessing child abuse material and three charges related to dishonesty offences.[194]

Cultures of physical abuse and bullying

Survivors of child sexual abuse told us about sport or recreation institutions that encouraged or condoned institutional cultures of abuse and bullying. These cultures, including 'macho' cultures, can be expressed as, for example, physical aggression or verbal aggression, and involve the use of sexualised language and homophobic taunts.[195] Commissioned research suggests that these macho cultures can condition participants to behave aggressively towards peers and to tolerate harsh treatment.[196]

Abusive institutional cultures can develop when leaders and other adults do not challenge bullying behaviour. In some instances they may encourage the behaviour or respond with leniency and humour.

In a private session, 'Neilson' told us about his experience of a local surf club that had a 'blokey culture' where everyone looked up to the 'elite, alpha males'. During his time at the club, 'Neilson' told us he was sexually abused by his squad leader who was one of the alpha males and had the respect of the club. We were told the squad leader promoted the 'chewgun' as a practice to be used within the club as a punishment for boys who 'mucked up' or talked out of turn. A chewgun involved one club member biting a buttock of the victim, who was held down by other squad members.[197]

We were told 'Neilson' was the victim of a chewgun on two occasions. On the first occasion, the chewgun was performed by the squad leader; on the second, it was performed by one of his peers who had been ordered to do it by the squad leader. On another occasion, the squad leader demanded that 'Neilson' give a chewgun to another squad member. 'Neilson' tried to resist but was threatened with a chewgun himself if he did not comply. Under extreme duress he acquiesced. We were told that chewguns were quite frequent, and that the club leaders were aware of the practice because 'Neilson' had heard them use the term 'chewgun' on many occasions.[198]

Institutional leaders who condone or promote behaviours of bullying can encourage bullying to spread throughout the institution, including among the child participants. Models of behaviour set by adults can become the norm and be replicated by those who look to these adults for leadership. In one of our private sessions, we were told that the leader of a Scout group was aware that young members were being sexually abused by a gang of older boys, as part of the young boys' 'initiation'. 'Ern' told us that when the Scout leader walked in on the abuse, 'he knew what was going on. He said, "I'll let you do what you have to do" and then walked out'. We were told normal camp activities resumed after these 'initiations'.[199]

4.5.2 Institutional policies and procedures

In our case studies we were told about a range of sport and recreation institutions without adequate child protection policies. Some institutions lacked policies and procedures for reporting and responding to abuse. Others had policies and procedures but they were not followed or understood by staff and volunteers. In some cases, parents, carers and children had no knowledge of an institution's policies and procedures or who to make a report to. Some sport or recreation peak bodies did not provide appropriate guidance and support to member clubs.[200]

A child safe policy or governance framework outlines an institution's commitment to safeguard children from harm and provide children with experiences of sport that are safe, fair and inclusive.[201] Child safe policies and procedures should be championed and demonstrated by institutional leaders. Further, policies and procedures must be understood by parents, volunteers and staff to help them prevent and respond to complaints of child sexual abuse.[202] A lack of policy, and a lack of understanding of how to implement policy, can promote poor practices and ultimately compromise child safety.

In our *Centres for performing arts* case study, the Australian Institute of Music (AIM) did not develop a policy for preventing or responding to child sexual abuse until 2004, when it became aware that one of its employees had been subject to complaints of child sexual abuse.[203] AIM's policies at the time concerned only academic misconduct and plagiarism.[204]

At the time that AIM became aware of the complaints of child sexual abuse, AIM was required to comply with the New South Wales reportable conduct scheme, administered by the NSW Ombudsman under Part 3A of the *Ombudsman Act 1974* (NSW). The scheme required AIM to have systems for preventing, handling and responding to child abuse allegations or convictions against employees of the agency.[205]

AIM's failure to have child protection policies and procedures for handling complaints compromised the institution's ability to adequately respond to allegations of child sexual abuse. AIM's failings included:[206]

- allowing an alleged perpetrator to continue teaching despite being charged with a series of offences against AIM students
- providing inadequate information to the NSW Ombudsman to help its investigation of AIM's response to the allegations of child sexual assault
- not ensuring that effective systems were in place to report and respond to child sexual abuse allegations against employees
- failing to have written policies and procedures on responding to child sexual abuse allegations and to provide regular and effective training to AIM employees.

We also heard AIM did not offer counselling to the students who alleged that they were sexually assaulted.[207]

In early 2005, AIM worked with the NSW Ombudsman to develop procedures and staff training on reportable offences.[208] In 2016, AIM had adopted policies and procedures on child protection, handling and reporting complaints, and conduct of investigations, including the:

- New South Wales Government's *Mandatory reporter guide*[209]
- AIM Senior Secondary College critical incident policy, which outlines AIM's key responsibilities in responding to and following up on critical incidents such as sexual assault. The policy is reviewed every three years or when prompted by information or an incident that would warrant a review, such as legislative or organisational change[210]
- AIM Senior Secondary College *Operations manual 2014/2015 – Child protection and student welfare*, which sets out preventative measures as well as guidelines for reporting and responding to allegations, managing risks and conducting investigations.[211]

The Executive Dean at AIM, Professor Ian Bofinger, reflected that AIM's response to complaints of child sexual assault did not get the balance right between the interests of a student alleging child sexual abuse and those of the alleged perpetrator.[212] Professor Bofinger explained that the intent of AIM's current child safety policies and procedures is to ensure that if allegations of child abuse were made in future, 'the approach would be to make sure everyone is investigated fairly and supported fairly'.[213]

In a private session, 'Madelyn' told us of her experience of being victim to child sexual abuse and her desire to help protect other children as well as her own from future abuse. 'Madelyn' was a martial arts athlete who was abused by her trainer. It took her until much later in life to realise what happened to her was wrong.[214]

'Madelyn' retained her interest in martial arts into adulthood and she noted that to the best of her knowledge the sport had no child safe policies. 'Madelyn' considered that the physical contact required between combatants, and between coaches and students when training, could make children vulnerable to abuse. 'Madelyn' believed that the sport should be more proactive in taking practical steps to promote children's safety.

As a survivor, 'Madelyn' had a keen desire to ensure that her children were safe before signing them up to a sport or recreation activity. She noted that this desire had not always been well received and had been met with some institutional resistance. Some clubs, volunteers and other parents have viewed her as being overprotective.[215]

4.5.3 Not following child protection policies

We heard of instances where child protection policies were not followed, despite the fact that the sport or recreation institution had a policy or guideline. Many factors can influence the failure to implement policy, for example: policies are not understood; the institution has a culture where policies are seen as unimportant and are routinely flouted; or policies are not clearly communicated to staff and volunteers.[216] A consequence of implementation failure is that children are not protected and their risk of harm is increased.

The *YMCA NSW* case study provides an example of staff of an institution failing to adhere to clear child protection policies. YMCA NSW is a large provider of sport, fitness and aquatics, camping, childcare and other children's services in 113 locations across New South Wales and the Australian Capital Territory.[217]

The YMCA NSW Caringbah centre had clear policies prohibiting the inappropriate touching of children, including children sitting on staff members' laps.[218] Despite this, several YMCA Caringbah childcare staff observed their colleague Jonathan Lord (later convicted of child sexual abuse) sitting with a child on his lap or inappropriately touching a child, in clear breach of the policies.[219] One of Lord's colleagues told us that there was an informal culture where policies were not followed:

> At that point, everything was so informal – the policies weren't being followed … and people were having kids on their laps and it just – I didn't think anything out of the ordinary.[220]

We heard that staff did not comply with a policy that forbade them from providing care to children from YMCA Caringbah off-site. In evidence, a former employee of Lord's stated:

> I knew there was a policy against babysitting kids from the centre, but everybody used to do it including Jacqui [the relevant manager at the time], myself and other people I knew. There was no attempt to keep it a secret, people would talk about it openly. I think that Jacqui would have known that John [Lord] was babysitting, possibly for free, on the weekends, although I can't be sure.[221]

We found that YMCA NSW did not ensure that all its Caringbah staff were aware of, or understood, policies relating to photography, mobile phones and other electronic devices.[222] For example, YMCA NSW policy forbade the use of mobile phones.[223] Yet on several occasions Lord used his mobile phone at work to contact children as a way of grooming them for the purposes of sexual abuse. Other staff observed this conduct but did not take any action. Lord's breach of the policies was not reported or disciplined.[224]

We found that the way the abuse occurred at YMCA Caringbah called into question the child safety practices of YMCA NSW. In *Case Study 47: Institutional review of YMCA NSW (Institutional review of YMCA NSW)*, we heard evidence of remedial action by YMCA NSW to address the issues examined in our earlier *YMCA NSW* case study and build a child safe institution (see Section 4.6).

In a private session we heard from a father, 'Michael',[225] who told us his daughter 'Jane' was sexually abused at a local recreation club. We were told the perpetrator was an adult male member of her club. 'Michael' told us that although the club had policies and operating protocols, they were not widely circulated, explained or understood. He observed that during induction, new members were not specifically trained on the behaviours expected of them. He added that the club's policies were not subject to review or assessment, but did note that at a local grassroots club there is limited ability to do so. 'Michael' said there is a gap between the stated protocols and how things are actually done. We were told that during induction processes there was little to no explanation of basic principles and the club relied on volunteer members to inform themselves.[226]

4.5.4 Education, training and communication of policies

Sport and recreation institutions with national or statewide reach may have centralised child protection policies that filter down to the local level, as described in Chapter 2.[227] A challenge for peak sport and recreation institutions is to ensure that their child protection policies and child safety information materials are communicated and understood among all member clubs and associations, particularly at the local grassroots level and in a context where there is a high turnover of personnel.

In our *Swimming Australia and the DPP* case study, we learned there was a breakdown in communication and dissemination of child safety information between the peak bodies of Swimming Australia and Swimming NSW, and one of its member clubs at Scone in NSW. Scone Swimming Club is a local club run by volunteers.[228] It is a member of Swimming Australia through its affiliation with Swimming NSW. To be affiliated with a state association, local swimming clubs must agree to be bound by Swimming Australia's policies and procedures.[229] In early 2014, the club became aware that one of its former coaches had been convicted after pleading guilty to indecent assault on a child under 16 years relating to two complainants.[230] The former coach was convicted in December 1994.[231] The assaults occurred in the mid-1980s.[232]

Being made aware of a prior case of child sexual assault caused the club to review its child safety strategy.[233] We were told that the club did not have a dedicated child protection policy before 2014,[234] but did have a policy that required club volunteers to fill out a prohibited person declaration form.[235] In 2002, Swimming Australia introduced its Child Welfare Policy.[236] The Scone Swimming Club was bound by Swimming Australia's Child Welfare Policy. We heard evidence that the club did not formally adopt Swimming Australia policies and procedures about child welfare until June 2014.[237] These policies were identified from the Swimming Australia website.[238]

The club's President, Ms Joanne Wright, gave evidence that since becoming president of the club there had been no regular communication between the Scone Swimming Club and Swimming Australia or Swimming NSW. Ms Wright did not know who to approach in those organisations if she needed to.[239] Ms Wright indicated that it would be helpful for the club to receive training from Swimming Australia and Swimming NSW about its child protection policies and to have a contact person in those organisations.[240] She said in evidence:

> [I] think it would be highly beneficial to the club to have a contact and to have some training so that there is an understanding. Our committee members bring a number of different skills to the table in relation to what types of jobs they do, because we are volunteers, so most of us have other forms of employment. So, providing training in this area I think would be highly beneficial.[241]

In the *YMCA NSW* case study we found that the organisation did not follow its recruitment, screening and training processes in hiring Lord.[242] The YMCA Safeguarding Children Policy 2006 required YMCA NSW, in employing Lord, to:

- discuss whether he had previously been the subject of an employer investigation or been charged with a criminal offence involving children[243]
- contact his current and most recent employer for suitability and screening processes[244]
- conduct a minimum of three verbal referee checks and document the results of those checks[245]
- obtain from the applicant a current police check or carry out a police check along with the state-legislated working with children screening requirements.[246]

We found that YMCA NSW failed to comply with the policy requirements and failed in its responsibility to sufficiently train its staff to comply with the recruitment and screening aspects of the policy.[247] We further found that had YMCA followed the recruitment and screening procedures in the policy, it is likely that Lord would not have been employed.[248]

YMCA NSW also failed to comply with the Working With Children Check requirements at the time.[249] When YMCA NSW employed Lord, Part 7 of the *Commission for Children and Young People Act 1998* (NSW) required employers to carry out background checks on 'a preferred applicant before employing them in primary child-related employment'.[250] We found that Lord began work on 25 August 2009 as a casual childcare assistant, yet YMCA NSW did not request a Working With Children Check until 15 September 2009.[251] This represented a breach of both the Commission for Children and Young People Act[252] and the YMCA Safeguarding Children Policy 2006 which required that a Working With Children Check be undertaken in accordance with relevant state/territory legislation.[253] Lord's case was not an isolated incident. We found that several of his colleagues did not have Working With Children Checks when they began work at YMCA NSW.[254]

In the *Swimming Australia and the DPP* case study, we found that Swimming Australia did not conduct or even consider screening Mr Scott Volkers when he applied for, and was appointed to, the position of Women's Head Coach in September 2002. In March 2002, prior to his application for the Women's Head Coach position,[255] Mr Volkers had been charged with indecent treatment of girls under the age of 16 years in relation to two complainants.[256] The charges were dropped the day after Mr Volkers's application. Mr Glenn Tasker, CEO of Swimming Australia, sought legal advice and was told that this meant Swimming Australia could accept Mr Volkers's application. His application was successful and he was appointed Women's Head Coach.[257]

Clause 6.4 of the Member Protection Policy stated that 'screening' was mandatory for 'coaches who are appointed or seeking appointment' by Swimming Australia. In addition, the policy provided that screening was highly recommended but not mandatory where a person seeking appointment was likely to have contact with competitors under 18 years of age but where that contact was supervised at all times by another adult.[258] Mr Tasker gave evidence that although the interview panel raised the charges with Mr Volkers they did not ask him about the details of the allegations and did not invite him to tell the panel about the nature of the allegations.[259] Further, the panel did not make any reference to clause 6.4 of the Member Protection Policy in its decision to appoint Mr Volkers.[260]

Mr Tasker explained that while Swimming Australia recognised that there would potentially be athletes on the team under the age of 18, they believed that 'between 85 and 95 per cent of the team would be adults' and the 'assumption [was] that he would be working with adults'.[261] Swimming Australia submitted that Mr Volkers's role was administrative and technical in nature, and the chances of Mr Volkers 'finding himself alone with a swimmer were practically nil'.[262] Swimming Australia submitted that, for those reasons, the screening of Mr Volkers was more likely to fall in the highly recommended category than the mandatory category.[263]

We found it difficult to accept that submission but accepted Swimming Australia's concession that the difference probably did not matter in this case. Regardless of whether the screening fell within the mandatory or highly recommended category, we found that no screening of Mr Volkers was conducted or even considered.[264]

In the *Sporting clubs and institutions* case study we heard about a small cricket club located in rural Queensland. It is a club with limited resources and run entirely by volunteers. It is affiliated with Queensland Cricket.[265] One of the club's administrators explained that its remote location made it difficult to establish and maintain a close working relationship with its peak body.[266]

4.5.5 Recordkeeping and information sharing

The case studies of this Royal Commission provide insights into the ways in which accurate recordkeeping and information sharing can mitigate the risks of child sexual abuse. Recordkeeping for the purposes of preventing child sexual abuse includes documenting allegations of misconduct, and storing and distributing this information to relevant recipients.[267]

In our case studies, we heard about sport and recreation personnel who did not appropriately record or share information in a timely and effective manner.[268] We also heard from leaders of sport and recreation peak body associations who explained that many sport and recreation institutions have limited or no recordkeeping and information sharing practices.[269] We heard about the consequences of this lack of record keeping and information sharing, such as perpetrators being able to continue their involvement with an institution, or move to another institution and continue to abuse children.[270]

Sector representatives reported that they faced challenges in storing information and sharing it between affiliated parts of their institutions,[271] partly because many of their personnel were volunteers.[272] We heard that when an institution was small and unaffiliated, such as a small business or a sole trader providing tuition, there were no conduits for sharing information within the organisation or across the sector.[273]

In our *Sporting clubs and institutions* case study we heard about the inadequate processes for sharing information throughout the various institutional tiers of Tennis Australia.[274] We heard from Ms Anne West, Manager of Business, Compliance and Risk at Tennis Australia. She said that in 1999 – when Tennis Australia received notification from Tennis NSW of allegations against tennis coach Mr Callaghan[275] – there was no central register where this information was recorded. However, we were told that in about 2010 a central register was established, which records information about members and affiliates of Tennis Australia, and is now maintained by Tennis Australia.[276]

Ms West said that there were challenges in obtaining information for the central register. She said that 'the biggest challenge we [in] sport have … is [information is obtained] either through the rumour mill, the newspapers, or somebody just comes to us with some information'.[277] She said that there is no formal process for requiring the state affiliates or any affiliate of Tennis Australia to provide information to them.[278]

In the *Scouts and Hunter Aboriginal Children's Service* case study we heard about Steven Larkins, Assistant Scout Leader, who was 'stood down' in response to a complaint that he had slept in a tent with a young boy while on a Scout activity.[279] At the time of the complaint Larkins was a Scout Leader of the First Stockton Scout Troop.[280] The decision to stand down Larkins was made by the Area Team, a collection of Scout leaders from the Hunter and Coastal Region in New South Wales.[281] The Area Team resolved to communicate its decision to all Scout groups in the area.[282] That same month, Larkins joined the Scout troop at First Raymond Terrace.[283]

We learned that the group leader of Larkins's new troop was unaware of the detail of the complaint and was of the belief that the complaints were not serious enough as the Area did not take Larkins's leader's warrant away from him.[284]

In 1997, Mr Allan Currie, Scouts Regional Commissioner of the Hunter and Coastal Region of NSW, gave Larkins an 'official warning' and removed him from 'face-to-face' contact with young Scouts after he was seen at a public pool buying sweets for children and asking them to join the Scouts.[285] Mr Currie admitted in evidence that Larkins could still attend major Scout activities without permission.[286] Mr Currie also gave evidence that the warning was not recorded on Larkins's member report. He believed that the official warning would have been placed on a paper file similar to a personnel file.[287] Mr Currie agreed that fewer people had access to this file.[288]
We found that the official warning of Larkins by Mr Currie was ineffective, as Larkins was able to be in the company of young Scouts with no other adult present. We considered that recording the suspension on the personnel file only was inadequate because the information was not available to everyone in Scouts who was responsible for supervising Larkins. We found that Scouts should have, but did not, permanently record Larkins's suspension on his member record.[289]

The storing and sharing of sensitive information present particular challenges for the sport and recreation sector. The kind of information to be stored and shared can include details about children, including children's harmful sexual behaviours as well as health or counselling information. It might also include information about adults who could pose a risk to children, such as criminal history, employment history, and information about untested and unsubstantiated allegations.

There are questions about whether this information can, or should, be managed by volunteers. There are issues of capacity, including whether volunteers are appropriately informed or trained to document, store and receive information of a sensitive nature. Sport and recreation institutions are not homogenous, and a significant number are volunteer based. The capacity to maintain adequate recordkeeping practices can be restricted by resourcing constraints, high volunteer turnover, confusion about applicable laws on information exchange, and a lack of support and guidance.

The Office of the Children's Guardian in New South Wales noted that:

> current information sharing arrangements [in NSW] include the majority of child-related sectors in NSW, however they do not extend to smaller, unaffiliated institutions in the 'clubs and other bodies' sector. This is the second largest employer of paid and unpaid workers in NSW and 64 per cent of people engaged in child-related work in this sector are volunteers.[290]

There can be risks in storing and sharing information in small sport and recreation institutions, including those that are predominantly staffed by volunteers. The collection of sensitive material in these institutional types can be particularly problematic in small communities where everyone knows each other. Volunteers rotate through sport and recreation organisations, taking on positions of responsibility, only to be replaced by others after short stints. In these instances it can be difficult to maintain the privacy and security of information. An inability to appropriately secure and limit information sharing to relevant institutional personnel may create more problems than it solves.

The NSW Office of the Children's Guardian noted that sporting and recreation institutions 'have not been established for the purpose of providing child protection or child welfare services and are therefore unlikely to have the necessary skills or expertise to analyse information of a child protection nature'. They noted the complexities of identifying risks to children, and the additional long-term investment in education and training that would therefore be required to support implementation.[291] Similarly, the New South Wales Government submitted, 'Consideration should be given to whether these bodies have sufficient regulatory and oversight systems in place and are adequately supported to participate in an inter-jurisdictional scheme'.[292]

Privacy legislation places restrictions on the sharing of personal information.[293] All jurisdictions have legislative and administrative arrangements to enable information sharing to protect children, but they are limited in several ways, including in relation to information exchange across state and territory borders.[294] The storage and sharing of personal information raises concerns about privacy. Sharing information related to untested or unsubstantiated complaints can also raise concerns about fairness. We discuss these concerns in Volume 8, *Recordkeeping and information sharing*.

In Volume 8, we consider current arrangements for recordkeeping and information sharing across a range of institutional contexts, including in the sport and recreation sector. We also set out our recommendations for reform to improve recordkeeping and information sharing, which are also discussed in Chapter 5.

4.6 Child safe measures developed in response to our work

Our case studies and public information about the child abuse cases revealed by our inquiry have raised awareness about child sexual abuse throughout institutions and the wider community. In response, some institutions have taken specific actions to address or respond to findings about their institutional failures, and other sport and recreation institutions have taken action to prevent child sexual abuse.

In our *Institutional review of YMCA NSW* case study, we heard YMCA NSW made significant changes to its organisational structure and governance to change the organisation's culture and achieve a strong focus on child safety throughout its operations.[295] Ms Janise Mitchell, Director of YMCA NSW, stated that cultural change could be a long and difficult process for institutions.[296] She noted that cultural change is a journey:

> I think one of the things that has been important in the transformation process for [YMCA] New South Wales is the congruence from the board down to the operational level and that any weaknesses at any level pose a threat to the robust nature of what it is we're trying to achieve. I think whilst we talk about policy, it really is culture and it's a major change management piece.[297]

Ms Mitchell also stated:

> The big thing is visible leadership, that people know who I am, people know who the child protection manager is, and it's actually being in the service and being able to ask the hard questions and also have people ask you the hard questions. It's also about, again, that external view in. Part of the Australian Childhood Foundation review was looking at the culture, that people felt comfortable to escalate, people felt that they were being trained and people understood what safeguarding was.[298]

We heard YMCA NSW has created important positions, including a Child Protection Manager, and appointed new board members, including one with expertise in child protection.[299] We were told YMCA NSW is also improving its approach to staff training, supervision and recruitment.[300]

Similarly, in *Case Study 48: Institutional review of Scouts and Hunter Aboriginal Children's Service*, we heard Scouts Australia NSW established a dedicated child protection team, introduced more rigorous screening processes, and revised its child safety policies based on the Royal Commission's 10 Child Safe Standards.[301] The General Manager of Scouts Australia NSW, Mr Andrew Smith, gave evidence that since his appointment in May 2016 he has reviewed active case files concerning allegations of child sexual abuse. He also noted that the organisation was in the final stages of selecting an external provider to independently audit policies, procedures and practices for handling allegations of child sexual abuse.[302] However, he gave evidence that there had not been a formal root-cause analysis done in relation to allegations of child sexual abuse in the organisation.[303]

In our *Sporting clubs and institutions* case study, we learned that the Australian Sports Commission is establishing a National Safeguarding Children in Sport Strategy (NSCSS).[304] The NSCSS will include a strategic framework to assist National Sporting Organisations better protect children in their sport. The NSCSS will be supported by tools and resources to help local sports clubs, parents and young people.[305] The framework will:[306]

- build a commitment to child safety
- improve education and awareness of child abuse
- engage parents and children in the continuous improvement of policies and procedures.

The Australian Olympic Committee (AOC) was one of a number of sport and recreation institutions to give evidence to the Royal Commission about its child protection policies. According to Mr John Coates AC, President of the Australian Olympic Committee, the prevention of child abuse in sport must be raised to the same level of importance as doping:

> It needs to be elevated to the same degree of seriousness as doping. That's the way. Every sporting organisation in Australia has to comply with the World Anti-Doping Code, whether they get government funding or not.[307]

Soon after its appearance before the Royal Commission, the AOC amended its Team Selection By-Law to require that all Australian Olympic sports adopt and implement a member protection policy, with which they must conform and comply as a condition of their athletes participating in future Olympic Games.[308]

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5 Creating child safe sport and recreation environments

5.1 Overview

Children and families engage with sport and recreation activities because of the many benefits that come from participation in physical and cultural activity. As outlined in this volume, sport and recreation institutions can play an important role in the prevention and detection of child sexual abuse by adults and children displaying harmful sexual behaviours. Because of their large and broad audience and prominent place in the community, they present an opportunity to raise awareness about the importance of child protection and to promote child safety.

In earlier chapters, we described the sport and recreation sector in Australia and detailed what we have learned about the nature and extent of child sexual abuse in these institutional settings and the impacts of abuse on children and their families. We also examined the common failures of institutional responses, including the barriers to identifying and disclosing sexual abuse in sport and recreation institutions.

This chapter sets out a framework for change. Our recommendations for improving the safety of children in sport and recreation institutions outlined in this chapter have been informed by public hearings, information provided by survivors of sexual abuse, consultations with stakeholders, and our commissioned research. They seek to address the risks we described in Chapter 3 and the failures of institutional responses and contributing factors to abuse identified in Chapter 4. The recommendations in this volume build on and supplement recommendations made elsewhere in this Final Report, particularly in Volume 6, *Making institutions child safe*, Volume 7, *Improving institutional responding and reporting* and Volume 8, *Recordkeeping and information sharing*, which discuss ways to make institutions safer for children, and our *Redress and civil litigation* and *Criminal justice* reports.

Our recommendations aim to support children, parents, paid staff, volunteers and other stakeholders to access appropriate resources and tools so they can provide the safest environments for children participating in sport and recreation.

5.2 Initiatives to improve children's safety

The Royal Commission has developed a national approach to preventing child sexual abuse, underpinned by 10 Child Safe Standards. The implementation of the standards, discussed in this section, aims to achieve consistent practices and cultural change in sport and recreation institutions across Australia.

A national approach would have many benefits for the sport and recreation sector, given the sector's many and varied institutional types and personnel. It would clarify child safety obligations and promote consistency in child safety practice.

Stakeholders we consulted from the sport and recreation sector supported a nationally consistent approach to child safety.[1] They told us that there is a high level of willingness to improve child safety among the institutions and services that make up this sector.[2] They explained that they are keen to follow nationally endorsed policies and practices, and that consistency of practice would assist them to understand their obligations.[3]

Sport sector stakeholders identified child safety and the prevention of child sexual abuse as high priorities.[4] This is consistent with views expressed in a research project, *Safeguarding children in sport: A national blueprint to build the capacity of sport to protect children and young people from abuse, harm and exploitation*:

> The themes generated by the project first and foremost highlighted that there was a clear agreement across all stakeholder groups that the protection of children from any form of harm arising from abuse and exploitation is an absolute priority. Protecting children is at the core of the value base and mission of Australian sport. It is also perceived to be vital in continuing to grow participation rates at a time when there are other types of activities competing to reduce sport's share of the audience of children and young people.[5]

There is considerable work ahead if child safety knowledge, information and practices are to be embedded across the sport and recreation sector.[6] Stakeholders told us that current approaches to child safety are piecemeal and that consistent messages are required to remove confusion and guide practice across institutions.[7]

Clear national guidance is needed and sport and recreation institutions must understand their obligations. Some institutions have developed their own child safety policies and mechanisms in the absence of other guidance. Some institutional policies and practices have been guided by a peak body; however, some institutions have not developed any child safe policies and practices.[8] We know that there are online resources that are appropriate to guide child safe practices in sports clubs, although not all clubs or recreational businesses are aware of their existence.

The purpose of a national approach is to ensure that the child safety messages reach the most important audiences – the children, parents, club personnel, business managers, and sport and recreation coaches and instructors.

This section explains the key elements of a national approach to improve children's safety in institutions, which are:

- implementing our proposed Child Safe Standards to guide policy and practice
- national leadership, capacity building and support
- child safety resources for providers of services to children
- state and territory oversight bodies to support the implementation of child safety practices
- improving communication from governments and peak bodies to the service delivery level
- establishing child safety officers in local government.

5.2.1 Child Safe Standards

As part of its Terms of Reference the Royal Commission is required to inquire into what institutions and governments should do to better protect children against child sexual abuse and related matters in institutions in the future. A key aspect of this task has been to examine what makes institutions 'child safe'.

While the Royal Commission has focused on sexual abuse of children in institutions, most child safe frameworks have a broader application and aim to help institutions prevent, identify and improve responses to physical, sexual, emotional and/or psychological abuse and neglect of children. Stakeholders told us that a broader approach that seeks to prevent all forms of harm to children in institutions would better address the often co-existing nature of different types of abuse and avoid unintended consequences.

The Royal Commission's work on child safe institutions is underpinned by the United Nations Convention on the Rights of the Child. Consistent with Article 3, all institutions concerned with children should act with the best interests of the child as a primary consideration.[9]

The Royal Commission has identified 10 Child Safe Standards that articulate the essential elements of a child safe institution. The standards set out best practice and can guide institutions towards becoming child safe (see Figure 14.1).[10]

The Child Safe Standards are:

- Standard 1: Child safety is embedded in institutional leadership, governance and culture
- Standard 2: Children participate in decisions affecting them and are taken seriously
- Standard 3: Families and communities are informed and involved
- Standard 4: Equity is upheld and diverse needs are taken into account

- Standard 5: People working with children are suitable and supported
- Standard 6: Processes to respond to complaints of child sexual abuse are child focused
- Standard 7: Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training
- Standard 8: Physical and online environments minimise the opportunity for abuse to occur
- Standard 9: Implementation of the Child Safe Standards is continuously reviewed and improved
- Standard 10: Policies and procedures document how the institution is child safe.

Volume 6, *Making institutions child safe* sets out our work on the Child Safe Standards in greater detail. This includes our work on preventing and responding to online child sexual abuse in institutions.

Figure 14.1 – The Child Safe Standards identified by the Royal Commission

Implementing the Child Safe Standards

The Child Safe Standards should be adopted and implemented at all levels of sport and recreation institutions, from the peak bodies to the local clubs at the service delivery level. A standard and consistent approach would reinforce the message throughout the sector. In Volume 6, *Making institutions child safe*, we recommend that all institutions implement the standards and be guided by the core components of each standard (see Recommendations 6.4, 6.5 and 6.6 in Appendix A of this volume).

The Child Safe Standards are a benchmark against which sport and recreation institutions could assess their child safe capacity and set performance targets. Each of the Child Safe Standards is of equal importance, and they work together to articulate a child safe environment.

The standards are principle-based and focused on outcomes, as opposed to setting detailed and prescriptive rules or specific initiatives. This means institutions could implement them in a flexible way, informed by each institution's characteristics. This is particularly important for sport and recreation institutions, as they could tailor strategies to their context, organisation size, and level of contact with children. The implementation of the standards should not deter or prevent sport and recreation institutions from providing services to children.

We heard examples of institutions tailoring policies and practices to improve the safety of children in institutions, sometimes at no cost. These initiatives provide practical examples of how the Child Safe Standards could be implemented. For example:

- Scouts Australia NSW developed a two-deep leadership policy which requires there to be two adults within sight at all times when supervising children. We were told that the implementation of this policy did not increase the cost of activities for Scouts Australia NSW.[11] This initiative supports the implementation of Child Safe Standard 8 on physical and online environments.
- YMCA Australia provided child safe training to its Board members to enhance their child safe thinking and developed a 'see something, say something' campaign to encourage staff, parents and children to raise concerns.[12] These initiatives support the implementation of Child Safe Standard 1 on institutional leadership, governance and culture and Child Safe Standard 7 on education and training.

Appendix B describes the Child Safe Standards in more detail. It provides a range of possible initiatives, actions and practices that institutions could implement to be child safe. Stakeholders we consulted from the sport and recreation sector told us that they wanted prescriptive guidance on what they needed to do to be child safe.[13] Appendix B provides this detail.

Institutions could select which implementation measures are appropriate for their context, size and level of engagement with children. For example, smaller, less-resourced institutions may reasonably adapt some measures for each Child Safe Standard without imposing significant cost burdens or compromising child safety, whereas a larger, well-resourced institution could take a more comprehensive approach. We acknowledge that some actions listed in Appendix B may not be practicable or necessary for some institutions.

Recommendation 14.1

All sport and recreation institutions, including arts, culture, community and hobby groups, that engage with or provide services to children should implement the Child Safe Standards identified by the Royal Commission.

5.2.2 National leadership, capacity building and support

National leadership, coordination and capacity building can support the effective implementation of initiatives to better protect children, and maximise collaboration and the sharing of resources across jurisdictions. This is particularly important for sport and recreation institutions with limited resources, a high reliance on volunteers and a lack of cohesive governance.

Volume 6, *Making institutions child safe* discusses the role of national leadership in improving children's safety in institutions. In that volume, we recommend that a National Office for Child Safety be established to drive the consistent implementation of child safe approaches across Australia. We recommend that the National Office be responsible for setting the policy agenda and assisting the states and territories to implement the Child Safe Standards (see Recommendations 6.16 and 6.17 in Appendix A).

A representative voice for the sport and recreation sector

The broader sport and recreation sector does not have a representative committee or body to guide and advise on child safety. No single entity brings together the wide range of government and non-government institutions that provide sport, recreation, arts, culture, community and hobby services for children.

Sports organisations affiliated with the Australian Sports Commission (ASC) have a child safety forum in the Committee of Australian Sport and Recreation Officials (CASRO). CASRO is supported by the ASC and its membership. Other institutional peak bodies such as Ausdance, Scouts Australia and Community Languages Australia are not represented on CASRO because they are not members of the ASC. Private providers of sport and recreation services for children, including sole traders, do not have a forum to represent their child safety requirements, or participate in national policy discussion on issues relating to child safety.

To give the broad sport and recreation sector a representative voice that could speak for the institutions providing services to children in this sector, we believe a new sport and recreation advisory committee on child safety should be established to advise the proposed National Office for Child Safety on sector-specific child safety issues. This committee would represent the child safety information and policy interests of the sport and recreation sector. It would be an information conduit between the different institutional types of this sector and the National Office for Child Safety.

A committee that represented the broad sport and recreation sector could bring representatives from a range of institutional types to the table – including government, peak bodies and local level service providers – aligning the common child safety interests across the sector. It would provide opportunities for representatives to share knowledge, insights and experience to influence better child safety policy and practice. The voice of the committee would be especially important in the early years of the rollout of our proposed national child safe approach.

Recommendation 14.2

The National Office for Child Safety should establish a child safety advisory committee for the sport and recreation sector with membership from government and non-government peak bodies to advise the national office on sector-specific child safety issues.

5.2.3 Free child safety resources for providers of services to children

Our commissioned research suggests that websites are important sources of information and resources for sport and recreation institutions.[14] Smaller or less regulated institutions told us that they value online training and templates that are authoritative and developed by experts in child safety.[15]

The largest provider of free online materials to the Australian sport sector is a non-government organisation, Play by the Rules. Through its interactive website, Play by the Rules provides toolkits, templates, guidelines, self-assessment instruments and online training to assist sports clubs to create safe environments for children[16] and to increase the capacity and capability of club administrators, coaches, officials, players, parents and spectators.[17] The resources focus on child safety and preventing discrimination and harassment of children.[18]

Some sport and recreation institutions have developed tools and resources to assist making their activity child safe. For example, Little Athletics uses communication materials such as one-page fact sheets to inform parents, staff and volunteers about 'tell-tale signs' that a child may be at risk, as well as guides about reporting child safety concerns.[19] These fact sheets are available on Little Athletics Australia's website, and hard copies are provided at about 540 Little Athletics centres.[20] The organisation has also developed and distributed credit-card-size handouts that outline in five steps what to do after receiving a complaint of child abuse.[21]

There is no central source of resources to help institutions build their child safe capacity that is quality assured and evidence based for the sport and recreation sector. While many valuable resources are available, they all interpret what it means to be child safe slightly differently, partly due to a limited evidence base, and all have different advice on what institutions should do to be child safe.

Multiple sources of information and guidance can create duplication, fragmentation and inaction. Different interpretations of what it is to be child safe, coupled with varied access to resources, can create confusion and inconsistency. This can ultimately contribute to the inequitable protection of children in institutions across Australia. The National Children's Commissioner told us:

> Most children's commissioners and guardians do have similar material ... We may be all reinventing the wheel. The problem is it's not coordinated in one place, we are looking in different ways and that's sort of what you are trying to address, how do we get sort of a source of truth in all of this?[22]

In addition, there are limited sector-specific and tailored child safe resources for large parts of the recreation or performing arts sector, including resources for small businesses and sole traders. We heard that stakeholders need advice about which templates and resources they should adopt and modify for their local requirements.[23]

Representatives from recreation and performing arts institutions told us that their affiliates are particularly under-resourced. Small businesses require templates to help them comply with child safety requirements and most templates are directed to government-funded services and institutions.[24] According to one large recreation peak body, thousands of small businesses are doing their own risk management plans to comply with insurance requirements.[25]

In *Case Study 39: The response of certain football (soccer), cricket and tennis organisations to allegations of child sexual abuse* we heard about the benefits of consistent approaches to child safety in sport institutions. Mr Jim Holding, then Chairman of Queensland Cricket, explained that by working together, sports and volunteer organisations could contribute to educating the community about child protection generally. Mr Holding told us that most towns have a number of sporting clubs and that it would be beneficial to have one member protection policy across all the different sports. He said that the Play by the Rules website offered a template for a uniform policy across all clubs.[26]

Expanding Play by the Rules

Play by the Rules is a non-government organisation that provides online capacity building and support for government and not-for profit stakeholders in the sport sector. Its resources are not specifically tailored to the needs of small businesses and sole traders providing recreation, arts, and various hobby or cultural activities.

Play by the Rules is funded through its partners, which include state and territory sport and recreation departments, and anti-discrimination and human rights agencies; the Australian Sports Commission; and the Australian Human Rights Commission. Partners contribute a small amount of funding to maintain the one full-time staff member at Play by the Rules. Partners promote the website and its resources through their networks. The existing collaboration between Play by the Rules and its various partners also means that it receives direct advice about child safety matters through the various anti-discrimination commissions and children's guardians.

We believe that there would be benefit in broadening the focus of Play by the Rules so that its resources are relevant to the broader sport and recreation sector, including private sector providers such as business entities, sole traders, charities and other non-government entities.

Under an expanded remit, Play by the Rules would be able to develop resources that are relevant to both for-profit and non-profit organisations and cover activities beyond sport, in partnership with the National Office for Child Safety. These new materials could substantially increase the knowledge base and capacity of an under-resourced sector and assist office-bearers of sport and recreation institutions and others to understand and implement existing and new child safety obligations.

We believe any extension of Play by the Rules' role should be appropriately resourced. Additional funding from partners could be provided to achieve this. This would allow Play by the Rules to develop and adapt its resources to service a broader sector, and educate all sport and recreation institutions on how they can be child safe.

New sport and recreation institutional groups from and outside the sport sector – such as Ausdance, the Australia Council for the Arts, the Council of Small Businesses Australia or the Coalition of Major Professional and Participation Sports – could also be added to the remit of Play by the Rules. This would provide opportunities for new partners to contribute funding. It would also provide opportunities for improved collaboration and the communication of child safe messages to other providers of services to children.

Recommendation 14.3

The education and information website known as Play by the Rules should be expanded and funded to develop resources – in partnership with the National Office for Child Safety – that are relevant to the broader sport and recreation sector.

5.2.4 State and territory support and guidance

We are of the view that all sport and recreation institutions should have the same Child Safe Standards in place to protect all children. Inconsistent approaches to children's safety in institutions mean that children may have more or less protection depending on the institutions they are involved in. A standard and consistent approach would reinforce the importance of children's safety throughout the sector.

In Volume 6, *Making institutions child safe*, we recommend that the Child Safe Standards be mandatory for all institutions that engage in child-related work – including sport and recreation institutions – and that a state or territory oversight body be appointed to support institutions to implement the mandatory Child Safe Standards (see Recommendations 6.8, 6.9, 6.10, 6.11 and 6.13 in Appendix A). Where possible, an existing entity should take on this oversight role. This could be a children's commissioner or guardian, who already play an important role in implementing state and territory child safe approaches.

Governments need to strike a balance between ensuring that the Child Safe Standards are implemented effectively and not over-burdening institutions with compliance requirements. We recognise that this is not an easy task, however, such a balance is essential for sport and recreation institutions, which often rely heavily on volunteers to provide their services to children. Any efforts to enforce child safety should not deter or prevent sport and recreation institutions from providing services to children. Any oversight of child safety practices in the sport and recreation sector must focus on capacity building and support.

The independent state and territory oversight bodies would provide the guidance and leadership required for the sport and recreation sector, in partnership with the National Office for Child Safety. Their role would be to set clear requirements and provide appropriate access to resources, for example, through improved communication with the sector (see Section 5.2.5). Each oversight body would be an information hub, providing resources, education and training for institutions as they develop and implement localised child safe policies and practices.

We are conscious that mandatory standards could impose some burdens on small institutions. Commissioned research and our consultations with stakeholders suggest that with appropriate support, a mandatory approach is a preferred option as it would provide clarity in terms of requirements.[27] For sport and recreation institutions, we envisage that compliance efforts would focus on capacity building and support, through awareness raising, education and training.

To this end, the independent oversight body should establish a partnership model with sport and recreation institutions to assist them to comply with requirements.[28] This would involve supporting and building the capacity of institutions to understand how and why they should comply with the child safe approach and what a child safe environment looks like. We heard that a capacity-building model and approach to child safe regulation would assist institutions to improve their practices. Partnerships with peak bodies, where available, should also be facilitated to build their capacity to provide guidance and support for institutions.

Institutions providing higher risk activities, such as overnight camps and extensive travel, would need more assistance.

We understand that genuine cultural change needs to occur for institutions to become child safe. Cultural change is needed to improve the ways in which children are valued and their rights are respected. Genuine cultural change, rather than tick-box compliance, is needed to make institutions child safe.

5.2.5 Improving communication

In Chapter 4 we explained that communication with sport and recreation institutions remains one of the significant challenges for this sector. With the implementation of new child safe requirements, service providers at the club and local business level would need information about their child safety obligations as well as information about where to access child safety resources. A mechanism to communicate to this diverse sector would be required to assist service providers to access this information.

With greater child safety obligations under the proposed national child safe approach, it would be essential for clubs and businesses to receive information about these obligations from the state and territory oversight bodies that implement the Child Safe Standards. This information should be easily accessible to clubs and businesses through simple mechanisms and reliable communication channels.

Representatives from the sport and recreation sector told us that one of its biggest challenges is communication. We were told it is difficult to communicate to the club or local level in their own institutions. We also heard that it is difficult to communicate across this sector because it is constituted by different institutional groups that are not part of a collective association, professional affiliation, or single governing body.[29]

A further complication is that the sector workforce is highly casualised and supported by a large volunteer cohort. Individuals can work across different organisations and receive varying advice about child safety. For example, dance instructors may work for three or four different dance studios and be required to follow markedly different child safety protocols in each workplace. In general, the sport and recreation sector is under-informed at the service delivery level and there is a lack of coherence and consistency in messaging.

We heard that service providers would be keen to understand their obligations and have clear advice about what would be required to implement the Child Safe Standards, along with other new obligations.[30] Some may be aware of Play by the Rules and have access to information through this forum. Others may rely on their peak body for information. A large component of the sector may face difficulty in understanding their obligations, especially any new ones. The business sector and a large part of the recreation sector are likely to be the least informed and resourced.

We consider that a simple, free and voluntary email subscription process for all sport and recreation institutions could be established by the independent state and territory oversight bodies responsible for the administration of the Child Safe Standards to help communicate child safe information to service providers. This role is consistent with the capacity-building and support role for these oversight bodies described in Section 5.2.4.

Subscription would allow club presidents, relevant administrators, small business managers and sole traders to receive emails from the independent oversight body. It would be a free service providing information about, for example, child safety obligations, changes in policy or laws, and their local child safety officer (see Section 5.2.6). It could also provide links to endorsed resources and templates, such as those developed by Play by the Rules. In this way, subscribers would receive updates automatically, rather than having to seek the information themselves or rely on other information channels.

There should be a campaign of consistent messaging across the sector, encouraging grassroots organisations to register for resources. New communication channels may be required to ensure that the far corners of this large sector are reached, or existing channels could be utilised. Service providers in remote locations and those who are distant from information sources are often most in need of assistance. The email subscription model would aim to:

- assist the individual or organisation in understanding their safety responsibilities and obligations
- provide resources and links to materials
- facilitate information exchange where necessary.

Sport and recreation institutions have an important community messaging role. Improved communication would assist them to disseminate information to parents and children, and inform them about the rules and responsibilities on child safety. Children may be more likely to take information about child safety home to parents because of the positive role these institutions have in their lives.

Simple email subscription models have been used by other industries to improve safety and avoid potential hazards. They are used when stakeholders are not part of a collective group, a professional affiliation or a single institution.

Recommendation 14.4

The independent state and territory oversight bodies that implement the Child Safe Standards should establish a free email subscription function for the sport and recreation sector so that all providers of these services to children can subscribe to receive relevant child safe information and links to resources.

5.2.6 Child safety officers in local government

There is scope for local government to play a key role in assisting local institutions to comply with child safety requirements. As a large provider of venues for children's activity, local government is uniquely placed to help service providers meet their child safety obligations.

Many local governments have taken a proactive role in community safety. For example, South Australia has child safety officers who provide advice and awareness training to sport and recreation institutions. They are the first point of contact for people involved in sport and recreation institutions who have concerns about a participating child or young person.[31] In addition, a rural city council in Victoria has appointed two child safety officers to help prevent and respond to concerns of abuse.[32]

Some local councils already have community safety officers or an equivalent. Our proposal is to expand these roles to include child safety. Councils with limited resources may require assistance to develop these positions – state and territory governments should provide such assistance where possible.

Local governments can play an important role in improving community safety and facilitating community education or outreach programs. In rural and remote areas, this role can be even more significant as local government may be the main provider of services and the primary information point for residents and institutions.

For these reasons, in Volume 6, *Making institutions child safe,* we recommend that local governments designate child safety officer positions from existing staff profiles to assist community-based institutions in their local area to become child safe, with support from governments at the national, state and territory levels (see Recommendation 6.12 in Appendix A).

The role of the child safety officer would be to:

- develop child safe messages in local government venues, grounds and facilities
- assist local institutions to access online child safe resources
- provide information and support to local institutions as needed
- support local institutions to work collaboratively with key services to ensure child safe approaches are culturally safe, disability aware and appropriate for children from diverse backgrounds.

Child safety officers would require training to perform these functions – the state or territory independent oversight bodies responsible for implementing the Child Safe Standards could be best placed to provide such training.

In the sport and recreation sector, child safety officers could perform several child safety functions, including developing messaging in sport and recreation venues to improve safety in physical environments, such as change rooms, clubrooms and sports grounds, and in online environments, such as the appropriate use of social media and the sharing of photographs of children. They could provide information and assistance to local clubs and businesses about child safety requirements by directing club administrators and office-bearers to online resources and to the independent oversight body in their jurisdiction.

A child safety officer that is proximate to services and local industries would be especially important in regional and remote areas. We have learned that these communities routinely miss out on resources and access to services that are available in urban centres. There is potential for child safety officers to provide an outreach service for under-resourced organisations, especially clubs in regional and remote Australia and volunteer groups in all locations.

Child safety officers could also coordinate other government services relevant to child safety.

Child safety officers would likely be a valuable resource for volunteer coaches, instructors and institution officer-bearers. They could provide resources to groups that are unfunded, or lack access to online resources.

In proposing the addition of child safety officers in local government, our aim is that all institutions providing sport and recreation services to children and families be supported. Support from a child safety officer should not be limited to certain sport or recreation pursuits or to particular geographical locations. The officers have the potential to fill a gap in this under-regulated sector.

Child safety officers in local government could also fill the gaps where no other such support personnel exist. They would work with existing child safety officers who operate outside local government. For example, we know that institutions affiliated with the Australian Sports Commission have member protection information officers (MPIOs) who serve as the first point of contact in sport institutions in matters of child safety. Our proposed child safety officers would not supersede these roles. They would work alongside existing MPIOs.

5.3 Legal responsibilities of institutions and their personnel

As discussed in Chapter 4, many of our case studies revealed circumstances where steps were not taken to protect children in sport and recreation institutions. These include examples of poor institutional leadership, governance and culture; inadequate or ineffective institutional policies and procedures; and poor education, training and communication of policies.

The potential for institutions as legal entities and their personnel as individuals to be held legally accountable for damage occasioned by child sexual abuse has great potential to drive cultural change and motivate institutions to take child safety more seriously.

In the following sections, we outline our recommendations to make institutions, including sport and recreation institutions, and their personnel more responsible for preventing child sexual abuse through the application of civil and criminal law.

5.3.1 Civil liability

We have made a number of recommendations to reform aspects of civil litigation. These reforms are intended to make civil litigation a more effective means of providing justice for survivors, particularly for those who are victims of institutional child sexual abuse in the future.

In our *Redress and civil litigation* report we recommend that states and territories introduce legislation to impose a non-delegable duty on some types of institutions for child sexual abuse committed by members or employees of the institution, broadly defined (see Recommendations 89 and 90 in Appendix A). This would mean these types of institutions would be liable for damage occasioned by child sexual abuse committed by their members or employees against children who are in the care, supervision or control of the institution, without requiring proof that the institution failed to exercise reasonable care.

We do not believe that liability should be extended to not-for-profit or volunteer institutions generally. To do so may discourage members of the community from coming together to provide or create facilities that offer opportunities for children to engage in valuable cultural, social and sporting activities.[33]

However, we recommend that this non-delegable duty be placed only on any facility operated for profit which provides services for children that involve the facility having the care, supervision or control of children for a period of time. This could bring some sport and recreation institutions that provide services to children under the scope of this duty.

We also recommend that the onus of proof be reversed for claims in negligence against any institution relating to child sexual abuse committed by the institution's members or employees so that the institution bears the onus to prove that it exercised reasonable care to prevent abuse (see Recommendations 91, 92 and 93 in Appendix A). This means that if a survivor could prove that they were abused in an institution, it would be for the institution to prove that it took reasonable steps to prevent the abuse. We recommend that the reverse onus of proof apply to all institutions, including those that we recommend be excluded from the non-delegable duty.

The recommendations are intended to prevent child sexual abuse in an institutional context by encouraging leaders of institutions to facilitate a child safe environment, at risk of the institution being liable for the abuse if they do not. An aspect of facilitating a child safe environment would be through implementation of the Child Safe Standards in institutions. Institutions that take steps to prevent abuse will reduce their potentially liability. The more effective those steps are at preventing abuse, the more the institution's potential liability will be reduced.

Our *Redress and civil litigation* report provides more detail about our civil liability recommendations.

5.3.2 Criminal liability

In our *Criminal justice* report we recommend a new criminal offence that is targeted at the prevention of institutional child sexual abuse (see Recommendation 36 in Appendix A).[34]

We recommend that state and territory governments should introduce legislation to create a failure to protect offence. This offence would require an adult within the institution who knows there is a substantial risk that another adult associated with the institution will commit a child sexual offence, and who has the power or responsibility to reduce or remove the risk, to reduce or remove the risk. If they negligently fail to do so, they would commit the offence. The failure to protect offence that we recommend is based on an offence introduced in Victoria in 2015.

We recommend that relevant institutions be defined to include institutions that operate facilities or provide services to children in circumstances where the children are in the care, supervision or control of the institution. This could bring some sport and recreation institutions that provide services to children under the scope of this offence.

We believe that this offence will reinforce rather than compete with regulatory and other measures designed to require institutions to be safe for children, as outlined in Section 5.2. It is designed to require adults within institutions to take responsibility preventing child sexual abuse in institutional contexts. See our *Criminal justice* report for more information.

5.4 Improving institutional responses to and reporting of child sexual abuse

In Volume 7, *Improving institutional responding and reporting* we make recommendations to improve the reporting of child sexual abuse in institutional contexts to external authorities, improve institutional complaint handling policies and procedures, and ensure implementation of reportable conduct schemes that oblige designated institutions to report complaints of child sexual abuse made against employees and volunteers to an independent oversight body. We explain that institutions can improve responding and reporting by being child safe through the implementation of the Child Safe Standards.

In our *Criminal justice* report we also make recommendations to improve reporting to the police.

In this section, we outline recommendations for improving the responses to and reporting of child sexual abuse in sport and recreation institutions. This includes recommendations for improving:

- reporting to external authorities
- institutional complaint handling and response
- oversight of institutional complaint handling.

5.4.1 Reporting to external authorities

Our work has shown that institutional child sexual abuse has been under-reported to external government authorities in all institutional settings including sport and recreation.[35] As explained in Chapter 4, in many Australian jurisdictions, sport and recreation personnel are under no legal obligation to report child sexual abuse to an external government authority such as the police or a child protection department. We heard that without legal obligations, some sport and recreation personnel did not report abuse outside the institution.

Failure to report offences

In our *Criminal justice* report, we recommend that each state and territory government introduce legislation to create a failure to report offence targeted at child sexual abuse in institutional contexts (see Recommendation 33 in Appendix A). We consider that the offence should apply not only where a person in the institution knows or suspects that a child is being or has been sexually abused by an adult associated with the institution but also where the person should have suspected abuse.

We recommend this offence should apply to institutions that operate facilities or provide services to children in circumstances where the children are in the care, supervision or control of the institution. This could bring some sport and recreation institutions that provide services to children under the scope of this offence.

We consider that there are good reasons for the criminal law to impose obligations on third parties to report child sexual abuse to the police. For example, it is often very difficult for the victim to disclose or report the abuse at the time or even reasonably soon after it occurred. If persons other than the victim do not report, the abuse – and the perpetrator – may go undetected for years.

The purpose of a failure to report offence differs from that of mandatory reporting to child protection authorities and reportable conduct schemes. This is because it focuses on catching, prosecuting and convicting offenders. Further, without a failure to report offence that applies to a broad range of institutions, gaps would remain in reporting obligations that apply to institutions and their staff. We consider that a failure to report offence is needed in addition to obligations to report externally under laws concerning mandatory reporting to child protection authorities and reportable conduct schemes.

We discuss the failure to report offence in more detail in our *Criminal justice* report.

Voluntary reporting

We consider it important to make clear that persons who know or suspect that a child is being or has been sexually abused in an institutional context should report this to police – not necessarily as a legal obligation enforced by a criminal offence but because it is moral and ethical to do so.

Child sexual abuse is a crime which can and often does cause great harm to the child. It should be reported to police. There should be no doubt that police are the correct agency to which child sexual abuse should be reported.

In our *Criminal justice* report we recommend that any adult associated with an institution who knows or suspects or should have suspected that a child is being or has been sexually abused by another adult associated with the institution should report the abuse to police (see Recommendation 32 in Appendix A).[36]

5.4.2 Child-focused complaints process

To support implementation of the Child Safe Standards, in Volume 7, *Improving institutional responding and reporting*, we recommend institutions should have a clear, accessible and child-focused complaint handling policy and procedure that sets out how the institution should respond to complaints of child sexual abuse (see Recommendation 7.7 in Appendix A).

A 'complaint' includes any allegations, suspicions, concerns or reports of a breach of the institution's code of conduct, or disclosures made to an institution that may constitute or relate to child sexual abuse in an institutional context. Complaints about inappropriate behaviour regarding children generally fall into three categories: concerning conduct, behaviour that is a breach of an institution's code of conduct, and behaviour that is of a criminal nature and amounts to child sexual abuse. The first category may include swearing at children; the last, grooming behaviours and child sexual abuse.

An effective complaint handling policy and procedure should clearly outline roles and responsibilities, approaches to dealing with different types of complaints including those concerning children with harmful sexual behaviours, and obligations to act and report. A strong child safe institutional culture is one that actively supports and encourages both children and adults to raise concerns. Child safe institutions respond to complaints by taking them seriously, immediately protecting children at risk and addressing complaints promptly, thoroughly and fairly.

A child-focused complaint handling policy and procedure would provide children with a system and a process for making complaints. Listening to children is important. Our work has shown that a lack of participation by young people is one of the contributors to an environment that enables sexual abuse. Where children do not feel listened to, they are less likely to disclose abuse and to have their disclosures taken seriously.

Children need easy access to an adult they can talk to, and a complaints system that is accessible and in which they can have confidence. In our consultations with children and young people, we were told that young people consider continuity of contact important in facilitating trust between children and adults, and the coach is often the person they will go to if they have a concern. We were also told young people would be unlikely to raise a concern with an adult again if they initially received a poor response.

Complaints of child sexual abuse should be responded to sensitively and in a way that supports and protects the interests of the victim.[37] Following a complaint of child sexual abuse, institutions have a responsibility to assess risks associated with the complaint, to the child alleged to have been abused, to the employee against whom the allegation was made, to other children with whom that employee may have contact, and to the employing agency. The protection and safety of children should be the institution's primary objective.

Institutions should not compound harm. This is part of a 'trauma-informed' response, characterised by a supportive and compassionate attitude.[38] This includes taking complaints of sexual abuse seriously, and making support available for the person who makes the complaint. A victim of child sexual abuse could require psychological and practical support and assistance, such as counselling, from outside their informal support network. Many sport and recreation institutions will not have the resources or capacity to provide the necessary supports. In these circumstances, they should assist with facilitating access for victims to advocacy, support or therapeutic treatment services.

Policies should be accessible to all children and adults connected to the institution, with provision for varying communication and support needs. Institutions should know when and how to access specialist advice as required, for example, access to language and cultural translation or disability services.

Where an institution investigates a complaint, the safety of children should be the paramount concern. The person appointed to investigate should be impartial and objective, with no actual, potential or perceived conflict of interest. If an institution relies on staff without the appropriate skills or experience to investigate a complaint, it can undermine the complaint handling process. Institutional staff should ensure that the complainant and other affected parties such as parents, guardians and carers are informed about the progress of the complaint, including the outcome of the investigation or other actions.

Following a complaint, institutions should look at how institutional policies and practices could be improved, and implement changes as required.

Volume 7, *Improving institutional responding and reporting* gives further guidance on how institutions should handle complaints about child sexual abuse. Volume 10, *Children with harmful sexual behaviours* provides further guidance on complaint handling for children with harmful sexual behaviours.

Support and guidance on complaint handling

As discussed in Chapter 4, small sport and recreation institutions face particular challenges in handling complaints of child sexual abuse. These include limited resources and capacity to implement complaint handling mechanisms; closely connected groups of people, which has implications for confidentiality; or contexts where the subject of the complaint is the owner of the institution.

Some peak organisations provide advice and information to support individuals and institutions involved in a complaint of child sexual abuse. For example, Play by the Rules provides accessible advice and useful resources to individuals about how to make a complaint and to sports clubs on how to receive and act on complaints.

Complaint handling processes in sport and recreation institutions should include appropriate contact information and referrals, linking complainants and others to organisations or personnel who are able to assist in handling a complaint, provide support for victims or manage sensitive information. Appropriate organisations or personnel may include:

- the state and territory oversight body responsible for administering the Child Safe Standards (see Section 5.2.4) or oversight of institutional complaint handling (see Section 5.4.3)
- a government oversight body, such as a children's guardian, commissioner or ombudsman
- a peak or governing body
- Play by the Rules
- the police
- a government department with responsibility for child protection
- a counselling service
- child helplines
- a sexual assault service.

Codes of conduct

An important part of the complaint handling process is an institutional code of conduct which describes the expected ethical and professional behaviour for each institution. Codes of conduct extend beyond staff behaviour, and include rules to govern the conduct of the institution's members, guests and participants. They should be widely distributed, including by institutions and peak bodies.

Codes of conduct provide a guide and basis for behavioural expectations, and, in doing so, encourage commitment to respectful conduct. They are a useful tool for staff, volunteers, parents and carers to identify and understand concerning or unacceptable behaviour, and to understand their responsibility to raise and report any concerns. Codes of conduct also foster cultures that encourage reporting and responsible handling of complaints.

To support implementation of the Child Safe Standards, in Volume 7, *Improving institutional responding and reporting*, we recommend that all sport and recreation institutions providing services to children have a code of conduct (see Recommendation 7.8 in Appendix A). It should cover behaviour towards children that the institution considers unacceptable, including concerning conduct, misconduct and criminal conduct, and responsibilities to report and reporter protections. A code of conduct would be required regardless of the size of the institution. From the largest institution to the sole trader, a code of conduct would help institutions to identify and respond to abuse. It could apply to the following personnel:

- players
- coaches and team officials
- team selectors
- club committee and office-bearers
- parents
- spectators
- users of social media.

Codes of conduct could be developed for each stakeholder group. The codes are usually on one page and can be signed by the person responsible to uphold the code. Some sports organisations have developed guidelines that are tailored to the professional development needs of coaches and instructors. For example, Football NSW has adopted a code of ethics developed by Play by the Rules.[39] A code of conduct for a coach or instructor may cover the following:[40]

- conduct expected for operating within the rules and spirit of the activity
- conduct expected for appropriate physical contact with children
- conduct prohibiting favouritism or 'special' relationships with children
- conduct expected for modelling and maintaining courteous and polite behaviour and respect for the rights, dignity and worth of all participants, regardless of gender, disability, cultural background or religion

- conduct expected in relation to the safety and welfare of participants, including responding to sick or injured players
- conduct prohibiting overplaying or overtraining children
- conduct about listening to players and ensuring positive experiences
- conduct expected in relation to encouraging young people to participate in all activity, including administration, coaching and officiating, as well as playing
- understanding of mandated responsibilities and participation in relevant training
- conduct expected in relation to the online environment, including the use of social media, and the taking of photographs and videos of children in the sport and recreation setting. Volume 6, *Making institutions child safe*, sets out our work on online safety in more detail.

Breaches of an institution's code of conduct or inappropriate behaviour at the club level would be the responsibility of the institution and should be investigated by the institution or by a third party on behalf of the institution.

Where there is concern that the conduct associated with the complaint constitutes a criminal offence, the institution should consult the police or child protection authorities before starting its own investigation to ensure it does not compromise any criminal investigation. Where the police decide not to investigate the allegation, then the institution should confirm that the police have no objection to the institution initiating its own investigation before taking any steps to investigate.

Conduct that does not reach a criminal threshold but is still inappropriate and/or a breach of the institution's code of conduct should be investigated by, or on behalf of, the institution. If any doubt exists about whether the criminal threshold has been reached, the allegation should be reported to the police.

5.4.3 Oversight of institutional complaint handling

Independent oversight is important in addressing some problems that arise in the way institutions handle complaints about child sexual abuse, and encouraging improvements in institutional complaint handling through training, education and guidance.

In Volume 7, *Improving institutional responding and reporting*, we recommend that state and territory governments should establish nationally consistent legislative reportable conduct schemes (see Recommendation 7.9 in Appendix A). Reportable conduct schemes oblige heads of certain institutions to notify an oversight body of any reportable allegation, conduct or conviction involving any of the institution's employees and oblige the oversight body to monitor institutions' investigation and handling of allegations.

The handling of child sexual abuse complaints should be subject to the oversight of a reportable conduct scheme only where institutions:

- exercise a high degree of responsibility for children
- engage in activities that involve a heightened risk of child sexual abuse due to institutional characteristics, the nature of the activities involving children, or the additional vulnerability of the children the institution engages with.

We recommend that reportable conduct schemes should cover, at a minimum, institutions that provide certain services, activities or supports for children, such as accommodation and residential services, childcare services and education services (see Recommendation 7.12 in Appendix A). This could bring sport and recreation institutions that provide such services under the scope of our recommended scheme. The oversight body that administers the scheme should provide sport and recreation institutions with training, education and guidance on how to identify, report, handle and investigate reportable allegations and convictions.

In future, reportable conduct schemes may cover a broader scope of sport and recreation institutions. We recommend that state and territory governments periodically review the operation of such schemes to determine whether they should cover additional institutions that have a high degree of responsibility for children and a heightened risk of child sexual abuse (see Recommendation 7.11 in Appendix A).

5.5 Recordkeeping and information sharing

We have learned that recordkeeping and information sharing are required to mitigate the risks of child sexual abuse. In Chapter 4, we described hearing in our case studies about sport and recreation personnel who did not appropriately record or share information in a timely and effective manner, and that many sport and recreation institutions have limited or no recordkeeping and information sharing practices.

Clubs and businesses that are run by small teams of paid and voluntary personnel would need support to keep records about complaints and to share information with relevant authorities or peak bodies. High rates of volunteerism create challenges in maintaining continuity and security of information associated with recordkeeping and complaint handling. Nevertheless, to support implementation of the Child Safe Standards, sport and recreation institutional staff should keep records in appropriate circumstances and share information.

5.5.1 Recordkeeping

Good recordkeeping is an important part of creating child safe institutions. The creation and maintenance of accurate records and ongoing recordkeeping practices play a critical role in identifying, preventing and responding to child sexual abuse. Records are also important in alleviating the impact of child sexual abuse for survivors. Accurate recordkeeping about the conduct of institutional staff and volunteers, and the appropriate sharing of this information, could assist institutions to identify, prevent and respond to child sexual abuse.[41]

In Volume 8, *Recordkeeping and information sharing*, we recommend that all institutions that engage in child-related work implement five principles for records and recordkeeping, responsive to the institution's risks (see Recommendation 8.4 in Appendix A). This would include sport and recreation institutions. The principles are:

1. Creating and keeping full and accurate records relevant to child safety and wellbeing, including child sexual abuse, is in the best interests of children and should be an integral part of institutional leadership, governance and culture.
2. Full and accurate records should be created about all incidents, responses and decisions affecting child safety and wellbeing, including child sexual abuse.
3. Records relevant to child safety and wellbeing, including child sexual abuse, should be maintained appropriately.
4. Records relevant to child safety and wellbeing, including child sexual abuse, should only be disposed of in accordance with law or policy.
5. Individuals' existing rights to access, amend or annotate records about themselves should be recognised to the fullest extent.

The principles for records and recordkeeping are supplementary to our recommended Child Safe Standards and, in particular, Standard 1, which provides that 'Child safety is embedded in institutional leadership, governance and culture' (see Recommendation 6.6 in Appendix A). Support from the independent oversight bodies that implement the Child Safe Standards (see Section 5.2.4) could also provide information to build the capacity of these institutions to understand good recordkeeping practices.

5.5.2 Information sharing

Our case studies have revealed the importance of sharing information to prevent, identify and respond to child sexual abuse in institutional contexts. The sharing of information can assist institutions to identify the risk of child sexual abuse and to take preventative action in response. Poor information management and exchange can delay action against perpetrators and minimise the ability of institutions to take necessary action.

However, concerns about privacy, confidentiality and defamation, and confusion about the application of complex and inconsistent laws, can create anxiety and inhibit information sharing.[42] Institutional culture, poor leadership and weak or unclear governance arrangements can also inhibit information sharing and, as a result, undermine the safety of children.[43]

The implementation of the Child Safe Standards (see Section 5.2.1) in sport and recreation institutions would work to create a positive institutional culture where the importance of information sharing is recognised by institutions, their staff and volunteers. The independent oversight bodies that implement the Child Safe Standards (see Section 5.2.4) could also provide information to increase sport and recreation institutions' capacity to understand when they should share information, and any related obligations.

Prescribed bodies information exchange scheme

In Volume 8, *Recordkeeping and information sharing*, we recommended that Australian governments implement a nationally consistent information exchange scheme for intra-jurisdictional and inter-jurisdictional sharing of information related to children's safety and wellbeing, including information relevant to child sexual abuse in institutional contexts (see Recommendations 8.6 and 8.7 in Appendix A). In doing so, we have not prescribed which types of institutions should be included in the scheme. Rather, we recommend that Australian governments consider the need for a range of prescribed bodies, including service providers, government and non-government agencies, law enforcement agencies and regulatory and oversight bodies, to be included.

We acknowledge that the inclusion of sport and recreation institutions in such an information exchange scheme would present challenges. It would not be possible or practical to require all such institutions to share information through formal information sharing schemes or obligations. This is primarily because many small clubs and businesses would not be able to receive, share or store sensitive information.

It may also be difficult for some institutions to ensure the security of information because of the high turnover of personnel and the fact that their volunteers may not be appropriately trained to manage sensitive information. While personnel may have a club responsibility and duty of care, they may be unpaid and not able to meet the information sharing obligations. Even if information sharing were legally permitted or required, there may be a reluctance to share.

At the same time, we recognise that some sport and recreation institutions may need to be included in our recommended information exchange scheme because children are exposed to higher risk in particular settings. We therefore suggest that sport and recreation institutions that provide or are responsible for accommodation and residential services for children, including activities that involve overnight accommodation, be considered for inclusion in the scheme. We also note that the inclusion of this particular category of sport and recreation institution may be necessary to support them in meeting their obligations under reportable conduct legislation (see discussion of the scope of reportable conduct schemes in Section 5.4.3 and Chapter 2).

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APPENDICES

Appendix A Relevant recommendations from other volumes and reports

Volume 6, Making institutions child safe

What makes institutions safer for children (Chapter 3)

Recommendation 6.4

All institutions should uphold the rights of the child. Consistent with Article 3 of the United Nations Convention on the Rights of the Child, all institutions should act with the best interests of the child as a primary consideration. In order to achieve this, institutions should implement the Child Safe Standards identified by the Royal Commission.

Recommendation 6.5

The Child Safe Standards are:

1. Child safety is embedded in institutional leadership, governance and culture
2. Children participate in decisions affecting them and are taken seriously
3. Families and communities are informed and involved
4. Equity is upheld and diverse needs are taken into account
5. People working with children are suitable and supported
6. Processes to respond to complaints of child sexual abuse are child focused
7. Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training
8. Physical and online environments minimise the opportunity for abuse to occur
9. Implementation of the Child Safe Standards is continuously reviewed and improved
10. Policies and procedures document how the institution is child safe.

Recommendation 6.6

Institutions should be guided by the following core components when implementing the Child Safe Standards:

Standard 1: Child safety is embedded in institutional leadership, governance and culture

a. The institution publicly commits to child safety and leaders champion a child safe culture.

b. Child safety is a shared responsibility at all levels of the institution.

c. Risk management strategies focus on preventing, identifying and mitigating risks to children.

d. Staff and volunteers comply with a code of conduct that sets clear behavioural standards towards children.

e. Staff and volunteers understand their obligations on information sharing and recordkeeping.

Standard 2: Children participate in decisions affecting them and are taken seriously

a. Children are able to express their views and are provided opportunities to participate in decisions that affect their lives.

b. The importance of friendships is recognised and support from peers is encouraged, helping children feel safe and be less isolated.

c. Children can access sexual abuse prevention programs and information.

d. Staff and volunteers are attuned to signs of harm and facilitate child-friendly ways for children to communicate and raise their concerns.

Standard 3: Families and communities are informed and involved

a. Families have the primary responsibility for the upbringing and development of their child and participate in decisions affecting their child.

b. The institution engages in open, two-way communication with families and communities about its child safety approach and relevant information is accessible.

c. Families and communities have a say in the institution's policies and practices.

d. Families and communities are informed about the institution's operations and governance.

Standard 4: Equity is upheld and diverse needs are taken into account

a. The institution actively anticipates children's diverse circumstances and responds effectively to those with additional vulnerabilities.

b. All children have access to information, support and complaints processes.

c. The institution pays particular attention to the needs of Aboriginal and Torres Strait Islander children, children with disability, and children from culturally and linguistically diverse backgrounds.

Standard 5: People working with children are suitable and supported

a. Recruitment, including advertising and screening, emphasises child safety.

b. Relevant staff and volunteers have Working With Children Checks.

c. All staff and volunteers receive an appropriate induction and are aware of their child safety responsibilities, including reporting obligations.

d. Supervision and people management have a child safety focus.

Standard 6: Processes to respond to complaints of child sexual abuse are child focused

a. The institution has a child-focused complaint handling system that is understood by children, staff, volunteers and families.

b. The institution has an effective complaint handling policy and procedure which clearly outline roles and responsibilities, approaches to dealing with different types of complaints and obligations to act and report.

c. Complaints are taken seriously, responded to promptly and thoroughly, and reporting, privacy and employment law obligations are met.

Standard 7: Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training

a. Relevant staff and volunteers receive training on the nature and indicators of child maltreatment, particularly institutional child sexual abuse.

b. Staff and volunteers receive training on the institution's child safe practices and child protection.

c. Relevant staff and volunteers are supported to develop practical skills in protecting children and responding to disclosures.

Standard 8: Physical and online environments minimise the opportunity for abuse to occur

a. Risks in the online and physical environments are identified and mitigated without compromising a child's right to privacy and healthy development.

b. The online environment is used in accordance with the institution's code of conduct and relevant policies.

Standard 9: Implementation of the Child Safe Standards is continuously reviewed and improved

a. The institution regularly reviews and improves child safe practices.

b. The institution analyses complaints to identify causes and systemic failures to inform continuous improvement.

Standard 10: Policies and procedures document how the institution is child safe

a. Policies and procedures address all Child Safe Standards.

b. Policies and procedures are accessible and easy to understand.

c. Best practice models and stakeholder consultation inform the development of policies and procedures.

d. Leaders champion and model compliance with policies and procedures.

e. Staff understand and implement the policies and procedures.

Improving child safe approaches (Chapter 4)

State and territory governments

Recommendation 6.8

State and territory governments should require all institutions in their jurisdictions that engage in child-related work to meet the Child Safe Standards identified by the Royal Commission at Recommendation 6.5.

Recommendation 6.9

Legislative requirements to comply with the Child Safe Standards should cover institutions that provide:

a. accommodation and residential services for children, including overnight excursions or stays

b. activities or services of any kind, under the auspices of a particular religious denomination or faith, through which adults have contact with children

c. childcare or childminding services

d. child protection services, including out-of-home care

e. activities or services where clubs and associations have a significant membership of, or involvement by, children

f. coaching or tuition services for children

g. commercial services for children, including entertainment or party services, gym or play facilities, photography services, and talent or beauty competitions

h. services for children with disability

i. education services for children

j. health services for children

k. justice and detention services for children, including immigration detention facilities

l. transport services for children, including school crossing services.

Recommendation 6.10

State and territory governments should ensure that

a. an independent oversight body in each state and territory is responsible for monitoring and enforcing the Child Safe Standards. Where appropriate, this should be an existing body

b. the independent oversight body is able to delegate responsibility for monitoring and enforcing the Child Safe Standards to another state or territory government body, such as a sector regulator

c. regulators take a responsive and risk-based approach when monitoring compliance with the Child Safe Standards and, where possible, utilise existing regulatory frameworks to monitor and enforce the Child Safe Standards.

Recommendation 6.11

Each independent state and territory oversight body should have the following additional functions:

a. provide advice and information on the Child Safe Standards to institutions and the community

b. collect, analyse and publish data on the child safe approach in that jurisdiction and provide that data to the National Office for Child Safety

c. partner with peak bodies, professional standards bodies and/or sector leaders to work with institutions to enhance the safety of children

d. provide, promote or support education and training on the Child Safe Standards to build the capacity of institutions to be child safe

e. coordinate ongoing information exchange between oversight bodies relating to institutions' compliance with the Child Safe Standards.

Local government

Recommendation 6.12

With support from governments at the national, state and territory levels, local governments should designate child safety officer positions from existing staff profiles to carry out the following functions:

a. developing child safe messages in local government venues, grounds and facilities

b. assisting local institutions to access online child safe resources

c. providing child safety information and support to local institutions on a needs basis

d. supporting local institutions to work collaboratively with key services to ensure child safe approaches are culturally safe, disability aware and appropriate for children from diverse backgrounds.

Australian Government

Recommendation 6.13

The Australian Government should require all institutions that engage in child-related work for the Australian Government, including Commonwealth agencies, to meet the Child Safe Standards identified by the Royal Commission at Recommendation 6.5.

Recommendation 6.14

The Australian Government should be responsible for the following functions:

a. evaluate, publicly report on, and drive the continuous improvement of the implementation of the Child Safe Standards and their outcomes

b. coordinate the direct input of children and young people into the evaluation and continuous improvement of the Child Safe Standards

c. coordinate national capacity building and support initiatives and opportunities for collaboration between jurisdictions and institutions

d. develop and promote national strategies to raise awareness and drive cultural change in institutions and the community to support child safety.

National Office for Child Safety

Recommendation 6.16

The Australian Government should establish a National Office for Child Safety in the Department of the Prime Minister and Cabinet, to provide a response to the implementation of the Child Safe Standards nationally, and to develop and lead the proposed National Framework for Child Safety. The Australian Government should transition the National Office for Child Safety into an Australian Government statutory body within 18 months of this Royal Commission's Final Report being tabled in the Australian Parliament.

Recommendation 6.17

The National Office for Child Safety should report to Parliament and have the following functions:

a. develop and lead the coordination of the proposed National Framework for Child Safety, including national coordination of the Child Safe Standards

b. collaborate with state and territory governments to lead capacity building and continuous improvement of child safe initiatives through resource development, best practice material and evaluation

c. promote the participation and empowerment of children and young people in the National Framework and child safe initiatives

d. perform the Australian Government's Child Safe Standards functions as set out at Recommendation 6.14

e. lead the community prevention initiatives as set out in Recommendation 6.2.

Volume 7, Improving institutional responding and reporting

Improving institutional responses to complaints (Chapter 3)

Recommendation 7.7

Consistent with Child Safe Standard 6: Processes to respond to complaints of child sexual abuse are child focused, institutions should have a clear, accessible and child-focused complaint handling policy and procedure that set out how the institution should respond to complaints of child sexual abuse. The complaint handling policy and procedure should cover:

a. making a complaint

b. responding to a complaint

c. investigating a complaint

d. providing support and assistance

e. achieving systemic improvements following a complaint.

Recommendation 7.8

Consistent with Child Safe Standard 1: Child safety is embedded in institutional leadership, governance and culture, institutions should have a clear code of conduct that:

a. outlines behaviours towards children that the institution considers unacceptable, including concerning conduct, misconduct or criminal conduct

b. includes a specific requirement to report any concerns, breaches or suspected breaches of the code to a person responsible for handling complaints in the institution or to an external authority when required by law and/or the institution's complaint handling policy

c. outlines the protections available to individuals who make complaints or reports in good faith to any institution engaging in child-related work (see Recommendation 7.6 on reporter protections).

Oversight of institutional complaint handling (Chapter 4)

Recommendation 7.9

State and territory governments should establish nationally consistent legislative schemes (reportable conduct schemes), based on the approach adopted in New South Wales, which oblige heads of institutions to notify an oversight body of any reportable allegation, conduct or conviction involving any of the institution's employees.

Recommendation 7.11

State and territory governments should periodically review the operation of reportable conduct schemes, and in that review determine whether the schemes should cover additional institutions that exercise a high degree of responsibility for children and involve a heightened risk of child sexual abuse.

Recommendation 7.12

Reportable conduct schemes should cover institutions that:

- exercise a high degree of responsibility for children
- engage in activities that involve a heightened risk of child sexual abuse, due to institutional characteristics, the nature of the activities involving children, or the additional vulnerability of the children the institution engages with.

At a minimum, these should include institutions that provide:

a. accommodation and residential services for children, including
   i. housing or homelessness services that provide overnight beds for children and young people
   ii. providers of overnight camps

b. activities or services of any kind, under the auspices of a particular religious denomination or faith, through which adults have contact with children

c. childcare services, including
   i. approved education and care services under the Education and Care Services National Law
   ii. approved occasional care services

d. child protection services and out-of-home care, including
   i. child protection authorities and agencies
   ii. providers of foster care, kinship care or relative care
   iii. providers of family group homes
   iv. providers of residential care

e. disability services and supports for children with disability, including
   i. disability service providers under state and territory legislation
   ii. registered providers of supports under the National Disability Insurance Scheme

f. education services for children, including
   i. government and non-government schools
   ii. TAFEs and other institutions registered to provide senior secondary education or training, courses for overseas students or student exchange programs

g. health services for children, including
   i. government health departments and agencies, and statutory corporations
   ii. public and private hospitals
   iii. providers of mental health and drug or alcohol treatment services that have inpatient beds for children and young people

h. justice and detention services for children, including
   i. youth detention centres
   ii. immigration detention facilities.

Volume 8, Recordkeeping and information sharing

Records and recordkeeping (Chapter 2)

Records and recordkeeping principles

Recommendation 8.4

All institutions that engage in child-related work should implement the following principles for records and recordkeeping, to a level that responds to the risk of child sexual abuse occurring within the institution.

Principle 1: Creating and keeping full and accurate records relevant to child safety and wellbeing, including child sexual abuse, is in the best interests of children and should be an integral part of institutional leadership, governance and culture.

Institutions that care for or provide services to children must keep the best interests of the child uppermost in all aspects of their conduct, including recordkeeping. It is in the best interest of children that institutions foster a culture in which the creation and management of accurate records are integral parts of the institution's operations and governance.

Principle 2: Full and accurate records should be created about all incidents, responses and decisions affecting child safety and wellbeing, including child sexual abuse.

Institutions should ensure that records are created to document any identified incidents of grooming, inappropriate behaviour (including breaches of institutional codes of conduct) or child sexual abuse and all responses to such incidents.

Records created by institutions should be clear, objective and thorough. They should be created at, or as close as possible to, the time the incidents occurred, and clearly show the author (whether individual or institutional) and the date created.

Principle 3: Records relevant to child safety and wellbeing, including child sexual abuse, should be maintained appropriately.

Records relevant to child safety and wellbeing, including child sexual abuse, should be maintained in an indexed, logical and secure manner. Associated records should be collocated or cross-referenced to ensure that people using those records are aware of all relevant information.

Principle 4: Records relevant to child safety and wellbeing, including child sexual abuse, should only be disposed of in accordance with law or policy.

Records relevant to child safety and wellbeing, including child sexual abuse, must only be destroyed in accordance with records disposal schedules or published institutional policies.

Records relevant to child sexual abuse should be subject to minimum retention periods that allow for delayed disclosure of abuse by victims, and take account of limitation periods for civil actions for child sexual abuse.

Principle 5: Individuals' existing rights to access, amend or annotate records about themselves should be recognised to the fullest extent.

Individuals whose childhoods are documented in institutional records should have a right to access records made about them. Full access should be given unless contrary to law. Specific, not generic, explanations should be provided in any case where a record, or part of a record, is withheld or redacted.

Individuals should be made aware of, and assisted to assert, their existing rights to request that records containing their personal information be amended or annotated, and to seek review or appeal of decisions refusing access, amendment or annotation.

Strengthening information sharing arrangements (Chapter 3)

Elements of a national information exchange scheme

Recommendation 8.6

The Australian Government and state and territory governments should make nationally consistent legislative and administrative arrangements, in each jurisdiction, for a specified range of bodies (prescribed bodies) to share information related to the safety and wellbeing of children, including information relevant to child sexual abuse in institutional contexts (relevant information). These arrangements should be made to establish an information exchange scheme to operate in and across Australian jurisdictions.

Recommendation 8.7

In establishing the information exchange scheme, the Australian Government and state and territory governments should develop a minimum of nationally consistent provisions to:

a. enable direct exchange of relevant information between a range of prescribed bodies, including service providers, government and non-government agencies, law enforcement agencies, and regulatory and oversight bodies, which have responsibilities related to children's safety and wellbeing

b. permit prescribed bodies to provide relevant information to other prescribed bodies without a request, for purposes related to preventing, identifying and responding to child sexual abuse in institutional contexts

c. require prescribed bodies to share relevant information on request from other prescribed bodies, for purposes related to preventing, identifying and responding to child sexual abuse in institutional contexts, subject to limited exceptions

d. explicitly prioritise children's safety and wellbeing and override laws that might otherwise prohibit or restrict disclosure of information to prevent, identify and respond to child sexual abuse in institutional contexts

e. provide safeguards and other measures for oversight and accountability to prevent unauthorised sharing and improper use of information obtained under the information exchange scheme

f. require prescribed bodies to provide adversely affected persons with an opportunity to respond to untested or unsubstantiated allegations, where such information is received under the information exchange scheme, prior to taking adverse action against such persons, except where to do so could place another person at risk of harm.

Redress and civil litigation report

Duty of institutions

Recommendation 89

State and territory governments should introduce legislation to impose a non-delegable duty on certain institutions for institutional child sexual abuse despite it being the deliberate criminal act of a person associated with the institution.

Recommendation 90

The non-delegable duty should apply to institutions that operate the following facilities or provide the following services and be owed to children who are in the care, supervision or control of the institution in relation to the relevant facility or service:

a. residential facilities for children, including residential out-of-home care facilities and juvenile detention centres but not including foster care or kinship care

b. day and boarding schools and early childhood education and care services, including long day care, family day care, outside school hours services and preschool programs

c. disability services for children

d. health services for children

e. any other facility operated for profit which provides services for children that involve the facility having the care, supervision or control of children for a period of time but not including foster care or kinship care

f. any facilities or services operated or provided by religious organisations, including activities or services provided by religious leaders, officers or personnel of religious organisations but not including foster care or kinship care.

Recommendation 91

Irrespective of whether state and territory parliaments legislate to impose a non-delegable duty upon institutions, state and territory governments should introduce legislation to make institutions liable for institutional child sexual abuse by persons associated with the institution unless the institution proves it took reasonable steps to prevent the abuse. The 'reverse onus' should be imposed on all institutions, including those institutions in respect of which we do not recommend a non-delegable duty be imposed.

Recommendation 92

For the purposes of both the non-delegable duty and the imposition of liability with a reverse onus of proof, the persons associated with the institution should include the institution's officers, office holders, employees, agents, volunteers and contractors. For religious organisations, persons associated with the institution also include religious leaders, officers and personnel of the religious organisation.

Recommendation 93

State and territory governments should ensure that the non-delegable duty and the imposition of liability with a reverse onus of proof apply prospectively and not retrospectively.

Criminal justice report

Moral or ethical duty to report to police

Recommendation 32

Any person associated with an institution who knows or suspects that a child is being or has been sexually abused in an institutional context should report the abuse to police (and, if relevant, in accordance with any guidelines the institution adopts in relation to blind reporting under Recommendation 16).

Failure to report

Recommendation 33

Each state and territory government should introduce legislation to create a criminal offence of failure to report targeted at child sexual abuse in an institutional context as follows:

a. The failure to report offence should apply to any adult person who

   i. is an owner, manager, staff member or volunteer of a relevant institution – this includes persons in religious ministry and other officers or personnel of religious institutions

   ii. otherwise requires a Working With Children Check clearance for the purposes of their role in the institution

   but it should not apply to individual foster carers or kinship carers.

b. The failure to report offence should apply if the person fails to report to police in circumstances where they know, suspect, or should have suspected (on the basis that a reasonable person in their circumstances would have suspected and it was criminally negligent for the person not to suspect), that an adult associated with the institution was sexually abusing or had sexually abused a child.

c. Relevant institutions should be defined to include institutions that operate facilities or provide services to children in circumstances where the children are in the care, supervision or control of the institution. Foster and kinship care services should be included (but not individual foster carers or kinship carers). Facilities and services provided by religious institutions, and any services or functions performed by persons in religious ministry, should be included.

d. If the knowledge is gained or the suspicion is or should have been formed after the failure to report offence commences, the failure to report offence should apply if any of the following circumstances apply

   i. A child to whom the knowledge relates or in relation to whom the suspicion is or should have been formed is still a child (that is, under the age of 18 years).

   ii. The person who is known to have abused a child or is or should have been suspected of abusing a child is either

      - still associated with the institution
      - known or believed to be associated with another relevant institution.

   iii. The knowledge gained or the suspicion that is or should have been formed relates to abuse that may have occurred within the previous 10 years.

e. If the knowledge is gained or the suspicion is or should have been formed before the failure to report offence commences, the failure to report offence should apply if any of the following circumstances apply

   i. A child to whom the knowledge relates or in relation to whom the suspicion is or should have been formed is still a child (that is, under the age of 18 years) and is still associated with the institution (that is, they are still in the care, supervision or control of the institution).

   ii. The person who is known to have abused a child or is or should have been suspected of abusing a child is either

      - still associated with the institution
      - known or believed to be associated with another relevant institution.

Failure to protect

Recommendation 36

State and territory governments should introduce legislation to create a criminal offence of failure to protect a child within a relevant institution from a substantial risk of sexual abuse by an adult associated with the institution as follows:

a. The offence should apply where

   i. an adult person knows that there is a substantial risk that another adult person associated with the institution will commit a sexual offence against

      - a child under 16
      - a child of 16 or 17 years of age if the person associated with the institution is in a position of authority in relation to the child

   ii. the person has the power or responsibility to reduce or remove the risk

   iii. the person negligently fails to reduce or remove the risk.

b. The offence should not be able to be committed by individual foster carers or kinship carers.

c. Relevant institutions should be defined to include institutions that operate facilities or provide services to children in circumstances where the children are in the care, supervision or control of the institution. Foster care and kinship care services should be included, but individual foster carers and kinship carers should not be included. Facilities and services provided by religious institutions, and any service or functions performed by persons in religious ministry, should be included.

d. State and territory governments should consider the Victorian offence in section 49C of the *Crimes Act 1958* (Vic) as a useful precedent, with an extension to include children of 16 or 17 years of age if the person associated with the institution is in a position of authority in relation to the child.

Appendix B Practical guidance for implementing the Child Safe Standards

This appendix describes possible initiatives, actions and practices to implement the Child Safe Standards. It is a general guide for institutions. Institutions should make their own decisions about implementing the standards. We acknowledge some actions listed in this appendix may not be practicable or necessary for some institutions.

Standard 1: Child safety is embedded in institutional leadership, governance and culture

A child safe institution is committed to child safety. This commitment should be supported at all levels of the institution and be embedded in an institution's leadership, governance and culture, and all aspects of the institution's business and practice.

Institutional culture consists of the collective values and practices that guide the attitudes and behaviour of staff and volunteers. It guides the way things are done and the way issues are managed, dealt with and responded to. A positive, child-focused culture could help to protect children from sexual abuse and facilitate the identification of and proper response to child sexual abuse.

The standard's core components

We consider the core components of leadership, governance and culture in a child safe institution to be the following:

a. The institution publicly commits to child safety and leaders champion a child safe culture.

b. Child safety is a shared responsibility at all levels of the institution.

c. Risk management strategies focus on preventing, identifying and mitigating risks to children.

d. Staff and volunteers comply with a code of conduct that sets clear behavioural standards towards children.

e. Staff and volunteers understand their obligations on information sharing and recordkeeping.

Implementing the core components

The institution publicly commits to child safety and leaders champion a child safe culture

The institution:

- explains in publicly available information how the institution is meeting its commitment to child safety and welcomes feedback
- addresses child safety in duty statements and performance agreements for all staff, including senior leaders and board members
- raises staff awareness about obligations to protect the safety and wellbeing of children within a broader context of supporting children's rights
- establishes and maintains a workplace culture of respect for children, regardless of their individual characteristics, cultural backgrounds and abilities
- lists child safety as a standing meeting agenda item.

Child safety is a shared responsibility at all levels of the institution

To embed this responsibility in the institution's culture:

- children's cultural safety is addressed in the institution's policies and procedures
- information about child safety is accessible, regularly promoted, and staff, volunteers, children and families are encouraged to raise safety issues without fear of retribution
- staff, volunteers, children and families report that they know that child safety is everyone's responsibility and they feel empowered to have a say in and influence decisions about child safety.

Leaders of the institution:

- inform themselves about all aspects of child safety
- model and foster a commitment to child safe practices
- set accountabilities for child safe principles at all levels of the institution's governance structure
- understand the problem of child sexual abuse
- foster a culture that supports anyone to disclose safely their concerns about harm to children
- appoint to the institution's board a Child Safe Trustee or Children's Champion who is willing and able to advocate on behalf of children, and a Child Protection Coordinator who reports to the executive about the institution's child safe performance.

Staff are made aware of their responsibilities through:

- duty statements that identify roles and responsibilities (including child safety) for all positions
- an organisational chart that shows lines of authority, reporting and accountability for each position.

Risk management strategies focus on preventing, identifying and mitigating risks to children

Risk management strategies support a structured approach to identifying and assessing the characteristics of an institution that may heighten the risk of child sexual abuse. They are an important tool to help keep children safe.

The institution's risk management strategy:

- is developed from a clear, evidence-informed concept of potential intentional and unintentional risks to children in an institution's specific setting. For sexual abuse, it requires knowing the characteristics of abusers and victims, and how, when and where abuse tends to occur
- has a prevention focus that addresses child safety
- has appropriate controls to identify, assess and address risks
- considers increased risk with specific roles and activities, and children with heightened vulnerability, but does not discourage positive relationships between adults and children, and healthy child development
- attends more closely to risk in situations where staff have roles that involve working alone with children or without supervision; in private settings; in intimate care routines or situations with children (for example, bathing, dressing, or counselling and guidance); and in leading or supervising others in child safety roles.

For more information, see Standard 6, and Volume 7, *Improving institutional responding and reporting*.

Staff and volunteers comply with a code of conduct that sets clear behavioural standards towards children

A code of conduct sets out clear behavioural standards, practices or rules that are expected of individuals in an institution. This includes standards of behaviour that are expected between adults and children.

The institution's code of conduct:

- applies to all staff and volunteers, including senior leaders and board members
- clearly describes acceptable and unacceptable behaviour of employees and volunteers towards children (for example, by illustrating behaviours with relevant examples)
- is communicated effectively to all staff
- requires signed acknowledgement by all staff and volunteers
- is published, accessible to everyone within the institution (including children and families) and communicated throughout the institution using a range of modes and mechanisms
- if breached, requires a prompt response and includes clearly documented response mechanisms, on a continuum from remedial education and counselling through to suspension, termination and official reports.

For more information, see Standard 6 and Volume 7, *Improving institutional responding and reporting*.

Staff and volunteers understand their obligations on information sharing and recordkeeping

Within the institution:

- staff and volunteers are aware of and understand their obligations in relation to data collection, information sharing and recordkeeping
- records are stored in accordance with best practice principles for access and use.

Standard 2: Children participate in decisions affecting them and are taken seriously

Children are safer when institutions acknowledge and teach them about their rights to be heard, listened to and taken seriously. Article 12 of the United Nations Convention on the Rights of the Child (UNCRC) details the rights of a child to express their views and participate in decisions that affect their lives. Enabling children and young people to understand, identify and raise their safety concerns with a trusted adult and to feel safe within the institution is important.

A child safe institution is one that seeks the views of children and considers their age, development, maturity, understanding, abilities and the different formats and means of communication they may use. It provides children with formal and informal opportunities to share their views on institutional issues. Children can access sexual abuse prevention programs and information, and feel confident to complain, for example, by using helplines. Staff are aware of signs of harm, including unexplained changes in behaviour, and routinely check children's wellbeing.

The standard's core components

We consider the core components of children's participation and empowerment within an institution to be the following:

a. Children are able to express their views and are provided opportunities to participate in decisions that affect their lives.

b. The importance of friendships is recognised and support from peers is encouraged, helping children feel safe and be less isolated.

c. Children can access sexual abuse prevention programs and information.

d. Staff and volunteers are attuned to signs of harm and facilitate child-friendly ways for children to communicate and raise their concerns.

Implementing the core components

Children are able to express their views and are provided opportunities to participate in decisions that affect their lives

The institution:

- asks children to participate and talk about the things that affect their lives, including their safety
- embeds children's participation into institutional practices, for example, by providing opportunities for children to participate in decisions that affect their lives
- matches participation methods to the age, capabilities and cultural background of the children, and the type of institution
- creates opportunities for children to be involved in institutional governance, while also being honest with children about the extent of their involvement and giving children feedback on how their views have been actioned by the institution
- plans formal and informal times and activities for information sharing and discussion with children about broad institutional issues and/or decisions
- provides opportunities for children to give feedback to the institution, including anonymous surveys and/or suggestion boxes.

The importance of friendships is recognised and support from peers is encouraged, helping children feel safe and be less isolated

The institution:

- recognises the importance of children's friendships and peer support in helping children feel safe and be less isolated
- actively supports children to develop and sustain friendships (for example, a 'buddy system')
- provides children with education about safe and respectful peer relationships, including through social media.

Children can access sexual abuse prevention programs and information

The institution:

- provides children with access and referral to educational programs on child protection appropriate to their age, ability and level of understanding
- openly displays contact details for independent child advocacy services and child helpline telephone numbers, and explains their use to children
- arranges appropriate referrals or support for children.

Staff and volunteers are attuned to signs of harm and facilitate child-friendly ways for children to communicate and raise their concerns

The institution:

- establishes mechanisms that enable children to raise any complaints safely
- provides staff with resources and/or training opportunities to support children's participation
- requires staff to be vigilant to signs of harm and routinely check to see if children are okay
- provides child-focused and inclusive complaint handling processes
- allows sufficient time, opportunity and appropriate support for children with disability to raise concerns
- draws on a culturally diverse workforce to nurture and support children's diverse needs and cultural safety
- ensures sufficient time to build healthy relationships between staff, volunteers and children.

Standard 3: Families and communities are informed and involved

A child safe institution observes Article 18 of the UNCRC, which states that parents, carers or significant others with caring responsibilities have the primary responsibility for the upbringing and development of their child. Families and caregivers are engaged with the child safe institution's practices and are involved in decisions affecting their children. Families and caregivers are recognised as playing an important role in monitoring children's wellbeing and helping children to disclose any complaints.

A child safe institution engages with the broader community to better protect the children in its care. Institutions are more likely to foster a child safe culture if the surrounding community values children, respects their rights, and ensures that their rights are fulfilled.

The standard's core components

We consider the core components of family and community involvement in a child safe institution to be the following:

a. Families have the primary responsibility for the upbringing and development of their child and participate in decisions affecting their child.

b. The institution engages in open, two-way communication with families and communities about its child safety approach and relevant information is accessible.

c. Families and communities have a say in the institution's policies and practices.

d. Families and communities are informed about the institution's operations and governance.

Implementing the core components

Families have the primary responsibility for the upbringing and development of their child and participate in decisions affecting their child

The institution:

- supports families to take an active role in monitoring children's safety across institutions
- clearly describes the roles and responsibilities of parents and carers to ensure the safe participation of children
- keeps families informed of progress and actions relating to any complaint, and discusses matters with families and carers in accordance with the law
- if it has specific expertise, may take a leadership role in raising community awareness of child sexual abuse in institutional contexts.

The institution engages in open, two-way communication with families and communities about its child safety approach and relevant information is accessible

The institution:

- ensures families have seen/read information stating the institution's commitment to child safety and detailing actions it will take to meet this commitment
- ensures families know where to find the institution's code of conduct and child safe policies and procedures (these may be transmitted in fact sheets, information sessions or apps)
- ensures families know how, when and to whom complaints should be made
- uses multiple strategies and modes for communicating institutional policies and activities with families
- ensures institutional communications are publicly available, current, clear, timely, and delivered in multiple modes and formats as appropriate to a diverse stakeholder audience, taking into account cultural relevance and different levels of English language skills
- allows sufficient time to establish a rapport with families and communities, particularly for children with heightened vulnerability
- identifies barriers to communication and enacts specific strategies to overcome them.

Families and communities have a say in the institution's policies and practices

The institution:

- consults families and communities on the development of institutional policies and practices
- consults families and communities on institutional decisions, where feasible and appropriate.

Families and communities are informed about the institution's operations and governance

The institution:

- ensures families are aware of the institution's leadership team and their roles
- ensures families are aware of the roles and responsibilities of the staff delivering services directly to their children.

Standard 4: Equity is upheld and diverse needs are taken into account

Equity and non-discrimination are central tenets of the UNCRC. Article 2 emphasises non-discrimination and a commitment to fulfil children's rights 'irrespective of … [their] race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status'. Just as the safety of children should not depend on where they live, their right to safety should not depend on their social or economic position, their cultural context or their abilities and impairments.

A child safe institution pays attention to equity by taking into account children's diverse circumstances. It recognises that some children are more vulnerable to sexual abuse than others, or find it harder to speak up and be heard, and makes the necessary adjustments to equally protect all children. A child safe institution would tailor standard procedures to ensure these children have fair access to the relationships, skills, knowledge and resources they need to be safe, in equal measure with their peers.

The standard's core components

We consider the core components of upholding equity and meeting diverse needs of children in an institution to be the following:

a. The institution actively anticipates children's diverse circumstances and backgrounds and responds effectively to those with additional vulnerabilities.

b. All children have access to information, support and complaints processes.

c. The institution pays particular attention to the needs of Aboriginal and Torres Strait Islander children, children with disability, and children from culturally and linguistically diverse backgrounds.

Implementing the core components

The institution actively anticipates children's diverse circumstances and backgrounds and responds effectively to those with additional vulnerabilities

The institution:

- learns about circumstances and experiences that increase a child's vulnerability to harm or abuse in institutional contexts
- understands barriers that prevent children from disclosing abuse or adults from recognising children's disclosures, with particular attention to children's cultural contexts, languages, cognitive capabilities and communication needs

- takes action to minimise barriers to disclosure
- focuses particular attention on safety in closed or segregated environments, such as out-of-home care, boarding schools, youth detention, some religious institutions, specialist education facilities and disability support settings
- consults with a range of stakeholders from diverse backgrounds and with the necessary expertise (including children, families and communities) in developing institutional strategies for addressing all of the Child Safe Standards.

All children have access to information, support and complaints processes

The institution:

- recognises and respects diverse backgrounds, identities, needs and preferences
- provides culturally safe and culturally responsive child-friendly services
- uses translation services and bicultural workers with knowledge of child abuse issues, particularly to facilitate disclosure, reporting and complaint handling
- provides accessible information in multiple formats for individuals with different levels of English literacy and proficiency, modes of communication, languages and cognitive abilities
- accesses external expert advice when required, such as cultural advice or disability support.

The institution pays particular attention to the needs of Aboriginal and Torres Strait Islander children, children with disability, and children from culturally and linguistically diverse backgrounds

The institution:

- strives for a workforce that reflects diversity of cultures, abilities and identities
- implements awareness training as part of induction and ongoing staff education, with specific content related to Aboriginal and Torres Strait Islander children, children with disability, children from culturally and linguistically diverse backgrounds, and others with particular experiences and needs
- makes clear reference in its policies and procedures to additional considerations related to Aboriginal and Torres Strait Islander cultures, disability, culturally and linguistically diverse backgrounds, and other experiences and needs
- implements and monitors the outcomes of specific strategies tailored to the needs of Aboriginal and Torres Strait Islander children, children with disability, and children from culturally and linguistically diverse backgrounds, to ensure their safety and participation in the organisation.

Standard 5: People working with children are suitable and supported

Human resource management, through screening, recruitment and ongoing performance review, can play an important role in protecting children from harm.

Child-focused human resource practices help screen out people unsuitable for working with children or discourage their application. Such practices make sure child safety is prioritised in advertising, recruiting, employment screening, and selecting and managing staff and volunteers. During induction processes, all staff and volunteers should be given clear conduct and behavioural guidelines, such as a code of conduct. Child safe institutions recognise that Working With Children Checks can detect only a subset of people who are unsuitable to work with children, and that these checks should be part of a suite of screening practices.

The standard's core components

We consider the core components of human resource management in a child safe institution to be the following:

a. Recruitment, including advertising and screening, emphasises child safety.

b. Relevant staff and volunteers have Working With Children Checks.

c. All staff and volunteers receive an appropriate induction and are aware of their child safety responsibilities, including reporting obligations.

d. Supervision and people management have a child safety focus.

Implementing the core components

Recruitment, including advertising and screening, emphasises child safety

Employment advertising packages include:

- the organisation's statement of commitment to being a child safe institution
- the institution's code of conduct, and child safe policy and procedures
- specific selection criteria concerning attitudes to and application of child safety measures to which applicants must respond
- job descriptions and duty statements that set clear expectations about child safety, including induction and training.

Recruitment, selection and screening procedures:

- show clearly documented recruitment procedures and processes
- verify applicants' identity, qualifications and professional registration
- involve children and/or families where feasible and appropriate
- include thorough, structured interviews
  - providing clear information to applicants about the institutional commitment to child safety
  - assessing the values, motives and attitudes of job applicants who will work directly with children
  - establishing why the applicant is leaving their current job
  - thoroughly assessing the applicant's professional experience, qualifications and competence to work with children
- include stringent and careful reference checks
  - involving direct conversations with at least two professional referees
  - including the applicant's current or most recent employer
  - ascertaining, where possible, the applicant's attitudes and behaviours in previous child-related roles
  - ascertaining whether the applicant has ever been involved in any complaint processes
- check that staff have formal qualifications commensurate with their role and responsibilities, or are informed they will be expected to engage with and qualify in relevant study
- encourage a culturally diverse workforce to nurture and support children's cultural safety
- ensure human resources staff and interview panels have the appropriate education and training to dispense their obligations appropriately and effectively
- are followed by recruitment agencies, labour suppliers, contractors and volunteers.

Relevant staff and volunteers have Working With Children Checks

The institution:

- requires staff and volunteers to undertake screening procedures including criminal history checks to assess a person's fitness to work with children as specified in law (for example, Working With Children Checks)
- builds in allowance for revalidation.

All staff and volunteers receive an appropriate induction and are aware of their child safety responsibilities, including reporting obligations

The institution's induction for new staff and volunteers:

- is a documented process and tracked through a register for new staff and volunteers
- occurs immediately after appointment and, ideally, before work with children begins
- provides instruction on
  - children's rights
  - respect for children, regardless of their individual characteristics, cultural backgrounds, and abilities
  - the code of conduct and child safe policies and procedures
  - strategies that identify, assess and minimise risk to children
  - how to respond to a disclosure from a child
  - complaints processes, including how to respond to a complaint about behaviour towards children
  - reporting obligations (including mandatory reporting) and procedures including format, content and destinations for reports
  - protections for whistleblowers
- is more detailed for staff working in roles and situations with higher risk, for example, with children who may be more vulnerable to maltreatment
- is reviewed regularly.

Supervision and people management have a child safety focus

The institution's people management includes:

- a probationary employment period for new staff and volunteers, to allow time to assess suitability to the position
- regular reviews of staff and volunteer performance, including adherence to the code of conduct and child safe policies and procedures
- opportunities to formally or informally raise concerns about harm or risk of harm to children
- appropriate responses to concerns about performance in the institution's code of conduct
- feedback on staff performance from children and/or families, where feasible and appropriate
- a structure and process for professional supervision and support.

Standard 6: Processes to respond to complaints of child sexual abuse are child focused

A child-focused complaints process is an important strategy for helping children and others in institutions to make complaints. Child safe institutions respond to complaints by immediately protecting children at risk and addressing complaints promptly, thoroughly and fairly.

A child safe institution has clear and detailed policies and procedures about how to respond to complaints. Staff and volunteers understand their responsibility for making a complaint promptly if they become aware of concerning behaviours, as well as their reporting obligations to external authorities. Complaint processes specify steps that need to be taken to comply with requirements of procedural fairness for affected parties, have review mechanisms, and ensure any disciplinary action that is taken withstands external scrutiny in accordance with relevant employment law and other employer responsibilities.

The standard's core components

We consider the core components of complaint handling in a child safe institution to be the following:

a. The institution has a child-focused complaint handling system that is understood by children, staff, volunteers and families.

b. The institution has an effective complaint handling policy and procedure which clearly outline roles and responsibilities, approaches to dealing with different types of complaints and obligations to act and report.

c. Complaints are taken seriously, responded to promptly and thoroughly, and reporting, privacy and employment law obligations are met.

Implementing the core components

The institution has a child-focused complaint handling system that is understood by children, staff, volunteers and families

The institution:

- ensures children, staff, volunteers and families know who to talk to if they are worried or are feeling unsafe
- takes all complaints seriously and responds promptly and appropriately, as detailed in clear procedures
- has an open culture that supports safe disclosure of risks of harm to children

- provides information in accessible, age-appropriate and meaningful formats to children and families who use the service, mindful of their diverse characteristics, cultural backgrounds and abilities
- offers a variety of avenues for children to make complaints
- provides information about its complaint handling process, including how to make a complaint and what to expect.

The institution has an effective complaint handling policy and procedure which clearly outline roles and responsibilities, approaches to dealing with different types of complaints and obligations to act and report

The institution's complaint handling policy includes:

- approaches to dealing with different types of complaints, including concerns, suspicions, disclosures, allegations and breaches
- links to the code of conduct and definitions of various forms of abuse, including sexual abuse and sexual misconduct
- actions to be taken where the subject of a complaint is a staff member, volunteer, parent, another child or person otherwise associated with the institution. In the case of a staff member, for example, this may include supervision, removal of contact with children or being stood down
- detailed guidance on how institutional members (including senior management, supervisors, staff and volunteers) should respond to allegations, including steps for reporting externally as required by law and/or the complaint handling policy
- communication, referral and support mechanisms for staff, volunteers, children and their families
- approaches to dealing with situations in which a child may cause abuse-related harm to another child
- a clear commitment that no one will be penalised or suffer adverse consequences for making a complaint.

Complaints are taken seriously, responded to promptly and thoroughly, and reporting, privacy and employment law obligations are met

When a complaint is made, the institution can show that:

- children are consulted and have input into the design of a complaint process and access to a support person at all times
- responses are quick and thorough and relevant people are kept informed of the progress, outcomes and resolution of the complaint

- cooperation occurs with investigating authorities, including police
- personal information arising from complaints is treated in accordance with the law
- effective recordkeeping practices are used in accordance with the law
- all complaints are documented regardless of whether the complaint meets statutory reporting thresholds.

Given the significant issues that we have heard regarding complaint handling, further guidance is available in Volume 7, *Improving institutional responding and reporting*.

Standard 7: Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training

A child safe institution promotes and provides regular ongoing development opportunities for its staff and volunteers through education and training, beginning with induction. Child safe institutions are 'learning institutions', where staff and volunteers at all levels are continually building their ability and capacity to protect children from harm.

This standard is premised on all staff and volunteers receiving comprehensive and regular training, including induction on the institution's child safe strategies and practices, as well as broader training on child protection.

The standard's core components

We consider the core components of staff education and training in a child safe institution to be the following:

a. Relevant staff and volunteers receive training on the nature and indicators of child maltreatment, particularly institutional child sexual abuse.

b. Staff and volunteers receive training on the institution's child safe practices and child protection.

c. Relevant staff and volunteers are supported to develop practical skills in protecting children and responding to disclosures.

Implementing the core components

Relevant staff and volunteers receive training on the nature and indicators of child maltreatment, particularly institutional child sexual abuse

Training has the following features:

- Training is culturally responsive to the needs of Aboriginal and Torres Strait Islander, migrant, refugee and multi-faith communities and to the needs of people with disability; for example, by being delivered jointly by bilingual and/or bicultural workers and interpreters.
- Training is evidence based and provided by expert trainers relevant to the institutional context.
- Training resources and tools are consistent, simple, accessible and easy to use. Materials are tailored to meet the needs of the particular institution with respect to individual characteristics, cultural backgrounds and abilities, and the roles of workers and volunteers.
- Training covers specific topics including
    - children's rights and children's perceptions of what makes an institution safe
    - respect for children, regardless of their individual characteristics, cultural backgrounds and abilities
    - the indicators of child sexual abuse
    - how to respond to indicators and disclosures of child sexual abuse
    - definitions and examples of child sexual abuse and grooming/manipulation
    - the characteristics of victims, offenders, and risky environments and situations
    - combating stereotypes of both victims and offenders
    - understanding and responding to harmful behaviours by a child towards another child.
- Methods used in training include presentation of information, interactive discussion, values clarification, worked examples, role play and feedback.
- Training programs are regularly and externally reviewed including in response to the emerging evidence base.

Staff and volunteers receive training on the institution's child safe practices and child protection

Training on the institution's policies and practices:

- is provided to all staff on induction and through frequent refresher training (for example, annually)
- includes records of participation to ensure all personnel attend training sessions
- covers institutional risk management, code of conduct, child safe policies and procedures, including specific information on reporting obligations, complaints mechanisms and protections
- includes examples of where, when, how, to whom and by whom child sexual abuse can occur in institutional settings.

Relevant staff and volunteers are supported to develop practical skills in protecting children and responding to disclosures

The institution:

- provides more detailed training for staff working in roles and situations with higher risk, such as closed or segregated settings or with children who may be more vulnerable to maltreatment
- provides training that empowers staff with the knowledge and competencies to identify risks, prevent sexual abuse, report complaints and respond appropriately
- trains senior leaders, supervisors and staff engaged in recruitment processes to be alert to signs of unusual attitudes towards children (for example, if applicants profess to have 'special relationships' with children, disagree with the need for rules about child protection, or have a desire to work with children that seems focused on meeting their own psychological or emotional needs)
- provides advanced training for senior leaders and supervisors and children's champions
- briefs all staff and volunteers on how to respond to children who disclose through a variety of mechanisms
- provides training that prepares staff to respond to critical incidents, such as complaints of child sexual abuse.

Standard 8: Physical and online environments minimise the opportunity for abuse to occur

Certain physical and online environments can pose a risk to children. Institutions seeking to be child safe could improve safety by analysing and addressing these risks, reducing opportunities for harm and increasing the likelihood that perpetrators would be caught.

A child safe institution designs and adapts its physical environment to minimise opportunities for abuse to occur. The institution finds a balance between visibility and children's privacy and their capacity to engage in creative play and other activities. It consults children about physical environments and what makes them feel safe.

Child safe institutions address the potential risks posed in an online environment, educating children and adults about how to avoid harm and how to detect signs of online grooming. The institution articulates clear boundaries for online conduct, and monitors and responds to any breaches of these policies.

The standard's core components

We consider the core components of a child safe physical and online environment to be the following:

a. Risks in the online and physical environment are identified and mitigated without compromising a child's right to privacy and healthy development.

b. The online environment is used in accordance with the institution's code of conduct and relevant policies.

Implementing the core components

Risks in the online and physical environment are identified and mitigated without compromising a child's right to privacy and healthy development

To minimise risks, the institution would have the following features:

- effective natural surveillance with few out-of-the-way places, taking into account children's right to privacy
- routine movements of responsible adults to provide formal and informal line-of-sight supervision

- rooms with large, unobstructed windows or observation panels (including for sensitive places such as principals', chaplains' or counsellors' rooms).
- surveillance equipment (for example, CCTV) installed in high-risk environments where natural surveillance is not feasible, taking into account children's right to privacy and complying with sector standards
- consultation with children about physical and online environments and what makes them feel safe
- consideration of the age, gender mix and vulnerabilities of children in the setting
- random checks of obstructed and out-of-the-way locations (for example, dressing rooms, first-aid rooms or sporting grounds away from main buildings)
- open discussions of children's safety, the nature of organisational activities, the quality of equipment and the physical environment
- a strong prevention and awareness focus, by educating children, parents, staff, volunteers and the institution's stakeholder community about online safety and security.

The online environment is used in accordance with the institution's code of conduct and relevant policies

The institution:

- routinely monitors the online environment, reporting breaches of its code of conduct or child safe policies in accordance with the institution's complaint handling processes
- reports serious online offences to police in accordance with mandatory reporting obligations
- provides education and training about the online environment that is consistent with its code of conduct and child protection and other relevant policies, and addresses the use of mobile phones and social media.

Standard 9: Implementation of the Child Safe Standards is continuously reviewed and improved

Child safe institutions know it is a significant challenge to maintain a safe environment for children in a dynamic organisation. The institution's leadership maintains vigilance by putting in place systems to frequently monitor and improve performance against the Child Safe Standards. An open culture encourages people to discuss difficult issues and identify and learn from mistakes. Complaints are an opportunity to identify the root cause of a problem and improve policies and practices to reduce the risk of harm to children. Where appropriate, the institution seeks advice from independent specialist agencies to investigate failures and recommend improvements.

The standard's core components

We consider the core components of continuous review and improvement of child safe practices to be the following:

a. The institution regularly reviews and improves child safe practices.

b. The institution analyses complaints to identify causes and systemic failures to inform continuous improvement.

Implementing the core components

The institution regularly reviews and improves child safe practices

The institution:

- regularly reviews and records its implementation of the Child Safe Standards, including improvement mechanisms
- is regularly audited for all of the Child Safe Standards, either internally or externally by an independent, specialist agency
- maintains a culture of awareness to ensure that policies and practices are implemented and routinely reviewed, even though staffing may change.

The institution analyses complaints to identify causes and systemic failures to inform continuous improvement

The institution:

- undertakes a careful and thorough review to identify the root cause of the problem, any systemic issues (including failures), remaining institutional risks and improvements to institutional policies and practices. This is undertaken as soon as a complaint is made, and again when it is finalised
- may consider employing an external expert or agency to offer an independent case review, which should be underpinned by the following key features
    - a preventive, proactive and participatory approach to ensure everyone understands, and has confidence in, the institution's child safety approach
    - accountability for maintaining child safe policies and practices that are communicated, understood and accepted at all levels of the institution

- can show the ways in which policies and practices have changed, when the need for improvement is identified
- if serving children who are at risk, more vulnerable or hard to reach, gives attention to the evolving evidence base in relation to the safety of all children, being mindful of their individual characteristics, cultural backgrounds and abilities
- if employing staff in roles that involve working either alone or without supervision with children, or in intimate care situations with them, gives attention in the institution's review and continuous improvement process to the evolving evidence base in relation to effective risk management in these contexts.

Standard 10: Policies and procedures document how the institution is child safe

A child safe institution has localised policies and procedures that set out how it maintains a safe environment for children. Policies and procedures should address all aspects of the Child Safe Standards. The implementation of child safe policies and procedures is a crucial aspect of facilitating an institution's commitment to them.

The standard's core components

We consider the core components of policies and procedures in a child safe institution to be the following:

a. Policies and procedures address all Child Safe Standards.

b. Policies and procedures are accessible and easy to understand.

c. Best practice models and stakeholder consultation inform the development of policies and procedures.

d. Leaders champion and model compliance with policies and procedures.

e. Staff understand and implement the policies and procedures.

Implementing the core components

Policies and procedures address all Child Safe Standards

The institution's policies and procedures incorporate the intent of all Child Safe Standards to ensure the best interests of children are placed at the heart of their operation and central to their purpose.

Policies and procedures are accessible and easy to understand

The institution's child safe policies and procedures are:

- readily and publicly accessible (for example, there is a link to them from the institution's website home page that is no more than three clicks from the home page, or available on public noticeboards)
- downloadable or available as a single Word or PDF document
- provided to staff and volunteers at induction, and communicated further via education and training
- ideally available in multiple modes for individuals with different levels of English literacy and proficiency, modes of communication and access to digital technologies (for example, multiple languages/dialects, visual aids/posters, audio and audio visual resources)
- ideally available in child-friendly and developmentally appropriate formats that pay attention to children's diverse characteristics, cultural backgrounds and abilities
- provided to staff and volunteers at induction, and communicated further via education and training.

Best practice models and stakeholder consultation inform the development of policies and procedures

In institutions working primarily or exclusively with children, policies and procedures are subject to regular external review.

Specific administrative details appear on the policies and procedures document, including:

- the effective date, review date, author(s), and executive approval details
- a list of related documents or policies that must be read in conjunction with the child safe policies and procedures (including relevant legislation, regulations).

The policies and procedures document:

- states the underlying institutional child safety values or principles
- defines terms used in the policy
- specifies to whom the policy applies and the responsibilities of staff and volunteers
- defines the different types of child maltreatment covered by the policy
- lists indicators of possible abuse and how to respond
- specifies legal reporting obligations for staff and volunteers
- includes a diagram that shows reporting chains (for example, a decision tree)
- describes what actions to take if a child is at imminent risk of harm
- clearly identifies when reports are to be made and the relevant authority to whom they should be directed (including reporting child sexual abuse to the police)
- sets out child safe education and training requirements (including frequency) for staff and volunteers.

Leaders champion and model compliance with policies and procedures

Leaders in the institution:

- can access appropriate experts/mentors when dealing with complaints
- develop collaborative relationships with other relevant organisations and stakeholders to share knowledge about implementing practical child safety measures.

Staff understand and implement the policies and procedures

Staff and volunteers in the institution:

- are aware of, have read, understand and intend to follow the child safe/child protection policies and procedures and can provide examples in which they have done this
- receive adequate training and education regarding the policies and procedures and how to implement them
- know that they are required to comply with reporting obligations concerning suspected or known child sexual abuse
- know who to approach with concerns or questions.

Royal Commission
into Institutional Responses
to Child Sexual Abuse

Commonwealth of Australia

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