

Truth Justice and Healing Council
PO Box 4593
Kingston ACT 2604

Dear Truth, Justice and Healing Council

Re: Jesuit Social Services response to Consultation Draft, Issues Paper 4 – Preventing Sexual Abuse of Children in Out of Home Care.

Thank you again for the work in preparing this draft submission. As Jesuit Social Services is not a provider of Out of Home Care (OOHC) and, therefore, not familiar with its practice, procedural or regulatory framework, then this is not an area to which we can make substantial comment.

We note, however, that you include a question in your draft addressed to Jesuit Social Services with respect to the possibility of Jesuit Social Services inserting elaborating information about our involvement in the Unaccompanied Minors program (paragraph 19, p. 12). As Jesuit Social Services provides only the case management support to this program and is not responsible for care issues that occur in the house, such information would be more appropriately provided by our consortium partner, MacKillop Family Services, who provide the Out of Home Care (OOHC) component of the model and are the custodian of the children.

We acknowledge that the case management role provides an important protective factor, as noted later in your draft. Jesuit Social Services has in place policy and procedural guidance for all our staff relating to any disclosures of past or present sexual abuse by any participants in our programs. Guidelines relate to either victims or perpetrators of sexual abuse, and include the reporting of suspected abuse. This includes that “a report must be made to the Department of Immigration & Border Protection if an involuntary participant alleges sexual abuse (Community Detention Program).”

Having said this, it may be important to add to the submission’s considerations that services outside the OOHC sector that provide case management, support or other roles that bring them into contact with children in OOHC, have a responsibility to ensure staff are trained in indicators of and responding to child sexual abuse and agencies have appropriate reporting and management policies in place in the event of disclosures or suspicion of sexual abuse. This can be relevant to either Issues Paper question 4, *What are the strengths and weaknesses of models that check OOHC practices by an audit approach, a regular supervisory visit, or an irregular visit by someone like a community visitor?* and/or to question 6, *What are the core components of the training needs of those working with children who might be sexually abused including carers, caseworkers and staff of regulatory bodies? What priority should be given to training in relation to sexual abuse compared to other training needs?* (Noting that the questions have been incorrectly numbered in the consultation draft ie question 2 is referred to as question 3 with this error carried through subsequent questions).

More broadly, we question the structure of the paper and whether this can be improved. Specifically, the paper does not directly respond to the questions raised by the Issues Paper until p24, and then the responses are very thin. The bulk of the paper is dedicated to introducing the issues. This can be thought of as in 2 parts. The first part details the history of church involvement in OOHC, changes to

this over time, numbers involved in church OOHC and reasons for coming into care (that includes sexual abuse). It does not touch on (part 2) the substantive area for the submission until p.15 (Risk of sexual abuse and OOHC placement type). The next pages (15-23) basically set up the arguments to be used in the responses to the Issues Paper questions. The response may be better structured if the first part were greatly abbreviated as, while providing background to the Church's involvement in OOHC, is not directly relevant to the questions posed by Issue Paper. The material in the second part is directly relevant and would be better targeted if used to elaborate the actual answers to the Issues Paper questions.

For example, research is presented earlier in the TJHC submission relating to children who experience sexual abuse and different placement types. This would be directly relevant to the response to question 2 (*evidence for having different strategies to keep children in OOHC safe from sexual abuse depending upon whether a child is in relative or kinship care, foster care or one of the forms of residential care* – noting that this is incorrectly numbered as question 3 in the consultation draft). This would include planning around the most appropriate placement type, and permanency plan, for children who have been sexually abuse before entering care (para 27, and 46-48); the risk of abuse and discrete components of OOHC placement type (para 31); or differences reported in sexual abuse rates of children in foster care and residential care (paras 32-34).

Similarly the information presented in the consultation draft under the heading “Preventing sexual abuse in OOHC” (paras 36-52) has direct relevance to numerous of the other questions posed by the Issues Paper. To some extent this is a question of which is the most relevant question to include information under as a number of the strategies inter-relate. In addition to re-distributing existing information in this way, we would like to see further information included in the submission including:

- Greater attention to strategies and supports for children who have been sexually abused prior to entering out of home care;
- Drawing upon relevant material and recommendations included in responses to previous Issues Papers (Working with Children and Child safe Institutions) as relevant to this Issues Paper;
- Greater incorporation of the child “voice” which is absent from the submission. This should include a process to consult with children or young people in OOHC, including previous clients; and
- Training of auditors and community visitors in indicators of sexual abuse. Contemporary thinking about best means to educate children in protective behaviours should also be considered.

We are happy to discuss in more detail any of the issues discussed in this letter. You can contact us on 03 9421 7600 should you wish to discuss.

Yours sincerely

Julie Edwards
Chief Executive Officer
Jesuit Social Services