



**Government of  
South Australia**

# Royal Commission into Institutional Responses to Child Sexual Abuse

**Government of South Australia's  
response to the Final Report**

Attorney-General's Department  
45 Pirie Street  
Adelaide SA 5000  
[www.agd.sa.gov.au](http://www.agd.sa.gov.au)  
GPO Box 464  
Adelaide SA 5001

This report is available online please visit  
[www.childprotection.sa.gov.au/royal-commission](http://www.childprotection.sa.gov.au/royal-commission)

For enquiries please email  
[RCIRCSAresponseSA@sa.gov.au](mailto:RCIRCSAresponseSA@sa.gov.au)



**Government of South Australia**  
Attorney-General's Department

# Contents

Foreword .....	4
Glossary of response types .....	5
Volume 2: Nature and cause recommendations .....	6
Volume 6: Making institutions child safe recommendations .....	7
Volume 7: Improving institutional responding and reporting recommendations .....	24
Volume 8: Recordkeeping and information sharing recommendations .....	32
Volume 9: Advocacy, support and therapeutic treatment services recommendations .....	46
Volume 10: Children with harmful sexual behaviours recommendations .....	51
Volume 11: Historical residential institutions .....	55
Volume 12: Contemporary out-of-home care recommendations .....	56
Volume 13: Schools recommendations .....	69
Volume 14: Sport, recreation, arts, culture, community and hobby groups recommendations .....	73
Volume 15: Contemporary detention environments recommendations .....	75
Volume 16: Religious institutions recommendations .....	84
Volume 17: Beyond the Royal Commission recommendations .....	102

# Foreword

All children and young people deserve to be safe, happy and healthy.

The horrific findings of the Royal Commission into Institutional Responses to Child Sexual Abuse have highlighted serious failings in the way institutions protect children and young people, and deal with reports of abuse when they occur.

The Royal Commission's views and findings were informed by thousands of victims and survivors who bravely came forward to tell their stories. I extend my sincere thanks to these individuals who revisited unthinkable trauma and helped bring to light multiple and consistent failings of institutions and the devastating impact that sexual abuse can have on a child's life.

The Royal Commission's Final Report was released in December 2017. It contains 17 volumes with 189 recommendations aimed at better protecting children against sexual abuse in institutions and providing better support when it happens.

The Final Report covers a broad range of issues relating to both government and other institutions. It follows three policy reports that were released to governments at earlier stages of the inquiry - Working with Children Checks, Civil Litigation and Redress, and Criminal Justice.

Many of the Final Report's recommendations complement reform that is already underway following South Australia's Child Protection Systems Royal Commission, which handed down its findings in August 2016. The state government has considered the recommendations of the Final Report with a view to integrate future changes into the state's existing reform agenda.

The Government of South Australia will continue to collaborate with federal, state and territory governments on national approaches, while we continue to take action at a local level to combat institutional child sexual abuse.

The state government has announced its intention to participate in the National Redress Scheme. The scheme will provide recognition, monetary payment and support to access counselling to people who were sexually abused as children in places run by the state government, such as state operated schools and out-of-home care.

Survivors who have received a payout from the existing state government ex gratia scheme will be eligible to apply to the National Redress Scheme. It is anticipated that it could take up to 12 months to finalise all arrangements in South Australia, including state-based legislation to adopt the national scheme and engaging with service providers and stakeholders about implementation at a local level.

The state government has also introduced new laws into Parliament to remove time limits for victims of child sexual abuse to seek compensation.

However, more must be done. There must be changes in the culture, structure and governance of institutions. This response outlines what the Government of South Australia will do to reduce the risk of sexual abuse in institutions and better support victims and survivors. My thanks goes to the agencies and their staff that have been involved in the consultation for and development of this document.

No one should ever have to suffer as these victims have suffered. My hope is that our shared resolve in response to these findings – at a state, territory and federal level – will deliver change that will better protect the safety and wellbeing of our children and young people.



**Vickie Chapman MP**  
**Deputy Premier**  
**Attorney-General**

# Glossary of response types

Response	Definition
Accepted	All elements of the recommendation are supported.
Accepted in principle	The Government of South Australia generally supports the intent or merit of the policy underlining the recommendation, but does not necessarily support the method for achieving the policy.
For further consideration	Further analysis is required for the Government of South Australia to determine its position.
Noted	The Government of South Australia notes the recommendation. However a response cannot be provided as the recommendation does not fall within the government's jurisdiction.
Not accepted	The recommendation is not supported by the Government of South Australia.

# Volume 2: Nature and cause recommendations

Understanding the problem of child sexual abuse is essential to preventing it from happening today and in the future. Volume 2 of the Final Report talks about the nature and cause of child sexual abuse in institutions. It looks at factors that affect the likelihood of children being sexually abused and the legal and political changes that have influenced how child sexual abuse has been identified, reported and responded to by institutions over time. The Royal Commission recommends regular national prevalence studies to identify the extent of child sexual abuse in institutions and other contexts in Australia.

## Measuring extent in the future

#	Recommendation	Government Response
2.1	The Australian Government should conduct and publish a nationally representative prevalence study on a regular basis to establish the extent of child maltreatment in institutional and non-institutional contexts in Australia.	<b>Noted</b>
	<b>DISCUSSION</b> This recommendation is the responsibility of the Australian Government and is outside the scope of the Government of South Australia's response to the Final Report.	

# Volume 6: Making institutions child safe recommendations

A well-designed, preventative system can have a huge impact on child safety, where laws, policies and guidelines are supported by strong community monitoring and action. This volume looks at ways to make institutions safer for children, such as schools, sporting and recreation clubs, support services, child care centres and online environments. The Royal Commission recommends Child Safe Standards and outlines what institutions can do to make sure that children's safety and best interests are always put first.

## Creating child safe communities through prevention

#	Recommendation	Government Response
6.1	<p>The Australian Government should establish a mechanism to oversee the development and implementation of a national strategy to prevent child sexual abuse. This work should be undertaken by the proposed National Office for Child Safety (see Recommendations 6.16 and 6.17) and be included in the National Framework for Child Safety (see Recommendation 6.15).</p> <p><b>DISCUSSION</b></p> <p>This recommendation is the responsibility of the Australian Government. The Government of South Australia agrees to prioritise collaboration with other jurisdictions to progress a new National Framework on Child Safety. The new framework will focus on prevention, education, evaluation and cultural change.</p>	<b>Noted</b>

#	Recommendation	Government Response
6.2	<p>The national strategy to prevent child sexual abuse should encompass the following complementary initiatives:</p> <ol style="list-style-type: none"> <li>social marketing campaigns to raise general community awareness and increase knowledge of child sexual abuse, to change problematic attitudes and behaviour relating to such abuse, and to promote and direct people to related prevention initiatives, information and help-seeking services</li> <li>prevention education delivered through preschool, school and other community institutional settings that aims to increase children's knowledge of child sexual abuse and build practical skills to assist in strengthening self-protective skills and strategies. The education should be integrated into existing school curricula and link with related areas such as respectful relationships education and sexuality education. It should be mandatory for all preschools and schools</li> <li>prevention education for parents delivered through day care, preschool, school, sport and recreational settings, and other institutional and community settings. The education should aim</li> </ol>	<b>Noted</b>

	<p>to increase knowledge of child sexual abuse and its impacts, and build skills to help reduce the risks of child sexual abuse</p> <p>d. online safety education for children, delivered via schools. Ministers for education, through the Council of Australian Governments, should establish a nationally consistent curriculum for online safety education in schools. The Office of the eSafety Commissioner should be consulted on the design of the curriculum and contribute to the development of course content and approaches to delivery (see Recommendation 6.19)</p> <p>e. online safety education for parents and other community members to better support children's safety online. Building on their current work, the Office of the eSafety Commissioner should oversee the delivery of this education nationally (see Recommendation 6.20).</p>	
	<p><b>DISCUSSION</b></p> <p>This recommendation is the responsibility of the Australian Government. The Government of South Australia agrees to prioritise collaboration with other jurisdictions to progress a new National Framework on Child Safety.</p>	

#	Recommendation	Government Response
6.3	<p>The design and implementation of these initiatives should consider:</p> <p>a. aligning with and linking to national strategies for preventing violence against adults and children, and strategies for addressing other forms of child maltreatment</p> <p>b. tailoring and targeting initiatives to reach, engage and provide access to all communities, including children, Aboriginal and Torres Strait Islander communities, culturally and linguistically diverse communities, people with disability, and regional and remote communities</p> <p>c. involving children and young people in the strategic development, design, implementation and evaluation of initiatives</p> <p>d. using research and evaluation to:</p> <ol style="list-style-type: none"> <li>build the evidence base for using the best practices to prevent child sexual abuse and harmful sexual behaviours in children</li> <li>guide the development and refinement of interventions, including the piloting and testing of initiatives before they are implemented.</li> </ol>	<b>Noted</b>
	<p><b>DISCUSSION</b></p> <p>This recommendation is the responsibility of the Australian Government. The Government of South Australia agrees to prioritise collaboration with other jurisdictions to progress a new National Framework on Child Safety.</p>	



## What makes institutions safer for children

#	Recommendation	Government Response
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.	<b>Agency:</b> <b>Department for Education</b>
		Accepted in principle
		Action: Subject to Council of Australian Governments endorsement of the National Statement of Principles for Child Safe Organisations.
	<p><b>DISCUSSION</b></p> <p>Child safe environments are central to service delivery in South Australia, and are enshrined in state legislation.</p> <p>According to current South Australian law, organisations that offer services for children must provide child safe environments (<i>Children's Protection Act 1993</i>). New child protection laws, which come into effect on 22 October 2018, will continue this requirement (<i>Children and Young People (Safety) Act 2017</i>).</p> <p>To help organisations to meet this obligation, the Department for Education has published the 'Child Safe Environments: Principles of Good Practice' guide, based on the 'United Nations Convention on the Rights of the Child'.</p> <p>The principles of good practice are similar to the Child Safe Standards recommended by the Royal Commission. As such, South Australian organisations will be well placed to meet the recommended Child Safe Standards.</p> <p>The 'National Statement of Principles for Child Safe Organisations' (National Statement of Principles), is due to be considered by the Council of Australian Governments (COAG) in mid-2018.</p>	

#	Recommendation	Government Response
6.5	<p>The Child Safe Standards are:</p> <ol style="list-style-type: none"> <li>1. child safety is embedded in institutional leadership, governance and culture</li> <li>2. children participate in decisions affecting them and are taken seriously</li> <li>3. families and communities are informed and involved</li> <li>4. equity is upheld and diverse needs are taken into account</li> <li>5. people working with children are suitable and supported</li> </ol>	<b>Agency:</b> <b>Department for Education</b>
		Accepted in principle
		Action: Subject to Council of Australian Governments endorsement of

	<ol style="list-style-type: none"> <li>6. processes to respond to complaints of child sexual abuse are child focused</li> <li>7. staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training</li> <li>8. physical and online environments minimise the opportunity for abuse to occur</li> <li>9. implementation of the Child Safe Standards is continuously reviewed and improved</li> <li>10. policies and procedures document how the institution is child safe.</li> </ol>	National Statement of Principles for Child Safe Organisations.
	<p><b>DISCUSSION</b></p> <p>See Recommendation 6.4.</p> <p>The South Australian Government notes the Royal Commission's Child Safe Standards. States and Territories may differ in their implementation due to their existing systems and instruments but consistency will be achieved over time, where possible.</p> <p>States and Territories will continue to work together to provide leadership on Child Safe Standards.</p>	

#	Recommendation	Government Response
6.6	Institutions should be guided by the following core components when implementing the Child Safe Standards:	<b>Agency:</b> <b>Department for Education</b>
	Standard 1: Child safety is embedded in institutional leadership, governance and culture.	Accepted in principle
	<ol style="list-style-type: none"> <li>a. The institution publicly commits to child safety and leaders champion a child safe culture.</li> <li>b. Child safety is a shared responsibility at all levels of the institution.</li> <li>c. Risk management strategies focus on preventing, identifying and mitigating risks to children.</li> <li>d. Staff and volunteers comply with a code of conduct that sets clear behavioural standards towards children.</li> <li>e. Staff and volunteers understand their obligations on information sharing and recordkeeping.</li> </ol> <p>Standard 2: Children participate in decisions affecting them and are taken seriously.</p> <ol style="list-style-type: none"> <li>a. Children are able to express their views and are provided opportunities to participate in decisions that affect their lives.</li> <li>b. The importance of friendships is recognised and support from peers is encouraged, helping children feel safe and be less isolated.</li> <li>c. Children can access sexual abuse prevention programs and information.</li> </ol>	Action: Subject to Council of Australian Governments endorsement of National Statement of Principles for Child Safe Organisations.

	<p>d. Staff and volunteers are attuned to signs of harm and facilitate child-friendly ways for children to communicate and raise their concerns.</p> <p>Standard 3:</p> <p>Families and communities are informed and involved.</p> <ul style="list-style-type: none"> <li>a. Families have the primary responsibility for the upbringing and development of their child and participate in decisions affecting their child.</li> <li>b. The institution engages in open, two-way communication with families and communities about its child safety approach and relevant information is accessible.</li> <li>c. Families and communities have a say in the institution's policies and practices.</li> <li>d. Families and communities are informed about the institution's operations and governance.</li> </ul> <p>Standard 4:</p> <p>Equity is upheld and diverse needs are taken into account.</p> <ul style="list-style-type: none"> <li>a. The institution actively anticipates children's diverse circumstances and responds effectively to those with additional vulnerabilities.</li> <li>b. All children have access to information, support and complaints processes.</li> <li>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.</li> </ul> <p>Standard 5:</p> <p>People working with children are suitable and supported.</p> <ul style="list-style-type: none"> <li>a. Recruitment, including advertising and screening, emphasises child safety.</li> <li>b. Relevant staff and volunteers have Working with Children Checks.</li> <li>c. All staff and volunteers receive an appropriate induction and are aware of their child safety responsibilities, including reporting obligations.</li> <li>d. Supervision and people management have a child safety focus.</li> </ul> <p>Standard 6:</p> <p>Processes to respond to complaints of child sexual abuse are child-focused.</p> <ul style="list-style-type: none"> <li>a. The institution has a child-focused complaint handling system that is understood by children, staff, volunteers and families.</li> <li>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.</li> </ul>	
--	--	--

	<p>c. Complaints are taken seriously, responded to promptly and thoroughly, and reporting, privacy and employment law obligations are met.</p> <p>Standard 7:</p> <p>Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training.</p> <ul style="list-style-type: none"> <li>a. Relevant staff and volunteers receive training on the nature and indicators of child maltreatment, particularly institutional child sexual abuse.</li> <li>b. Staff and volunteers receive training on the institution's child safe practices and child protection.</li> <li>c. Relevant staff and volunteers are supported to develop practical skills in protecting children and responding to disclosures.</li> </ul> <p>Standard 8:</p> <p>Physical and online environments minimise the opportunity for abuse to occur.</p> <ul style="list-style-type: none"> <li>a. Risks in the online and physical environments are identified and mitigated without compromising a child's right to privacy and healthy development.</li> <li>b. The online environment is used in accordance with the institution's code of conduct and relevant policies.</li> </ul> <p>Standard 9:</p> <p>Implementation of the Child Safe Standards is continuously reviewed and improved.</p> <ul style="list-style-type: none"> <li>a. The institution regularly reviews and improves child safe practices.</li> <li>b. The institution analyses complaints to identify causes and systemic failures to inform continuous improvement.</li> </ul> <p>Standard 10:</p> <p>Policies and procedures document how the institution is child safe.</p> <ul style="list-style-type: none"> <li>a. Policies and procedures address all Child Safe Standards.</li> <li>b. Policies and procedures are accessible and easy to understand.</li> <li>c. Best practice models and stakeholder consultation inform the development of policies and procedures.</li> <li>d. Leaders champion and model compliance with policies and procedures.</li> <li>e. Staff understand and implement the policies and procedures.</li> </ul>	
	<p><b>DISCUSSION</b></p> <p>The Government of South Australia notes the Royal Commission's Child Safe Standards. States and Territories may differ in their implementation due to their existing systems and instruments but consistency will be achieved over time, where possible.</p> <p>States and Territories will continue to work together to provide leadership on Child Safe Standards.</p>	

	<p>This recommendation relies on the Council of Australian Governments accepting the 'National Statement of Principles for Child Safe Organisations' (see Recommendation 6.4). The core components of each Child Safe Standard will guide the processes that organisations use to establish child safe environments.</p> <p>The core components have been incorporated into the draft 'National Statement of Principles for Child Safe Organisations' with minimal changes. The Department for Education will consider if it is necessary to develop further guidance and materials. This may be especially relevant for smaller organisations such as sole traders, to help them to understand how the core components can be implemented and met within their context and resources.</p>
--	--

## Improving child safe approaches Council of Australian Governments

#	Recommendation	Government Response
6.7	<p>The national Child Safe Standards developed by the Royal Commission and listed at Recommendation 6.5 should be adopted as part of the new National Statement of Principles for Child Safe Organisations described by the Community Services Ministers' Meeting in November 2016. The National Statement of Principles for Child Safe Organisations should be endorsed by the Council of Australian Governments.</p>	<b>Agency: Department for Child Protection</b>
		Accepted
		Action: To be considered by Council of Australian Governments mid-2018.
	<p><b>DISCUSSION</b></p> <p>See Recommendation 6.4. The Government of South Australia notes the Royal Commission's Child Safe Standards.</p> <p>All jurisdictions will be asked to endorse the National Statement of Principles for Child Safe Organisations, which incorporates the Royal Commission's Child Safe Standards.</p> <p>The South Australian Government supports these aspirational principles as the architecture for the National Framework.</p>	

## State and territory governments

#	Recommendation	Government Response
6.8	<p>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.</p>	<b>Agency: Department for Education</b>
		Accepted in principle
		Action: To be implemented through the Children and Young

	People (Safety) Act 2017.
<p><b>DISCUSSION</b></p> <p>The <i>Children and Young People (Safety) Act 2017</i> will come into effect on 22 October 2018. Under the Act, certain organisations must ensure their environments are safe for children and young people, fulfilling this recommendation.</p> <p>The requirement will apply to all state authorities, people and organisations that provide a service to children or undertake child-related work, as defined under the <i>Child Safety (Prohibited Persons) Act 2016</i> (not yet commenced).</p>	

#	Recommendation	Government Response
6.9	<p>Legislative requirements to comply with the Child Safe Standards should cover institutions that provide:</p> <ul style="list-style-type: none"><li>a. accommodation and residential services for children, including overnight excursions or stays</li><li>b. activities or services of any kind, under the auspices of a particular religious denomination or faith, through which adults have contact with children</li><li>c. childcare or childminding services</li><li>d. child protection services, including out-of-home care</li><li>e. activities or services where clubs and associations have a significant membership of, or involvement by, children</li><li>f. coaching or tuition services for children</li><li>g. commercial services for children, including entertainment or party services, gym or play facilities, photography services, and talent or beauty competitions</li><li>h. services for children with disability</li><li>i. education services for children</li><li>j. health services for children</li><li>k. justice and detention services for children, including immigration detention facilities</li><li>l. transport services for children, including school crossing services.</li></ul>	<p><b>Agency:</b> <b>Department for Education</b></p>
		Accepted in principle
		Action: To be implemented through the Children and Young People (Safety) Act 2017 and the Child Safety (Prohibited Persons) Act 2016.
<p><b>DISCUSSION</b></p> <p>This recommendation will be met by new South Australian laws, which have passed Parliament but have not yet come into effect (<i>Child Safety (Prohibited Persons) Act 2016</i>).</p> <p>These laws will replace the current ‘relevant history’ assessment requirements for people working and volunteering with children or young people and their records. People working with children in certain roles, such as teachers, health care workers or party entertainers, will need a working with children check. Some people who are classified as an ‘excluded person’ may not require a check, such as police officers.</p>		

	In addition, the <i>Children and Young People (Safety) Act 2017</i> comes into effect on 22 October 2018. This Act requires organisations that provide services or work with children to adopt policies and procedures that establish and maintain safe environments.
--	---

#	Recommendation	Government Response
6.10	<p>State and territory governments should ensure that:</p> <ul style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>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.</li> </ul>	<p><b>Agency:</b> <b>Department for Education</b></p> <p>For further consideration</p>
	<p><b>DISCUSSION</b></p> <p>The Department for Education currently monitors child safe environments under the <i>Children's Protection Act 1993</i>, as part of its child safe environments program.</p> <p>This function will continue when the relevant parts of the <i>Children and Young People (Safety) Act 2017</i> come into effect in October 2018.</p> <p>The functions proposed by the Royal Commission for an oversight body (outlined in more detail in the Commission's Final Report) go beyond the scope of the current child safe environments program.</p> <p>More work is needed to determine whether an independent oversight body is the best option for South Australia. This includes investigating whether existing independent bodies could provide oversight under the current law.</p>	

#	Recommendation	Government Response
6.11	<p>Each independent state and territory oversight body should have the following additional functions:</p> <ul style="list-style-type: none"> <li>a. provide advice and information on the Child Safe Standards to institutions and the community</li> <li>b. collect, analyse and publish data on the child safe approach in that jurisdiction and provide that data to the proposed National Office for Child Safety</li> <li>c. partner with peak bodies, professional standards bodies and/or sector leaders to work with institutions to enhance the safety of children</li> <li>d. provide, promote or support education and training on the Child Safe Standards to build the capacity of institutions to be child safe</li> </ul>	<p><b>Agency:</b> <b>Department for Education</b></p> <p>For further consideration</p>

	e. coordinate ongoing information exchange between oversight bodies relating to institutions' compliance with the Child Safe Standards.	
	<p><b>DISCUSSION</b></p> <p>This recommendation relies on recommendation 6.10 being implemented, which is for further consideration.</p> <p>None of the functions identified in this recommendation are currently undertaken by an independent oversight body in South Australia. The functions outlined in items (a), (c) and (d) are currently undertaken by the Child Safe Environments Program and a number of training programs within the Department for Education. In relation to (b), the Child Safe Environments Program currently provides an annual report to the minister on the progress towards child safe environments in government and non-government organisations, as required by the <i>Children's Protection Act 1993</i>. Child safe environments data is not currently released publicly. Function (e) is not currently undertaken.</p>	

## Local government

#	Recommendation	Government Response
6.12	<p>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:</p> <ul style="list-style-type: none"> <li>a. developing child safe messages in local government venues, grounds and facilities</li> <li>b. assisting local institutions to access online child safe resources</li> <li>c. providing child safety information and support to local institutions on a needs basis</li> <li>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.</li> </ul>	<b>Noted</b>
	<p><b>DISCUSSION</b></p> <p>This recommendation is the responsibility of local governments and is outside the scope of the Government of South Australia's response to the Final Report.</p>	

## Australian Government

#	Recommendation	Government Response
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.	<b>Noted</b>
	<p><b>DISCUSSION</b></p>	



	This recommendation is the responsibility of the Australian Government and is outside the scope of the Government of South Australia's response to the Final Report.
--	--

#	Recommendation	Government Response
6.14	<p>The Australian Government should be responsible for the following functions:</p> <ul style="list-style-type: none"> <li>a. evaluate, publicly report on, and drive the continuous improvement of the implementation of the Child Safe Standards and their outcomes</li> <li>b. coordinate the direct input of children and young people into the evaluation and continuous improvement of the Child Safe Standards</li> <li>c. coordinate national capacity building and support initiatives and opportunities for collaboration between jurisdictions and institutions</li> <li>d. develop and promote national strategies to raise awareness and drive cultural change in institutions and the community to support child safety.</li> </ul>	<b>Noted</b>
	<p><b>DISCUSSION</b></p> <p>This recommendation is the responsibility of the Australian Government and is outside the scope of the Government of South Australia's response to the Final Report.</p>	

## National Framework for Child Safety

#	Recommendation	Government Response
6.15	<p>The Australian Government should develop a new National Framework for Child Safety in collaboration with state and territory governments. The Framework should:</p> <ul style="list-style-type: none"> <li>a. commit governments to improving the safety of all children by implementing long-term child safety initiatives, with appropriate resources, and holding them to account</li> <li>b. be endorsed by the Council of Australian Governments and overseen by a joint ministerial body</li> <li>c. commence after the expiration of the current National Framework for Protecting Australia's Children, no later than 2020</li> <li>d. cover broader child safety issues, as well as specific initiatives to better prevent and respond to institutional child sexual abuse including initiatives recommended by the Royal Commission</li> <li>e. include links to other related policy frameworks.</li> </ul>	<p><b>Agency:</b> <b>Department for Child Protection</b></p>
		Accepted in principle
		Action: Contribute to the development of a new National Framework.
	<p><b>DISCUSSION</b></p>	

	<p>The current 'National Framework for Protecting Australia's Children' expires in 2020.</p> <p>The Government of South Australia will collaborate with other jurisdictions to progress a new 'National Framework on Child Safety'. The new framework will focus on prevention, education, evaluation and cultural change.</p> <p>Key considerations are being discussed by Children and Families Secretaries and the National Forum for Protecting Australia's Children. South Australia will advocate for a public health approach in the national framework. This will provide a wider scope for children's safety beyond responses to institutional child sexual abuse, helping to address the root causes of child abuse and neglect and promote prevention and early intervention approaches.</p> <p>Key drivers for the success of the framework include a close partnership across governments and the non-government sector and meaningful engagement and collaboration with Aboriginal and Torres Strait Islander families, communities and organisations. A continued focus on improving outcomes for Aboriginal and Torres Strait Islander children and children with disability is critical.</p> <p>The Government of South Australia requires more information to make a decision regarding long-term child safety initiatives (recommendation 6.15, part a). The focus of these initiatives, along with the proposed national Office for Child Safety (6.16-6.18), may change under a new national framework, and may require regulatory bodies and compliance regimes. Further clarification at a national level is also required regarding the roles and responsibilities of commonwealth, state and territory jurisdictions.</p>
--	--

## *National Office for Child Safety*

#	Recommendation	Government Response
6.16	<p>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.</p>	<b>Noted</b>
	<p><b>DISCUSSION</b></p> <p>This recommendation is the responsibility of the Australian Government and is outside the scope of the Government of South Australia's response to the Final Report.</p>	

#	Recommendation	Government Response
6.17	<p>The National Office for Child Safety should report to Parliament and have the following functions:</p> <ul style="list-style-type: none"> <li>a. develop and lead the coordination of the proposed National Framework for Child Safety, including national coordination of the Child Safe Standards</li> <li>b. collaborate with state and territory governments to lead capacity building and continuous improvement of child safe</li> </ul>	<b>Noted</b>

	<p>initiatives through resource development, best practice material and evaluation</p> <p>c. promote the participation and empowerment of children and young people in the National Framework and child safe initiatives</p> <p>d. perform the Australian Government's Child Safe Standards functions as set out at Recommendation 6.15</p> <p>e. lead the community prevention initiatives as set out in Recommendation 6.2.</p>	
	<p><b>DISCUSSION</b></p> <p>This recommendation is the responsibility of the Australian Government and is outside the scope of the Government of South Australia's response to the Final Report.</p>	

#	Recommendation	Government Response
6.18	The Australian Government should create a ministerial portfolio with responsibility for children's policy issues, including the National Framework for Child Safety.	<b>Noted</b>
	<p><b>DISCUSSION</b></p> <p>This recommendation is the responsibility of the Australian Government and is outside the scope of the Government of South Australia's response to the Final Report.</p>	

## Preventing and responding to online child sexual abuse in institutions

#	Recommendation	Government Response
6.19	Ministers for education, through the Council of Australian Governments, should establish a nationally consistent curriculum for online safety education in schools. The Office of the eSafety Commissioner should be consulted on the design of the curriculum and contribute to the development of course content and approaches to delivery. The curriculum should:	<b>Agency: Department for Education</b>
	<p>a. be appropriately staged from Foundation year to Year 12 and be linked with related content areas to build behavioural skills as well as technical knowledge to support a positive and safe online culture</p> <p>b. involve children and young people in the design, delivery and piloting of new online safety education, and update content annually to reflect evolving technologies, online behaviours and evidence of international best practice approaches</p> <p>c. be tailored and delivered in ways that allow all Australian children and young people to reach, access and engage with online safety education, including vulnerable groups that may not access or engage with the school system.</p>	For further consideration

	<p><b>DISCUSSION</b></p> <p>The Government of South Australia will engage with other states and territories around this recommendation, including through the Council of Australian Governments Education Council. The government supports involving children and young people in the design of curriculum and courses.</p>
--	---

#	Recommendation	Government Response
6.20	<p>Building on its current work, the Office of the eSafety Commissioner should oversee the delivery of national online safety education aimed at parents and other community members to better support children's safety online. These communications should aim to:</p> <ol style="list-style-type: none"> <li>keep the community up to date on emerging risks and opportunities for safeguarding children online</li> <li>build community understanding of responsibilities, legalities and the ethics of children's interactions online</li> <li>encourage proactive responses from the community to make it 'everybody's business' to intervene early, provide support or report issues when concerns for children's safety online are raised</li> <li>increase public awareness of how to access advice and support when online incidents occur.</li> </ol>	<b>Noted</b>
	<p><b>DISCUSSION</b></p> <p>This recommendation is the responsibility of the Australian Government and is outside the scope of the Government of South Australia's response to the Final Report.</p>	

#	Recommendation	Government Response
6.21	<p>Pre-service education and in-service staff training should be provided to support child-related institutions in creating safe online environments. The Office of the eSafety Commissioner should advise on and contribute to program design and content. These programs should be aimed at:</p> <ol style="list-style-type: none"> <li>tertiary students studying university, technical and further education, and vocational education and training courses, before entering child-related occupations; and could be provided as a component of a broader program of child sexual abuse prevention education (see Recommendation 6.2)</li> <li>staff and volunteers in schools and other child-related organisations, and could build on the existing web-based learning programs of the Office of the eSafety Commissioner.</li> </ol>	<p><b>Agency:</b> <b>Department for Education</b></p> <p>For further consideration</p>
	<p><b>DISCUSSION</b></p> <ol style="list-style-type: none"> <li>While the Government of South Australia supports the intent of this recommendation, it does not have authority to mandate university course content. Although the Teacher's</li> </ol>	

	<p>Registration Board of South Australia has the authority to accredit content for pre-service teacher courses, this recommendation goes beyond the Board's scope by referring to all 'child-related occupations'. A National Review of Teacher Registration was announced in February 2018 and findings will be reported to the Council of Australian Governments Education Council later in 2018. The federal government will need to give further consideration to how best to collaborate with tertiary institutions and other training providers to progress this, taking into consideration the findings of the national review.</p> <p>b. The Department for Education will consider including content in its training programs that addresses safe online environments. However, training provided to staff and volunteers of other child-related organisations is delivered by a large variety of non-government training providers. The independent oversight body (if it is established) or a national body, may be best placed to collaborate with training providers and develop a module of training that could be implemented within a local context.</p>
--	--

#	Recommendation	Government Response
6.22	<p>In partnership with the proposed National Office of Child Safety (see Recommendations 6.16 and 6.17), the Office of the eSafety Commissioner should oversee the development of an online safety framework and resources to support all schools in creating child safe online environments. This work should build on existing school-based e-safety frameworks and guidelines, drawing on Australian and international models.</p> <p>The school-based online safety framework and resources should be designed to:</p> <ol style="list-style-type: none"> <li>support schools in developing, implementing and reviewing their online codes of conduct, policies and procedures to help create an online culture that is safe for children</li> <li>guide schools in their response to specific online incidents, in coordination with other agencies. This should include guidance in complaint handling, understanding reporting requirements, supporting victims to minimise further harm, and preserving digital evidence to support criminal justice processes.</li> </ol>	<b>Noted</b>
	<p><b>DISCUSSION</b></p> <p>This recommendation is the responsibility of the Australian Government and is outside the scope of the Government of South Australia's response to the Final Report.</p>	

#	Recommendation	Government Response
6.23	<p>State and territory education departments should consider introducing centralised mechanisms to support government and non-government schools when online incidents occur. This should result in appropriate levels of escalation and effective engagement with all relevant entities, such as the Office of the eSafety Commissioner, technical service providers and law enforcement.</p> <p>Consideration should be given to:</p>	<p><b>Agency:</b> <b>Department for Education</b></p> <p>For further consideration</p>

	<p>a. adopting the promising model of the Queensland Department of Education and Training's Cyber Safety and Reputation Management Unit, which provides advice and a centralised coordination function for schools, working in partnership with relevant entities to remove offensive online content and address other issues</p> <p>b. strengthening or re-establishing multi-stakeholder forums and case-management for effective joint responses involving all relevant agencies, such as police, education, health and child protection.</p>	
	<p><b>DISCUSSION</b></p> <p>The Department for Education has a centralised Incident Report Management Unit that coordinates reports from government schools, preschool and children's centres .</p> <p>The current reporting process results in appropriate levels of escalation with all relevant entities. This includes reporting to South Australia Police by the site, technical service support to remove offensive online content, and referral to other relevant divisions within the education department.</p> <p>Further consideration will be given to:</p> <ul style="list-style-type: none"> <li>• supporting non-government schools to manage online incidents in line with the recommendation</li> <li>• future engagement with the Office of the eSafety Commissioner regarding online incidents</li> <li>• the applicability and transferability of the Queensland model to South Australia.</li> </ul>	

#	Recommendation	Government Response
6.24	<p>In consultation with the eSafety Commissioner, police commissioners from states and territories and the Australian Federal Police should continue to ensure national capability for coordinated, best practice responses by law enforcement agencies to online child sexual abuse. This could include through:</p> <p>a. establishing regular meetings of the heads of cybersafety units in all Australian police departments to ensure a consistent capacity to respond to emerging incidents and share best practice approaches, tools and resources</p> <p>b. convening regular forums and conferences to bring together law enforcement, government, the technology industry, the community sector and other relevant</p> <p>c. stakeholders to discuss emerging issues, set agendas and identify solutions to online child sexual abuse and exploitation</p> <p>d. building capability across police departments, through in-service training for:</p> <p>l. frontline police officers to respond to public complaints relating to issues of online child sexual abuse or harmful sexual behaviours</p>	<b>Agency: South Australia Police</b>
		Accepted
		Action: No further action required.

	II. police officers who liaise with young people in school and community settings.	
	<p><b>DISCUSSION</b></p> <p>South Australia Police (SAPOL) has a number of initiatives in place that support recommendation 6.24:</p> <ul style="list-style-type: none"> <li>• membership of the National Cybercrime Joint Management Group</li> <li>• membership of the Child Protection Working Group, under the national Serious Organised Crime Coordination Committee, which oversees the Joint Anti Child Exploitation Team model in each jurisdiction</li> <li>• Online Covert Investigations (Child Exploitation) Course, which was developed by SAPOL and first conducted in November 2017</li> <li>• sexual offence training, which is provided to recruits at the SAPOL Academy</li> <li>• filming and sexting online training package, which is available to officers</li> <li>• ThinkUKnow sessions, which have been delivered to a large number of community groups in South Australia for the past four years, through a partnership between SAPOL's State Community Engagement Section and the Australian Federal Police.</li> </ul> <p>Further to these initiatives, SAPOL has a Memorandum of Understanding with the eSafety Commissioner which outlines the process to exchange information. Referrals from the eSafety Commissioner are received by SAPOL on the Australian Cybercrime Online Reporting Network.</p>	

# Volume 7: Improving institutional responding and reporting recommendations

When the unthinkable does occur, it is essential that children and young people feel supported and encouraged to report sexual abuse, and that institutions handle these matters with care, discretion and priority. Volume 7 talks about problems with reporting child sexual abuse and how institutions can improve the way they respond to complaints. It looks at changes to the law proposed by the Royal Commission to make sure that people who work closely with children know how and when to report child sexual abuse. The volume also looks at ways to strengthen laws which protect staff and volunteers who report child sexual abuse that has taken place in an institution.

## Reporting institutional child sexual abuse

#	Recommendation	Government Response
7.1	State and territory governments that do not have a mandatory reporter guide should introduce one and require its use by mandatory reporters.	<b>Agency:</b> <b>Department for Child Protection</b>
		Accepted in principle
		Action: Develop a new training package and updated notifier guide.
	<b>DISCUSSION</b> The Department for Child Protection is committed to ensuring all mandatory reporters are aware of when and how to report safety concerns. Work is currently underway in response to the Child Protection Systems Royal Commission (SA) to improve information and training to mandatory reporters. This includes developing a new training package and updated notifier guide.	

#	Recommendation	Government Response
7.2	Institutions and state and territory governments should provide mandatory reporters with access to experts who can provide timely advice on child sexual abuse reporting obligations.	<b>Agency:</b> <b>Department for Child Protection</b>
		For further consideration



	<p><b>DISCUSSION</b></p> <p>This recommendation must be considered not only by government agencies but also by non-government institutions with staff who have mandatory reporting obligations.</p> <p>The Government of South Australia will consider establishing dedicated units to provide training guidance and advice to mandatory reporters and assess whether this would improve the quality of reports.</p>
--	--

#	Recommendation	Government Response
7.3	<p>State and territory governments should amend laws concerning mandatory reporting to child protection authorities to achieve national consistency in reporter groups. At a minimum, state and territory governments should also include the following groups of individuals as mandatory reporters in every jurisdiction:</p> <ul style="list-style-type: none"> <li>a. out-of-home care workers (excluding foster and kinship/relative carers)</li> <li>b. youth justice workers</li> <li>c. early childhood workers</li> <li>d. registered psychologists and school counsellors</li> <li>e. people in religious ministry.</li> </ul>	<p><b>Agency:</b> <b>Department for Child Protection</b></p>
		Accepted
		Action: No further action required.
	<p><b>DISCUSSION</b></p> <p>The current <i>Children's Protection Act 1993</i> is consistent with this recommendation. In addition, section 30 of the <i>Children and Young People (Safety) Act 2017</i>, which will come into operation on 22 October 2018, will be consistent with this recommendation.</p>	

#	Recommendation	Government Response
7.4	<p>Laws concerning mandatory reporting to child protection authorities should not exempt persons in religious ministry from being required to report knowledge or suspicions formed, in whole or in part, on the basis of information disclosed in or in connection with a religious confession.</p>	<p><b>Agency:</b> <b>Department for Child Protection</b></p>
		Accepted
		Action: No further action required.
	<p><b>DISCUSSION</b></p> <p>The new <i>Children and Young People (Safety) Act 2017</i> will fully implement this recommendation. The relevant sections will come into effect on 22 October 2018.</p>	

#	Recommendation	Government Response
7.5	<p>The Australian Government and state and territory governments should ensure that legislation provides comprehensive protection for individuals who make reports in good faith about child sexual abuse in institutional contexts. Such individuals should be protected from civil and criminal liability and from reprisals or other detrimental action as a result of making a complaint or report, including in relation to:</p> <ul style="list-style-type: none"><li>a. mandatory and voluntary reports to child protection authorities under child protection legislation</li><li>b. notifications concerning child abuse under the Health Practitioner Regulation National Law.</li></ul>	<b>Agency: Department for Child Protection and SA Health</b>
		<ul style="list-style-type: none"><li>a. For further consideration</li><li>b. Accepted in principle</li></ul>
		<p>Action:</p> <ul style="list-style-type: none"><li>b. Proposal will be put to the COAG Health Council should all jurisdictions support the recommendation.</li></ul>
<b>DISCUSSION</b>		
	<ul style="list-style-type: none"><li>a. South Australia has a range of legislative protections that may apply to people who make reports in good faith about child sexual abuse in an institutional context. They include:<ul style="list-style-type: none"><li>• section 5 of the <i>Whistleblowers Protection Act 1993</i>, which provides immunity from civil or criminal liability for a person disclosing public interest information, including a disclosure about sexual abuse</li><li>• section 12 of the <i>Children’s Protection Act 1993</i>, which provides immunity from civil or criminal liability for notifiers</li><li>• section 166 (4) of the new <i>Children and Young People (Safety) Act 2017</i>, which protects people who act in line with the Act</li><li>• the <i>Health and Community Services Complaints Act 2004</i>, which protects people from civil action when they make a complaint under the Act, and makes it an offence to retaliate against the person.</li></ul></li><li>b. The Council of Australian Governments (COAG) Health Council is responsible for changes to the Health Practitioner Regulation National Law. A Legislative Review Committee, consisting of jurisdictional officers, has indicated that, should all jurisdictions support as the changes recommended by the Royal Commission, work will start to identify amendments for the approval of the COAG Health Council.</li></ul>	

#	Recommendation	Government Response
7.6	<p>State and territory governments should amend child protection legislation to provide adequate protection for individuals who make complaints or reports in good faith to any institution engaging in child-related work about:</p> <ul style="list-style-type: none"> <li>a. child sexual abuse within that institution or</li> <li>b. the response of that institution to child sexual abuse.</li> </ul>	<p><b>Agency: Department for Child Protection</b></p>
		<p>For further consideration</p>

	Such individuals should be protected from civil and criminal liability and from reprisals or other detrimental action as a result of making a complaint or report.	
	<p><b>DISCUSSION</b></p> <p>The Government of South Australia will consider whether future changes should be made to the new <i>Children and Young People (Safety) Act 2017</i> to allow internal complaints to be made to institutions.</p>	

## Improving institutional responses to complaints

#	Recommendation	Government Response
7.7	<p>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 sets out how the institution should respond to complaints of child sexual abuse. The complaint handling policy and procedure should cover:</p> <ol style="list-style-type: none"> <li>making a complaint</li> <li>responding to a complaint</li> <li>investigating a complaint</li> <li>providing support and assistance</li> <li>e. achieving systemic improvements following a complaint.</li> </ol>	<p><b>Agency:</b> <b>Department for Child Protection</b></p>
		Accepted in principle
		Action: No further action required.
	<p><b>DISCUSSION</b></p> <p>This recommendation overlaps with recommendations made by the Child Protection Systems Royal Commission (SA).</p> <p>The Government of South Australia has a number of processes that support this recommendation:</p> <ul style="list-style-type: none"> <li>The <i>Children's Protection Act 1993</i> requires a range of people to notify the Department for Child Protection (DCP) of suspicions of abuse.</li> <li>DCP has committed to responding to complaints. DCP adopts a state-based complaint management framework in addition to supporting further work which will improve information and responses to child protection complaints.</li> <li>All complaints of child sexual abuse in out-of-home care are reported to the South Australian Office of the Guardian for Children and Young People.</li> <li>DCP uses the Australian and New Zealand Standard (AS/NZS 10002:2014), 'Guidelines for Complaint Management in Organisations' and the Ombudsman SA 'Complaint Management Framework' (March 2016) for managing complaints. DCP also uses the AS/NZS 10002:2014 and Ombudsman SA essential components of an effective complaint management system.</li> <li>The continued monitoring of child safe environments, in line with state legislation, and the development of the 'National Statement of Principles for Child Safe Organisations' will support ongoing capacity building of the non-government sector to appropriately respond to safety issues and concerns.</li> </ul>	

	<ul style="list-style-type: none"> <li>The 'Interagency Code of Practice – Investigation of Suspected Child Abuse or Neglect' provides the key actions practitioners need to take when they are involved in an investigative response to suspected child abuse or neglect.</li> <li>South Australia Police (SAPOL) coordinates the Interagency Practice in Child Protection Course which is based on the 'Interagency Code of Practice'. Course participants include members from SAPOL and DCP.</li> </ul>
--	---

#	Recommendation	Government Response
7.8	<p>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:</p> <ol style="list-style-type: none"> <li>outlines behaviours towards children that the institution considers unacceptable, including concerning conduct, misconduct or criminal conduct</li> <li>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</li> <li>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).</li> </ol>	<p><b>Agency:</b> <b>Department for Child Protection</b></p> <p>Accepted in principle</p> <p>Action: No further action required.</p>
	<p><b>DISCUSSION</b></p> <p>The Government of South Australia has committed to implementing:</p> <ul style="list-style-type: none"> <li>the 'South Australian Public Sector Code of Ethics'</li> <li>codes of ethics for professionals working with children and young people</li> <li>endorsed government developments in response to the Child Protection Systems Royal Commission (SA) which promote changes in residential care settings.</li> </ul> <p>In addition, as part of the Child Safe Environments program in South Australia, all organisations obligated to provide child safe environments must establish a code of conduct that sets out professional boundaries, ethical behaviour and unacceptable behaviour. This helps staff and volunteers to conduct their work professionally and effectively.</p>	

## Oversight of institutional complaint handling

#	Recommendation	Government Response
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 obliges heads of institutions to notify an oversight body of any reportable allegation, conduct or conviction involving any of the institution's employees.	<p><b>Agency: Attorney-General's Department</b></p> <p>For further consideration</p>

## DISCUSSION

This recommendation requires further consideration by the Government of South Australia.

South Australia is currently implementing the recommendations made in South Australia's Child Protection Systems Royal Commission, which concluded in August 2016.

The South Australian Royal Commission investigated the adequacy of existing laws and policies in the state's child protection system for children at risk of harm (including children at risk of sexual abuse). In the report, Royal Commissioner Nyland made 260 recommendations for improvements to the child protection system.

Various mechanisms already exist in South Australia to allow government bodies or statutory officers to oversee aspects of child protection matters, including:

- Guardian for Children and Young People: all allegations of child sexual abuse in out-of-home care are reported to the guardian, who keeps a record of matters and engages with the police and the Care Concerns Investigation Unit of the Department for Education
- Commissioner for Children and Young People (established under the *Children and Young People (Oversight and Advocacy Bodies) Act 2016*)
- Child Death and Serious Injury Review Committee
- Child Development Council.

Additionally, the capacity of the Ombudsman's Office is being developed to respond to child protection complaints that are referred by the Commissioner or Guardian for Children and Young People.

#	Recommendation	Government Response
7.10	Reportable conduct schemes should provide for: <ul style="list-style-type: none"> <li>a. an independent oversight body</li> <li>b. obligatory reporting by heads of institutions</li> <li>c. a definition of reportable conduct that covers any sexual offence, or sexual misconduct, committed against, with, or in the presence of, a child</li> <li>d. a definition of reportable conduct that includes the historical conduct of a current employee</li> <li>e. a definition of employee that covers paid employees, volunteers and contractors</li> <li>f. protection for persons who make reports in good faith</li> <li>g. oversight body powers and functions that include: <ul style="list-style-type: none"> <li>i. scrutinising institutional systems for preventing reportable conduct and for handling and responding to reportable allegations, or reportable convictions</li> <li>ii. monitoring the progress of investigations and the handling of complaints by institutions</li> <li>iii. conducting, on its own motion, investigations concerning any reportable conduct of which it has been notified or otherwise becomes aware</li> </ul> </li> </ul>	<p><b>Agency: Attorney-General's Department</b></p> <p>For further consideration</p>

	<ul style="list-style-type: none"> <li>iv. power to exempt any class or kind of conduct from being reportable conduct</li> <li>v. capacity building and practice development, through the provision of training, education and guidance to institutions</li> <li>vi. public reporting, including annual reporting on the operation of the scheme and trends in reports and investigations, and the power to make special reports to parliaments.</li> </ul>	
	<p><b>DISCUSSION</b></p> <p>See Recommendation 7.9.</p>	

#	Recommendation	Government Response
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.	<p><b>Agency: Attorney-General's Department</b></p> <p>For further consideration</p>
	<p><b>DISCUSSION</b></p> <p>See Recommendation 7.9.</p>	

#	Recommendation	Government Response
7.12	<p>Reportable conduct schemes should cover institutions that:</p> <ul style="list-style-type: none"> <li>• exercise a high degree of responsibility for children</li> <li>• 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.</li> </ul> <p>At a minimum, these should include institutions that provide:</p> <ul style="list-style-type: none"> <li>a. accommodation and residential services for children, including: <ul style="list-style-type: none"> <li>i. housing or homelessness services that provide overnight beds for children and young people</li> <li>ii. providers of overnight camps</li> </ul> </li> <li>b. activities or services of any kind, under the auspices of a particular religious denomination or faith, through which adults have contact with children</li> <li>c. childcare services, including: <ul style="list-style-type: none"> <li>i. approved education and care services under the Education and Care Services National Law</li> </ul> </li> </ul>	<p><b>Agency: Attorney-General's Department</b></p> <p>For further consideration</p>

	<ul style="list-style-type: none"> <li>ii. approved occasional care services</li> <li>d. child protection services and out-of-home care, including: <ul style="list-style-type: none"> <li>i. child protection authorities and agencies</li> <li>ii. providers of foster care, kinship or relative care</li> <li>iii. providers of family group homes</li> <li>iv. providers of residential care</li> </ul> </li> <li>e. disability services and supports for children with disability, including: <ul style="list-style-type: none"> <li>i. disability service providers under state and territory legislation</li> <li>ii. registered providers of supports under the National Disability Insurance Scheme</li> </ul> </li> <li>f. education services for children, including: <ul style="list-style-type: none"> <li>i. government and non-government schools</li> <li>ii. TAFEs and other institutions registered to provide senior secondary education or training courses for overseas students or student exchange programs</li> </ul> </li> <li>g. health services for children, including: <ul style="list-style-type: none"> <li>i. government health departments and agencies, and statutory corporations</li> <li>ii. public and private hospitals</li> <li>iii. providers of mental health and drug or alcohol treatment services that have inpatient beds for children and young people</li> </ul> </li> <li>h. justice and detention services for children, including: <ul style="list-style-type: none"> <li>i. youth detention centres</li> <li>ii. immigration detention facilities.</li> </ul> </li> </ul>	
	<p><b>DISCUSSION</b></p> <p>See Recommendation 7.9.</p>	

# Volume 8: Recordkeeping and information sharing recommendations

Effective record-keeping and information sharing is important to help institutions identify incidents of sexual abuse, patterns of inappropriate behaviour and other potential risks to children. When child sexual abuse occurs, information sharing can help to prevent further harm, and accurate, detailed records can prove critical in future legal proceedings. This volume looks at how institutions who are responsible for children's safety and wellbeing keep and share information about their records. It talks about ways to improve the way these institutions collect, store and share information to better protect children from sexual abuse.

## Records and recordkeeping

### *Minimum retention records*

#	Recommendation	Government Response
8.1	To allow for delayed disclosure of abuse by victims and take account of limitation periods for civil actions for child sexual abuse, institutions that engage in child-related work should retain, for at least 45 years, records relating to child sexual abuse that has occurred or is alleged to have occurred.	<b>Agency: Attorney-General's Department (State Records)</b>
		Accepted in Principle
		Action: Continue current practices where records are already retained for this period of time, and review disposal schedules for other records.
<b>DISCUSSION</b>		
<p>The Government of South Australia supports a consistent approach across all Australian jurisdictions and will prioritise collaboration with other jurisdictions, led by archives and records authorities, to develop advice and information about records retention. Existing retention periods for relevant records are often more than 45 years, and where there is a longer retention period, this will be retained.</p> <p>The Government of South Australia will encourage non-government institutions to comply with this record retention standard and jurisdictions will consider whether it is necessary to introduce additional regulatory measures to bring about greater compliance.</p> <p>In South Australia, State Records will:</p> <ul style="list-style-type: none"><li>consider a disposal freeze of records that are covered by the recommendation (possibly through a revision of the existing General Disposal Schedule 32)</li></ul>		



	<ul style="list-style-type: none"> <li>review general disposal schedules and engage with and support agencies to review their records disposal schedules to ensure that all records within scope are retained for at least 45 years.</li> </ul>
--	---

#	Recommendation	Government Response
8.2	The National Archives of Australia and state and territory public records authorities should ensure that records disposal schedules require that records relating to child sexual abuse that has occurred or is alleged to have occurred be retained for at least 45 years.	<b>Agency: Attorney-General's Department (State Records)</b>
		Accepted in principle
		Action: Continue current practices where records are already retained for this period of time, and review disposal schedules for other records.
	<b>DISCUSSION</b> Refer to Recommendation 8.1.	

#	Recommendation	Government Response
8.3	The National Archives of Australia and state and territory public records authorities should provide guidance to government and non-government institutions on identifying records which, it is reasonable to expect, may become relevant to an actual or alleged incident of child sexual abuse; and on the retention and disposal of such records.	<b>Agency: Attorney-General's Department (State Records)</b>
		Accepted
		Action: Continue current practices and monitor interaction with non-government institutions.
	<b>DISCUSSION</b> Policies, standards, guidelines, disposal schedules and classification schemes produced and/or approved by State Records are currently available to government and non-government organisations. State Records has provided advice and assistance to non-government agencies when approached in the past.  If the volume of non-government requests for guidance increases, State Records would need to consider the ongoing impact on resources.	

## Records and recordkeeping principles

#	Recommendation	Government Response
8.4	<p>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.</p> <p>Principle 1:</p> <p>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.</p> <p>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.</p> <p>Principle 2:</p> <p>Full and accurate records should be created about all incidents, responses and decisions affecting child safety and wellbeing, including child sexual abuse.</p> <p>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.</p> <p>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.</p> <p>Principle 3:</p> <p>Records relevant to child safety and wellbeing, including child sexual abuse, should be maintained appropriately.</p> <p>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.</p> <p>Principle 4:</p> <p>Records relevant to child safety and wellbeing, including child sexual abuse, should only be disposed of in accordance with law or policy.</p> <p>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.</p> <p>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.</p>	<p><b>Agency: Attorney-General's Department (State Records)</b></p>
		Accepted
		Action: Continue current practice of embedding the principles in the development of policy and advice.

	<p><b>Principle 5:</b></p> <p>Individuals' existing rights to access, amend or annotate records about themselves should be recognised to the fullest extent.</p> <p>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.</p> <p>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.</p>	
	<p><b>DISCUSSION</b></p> <p>The Government of South Australia will prioritise collaboration with relevant agencies and organisations to develop appropriate guidance on assessing risk and developing recordkeeping principles.</p> <p>The principles outlined in this recommendation are already embedded in government archiving practices in South Australia through laws and policy.</p> <p>State Records will continue to provide advice and assistance to agencies in information, records and archival management and provide access to the State's archival collection.</p>	

## *Records of non-government schools*

#	Recommendation	Government Response
8.5	<p>State and territory governments should ensure that non-government schools operating in the state or territory are required to comply, at a minimum, with standards applicable to government schools in relation to the creation, maintenance and disposal of records relevant to child safety and wellbeing, including child sexual abuse.</p>	<p><b>Agency:</b> <b>Department for Education</b></p>
		<p>For further consideration</p>
	<p><b>DISCUSSION</b></p> <p>The Department for Education 'Child Protection Policy' and 'Early Childhood Education and Care (ECEC)' requires government schools to follow state and national requirements for recordkeeping. There are a range of policies to inform records management in government schools and ECEC.</p> <p>The education department will consult with the sector regarding the potential implementation of similar recordkeeping requirements in non-government schools. If required, the department will seek the agreement of education sector heads to improve record keeping practices.</p> <p>Both government and non-government schools in South Australia must follow the Information Sharing Guidelines (ISG), which set standards for recordkeeping practices. Each individual agency must develop a specific appendix (procedure) detailing their implementation of the ISG.</p>	

## Improving information sharing across sectors

### *Elements of a national information exchange scheme*

	Recommendation	Government Response
8.6	<p>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.</p>	<p><b>Agency:</b> <b>Department of the Premier and Cabinet</b> (Office of Data Analytics)</p> <p>Accepted in principle</p> <p>Action: Discuss with other states and territories at the national level.</p>
	<p><b>DISCUSSION</b></p> <p>The Government of South Australia will prioritise collaboration with other jurisdictions to promote legislative and administrative arrangements for information sharing.</p> <p>The legislative, practical and technical implications of this recommendation are being considered in relation to the <i>Public Sector (Data Sharing) Act 2016</i>.</p> <p>The <i>Public Sector (Data Sharing) Act 2016</i> allows information to be shared where it relates to the safety and wellbeing of children in South Australia. The Act aims to remove barriers to public sector data sharing, allowing agencies to quickly communicate information. Under the Act, agencies must use data sharing safeguards and protections to prevent unauthorised use or disclosure of information. The Office for Data Analytics, created under the Act, takes a whole-of-government approach to analysing public sector data, and makes the results of that work available.</p> <p>Various South Australian agencies already engage with and provide the federal government and other state and territory governments with pertinent information. The Office for Data Analytics (Department of the Premier and Cabinet) will consider this recommendation in collaboration with relevant agencies, particularly the Attorney-General's Department and South Australia Police.</p>	

#	Recommendation	Government Response
8.7	<p>In establishing the information exchange scheme, the Australian Government and state and territory governments should develop a minimum of nationally consistent provisions to:</p> <ol style="list-style-type: none"> <li>enable direct exchange of relevant information between a range of prescribed bodies, including service providers, government and non-government agencies, law enforcement</li> </ol>	<p><b>Agency:</b> <b>Department of the Premier and Cabinet</b> (Office of Data Analytics)</p>

	<p>agencies, and regulatory and oversight bodies, which have responsibilities related to children's safety and wellbeing</p> <p>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</p> <p>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</p> <p>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</p> <p>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 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.</p>	<p>Accepted in principle</p>
	<p><b>DISCUSSION</b></p> <p>The South Australian Government will work with other jurisdictions to identify and remove barriers to information sharing and to develop methods to promote and enable information sharing. Governments will seek to build on existing arrangements within jurisdictions and across jurisdictions in preparation for developing an agreed information sharing scheme.</p> <p>Legislative, practical, and technical implications of this recommendation are being currently considered in light of the Public Sector (Data Sharing) Act 2016. In addition, the Office for Data Analytics is building the technical capability to share data and information in a secure and safe manner between government agencies at the state and federal level.</p> <p>See Recommendation 8.6 for more information about data sharing in South Australia.</p>	

#	Recommendation	Government Response
8.8	<p>The Australian Government, state and territory governments and prescribed bodies should work together to ensure that the implementation of our recommended information exchange scheme is supported with education, training and guidelines. Education, training and guidelines should promote understanding of, and confidence in, appropriate information sharing to better prevent, identify and respond to child sexual abuse in institutional contexts, including by addressing:</p> <p>a. impediments to information sharing due to limited understanding of applicable laws</p>	<p><b>Agency:</b> <b>Department of the Premier and Cabinet</b>  (Office of Data Analytics)</p>
		<p>Accepted in principle</p>

	b. unauthorised sharing and improper use of information.	Action: Discuss with other states and territories at the national level.
	<p><b>DISCUSSION</b></p> <p>The Government of South Australia will continue to collaborate with other jurisdictions to provide awareness raising, education and training around information sharing obligations and requirements. Governments will work with relevant bodies and government agencies, such as the Office of the Australian Information Commissioner, children's commissioners and advocates, and relevant or prescribed bodies.</p> <p>The Government of South Australia supports using training, education or guidelines to help develop a fuller understanding of presently applicable laws, such as privacy laws, in order to facilitate a greater awareness of how information can be properly shared under present regimes.</p> <p>The Office for Data Analytics (Department of the Premier and Cabinet) will consider this recommendation. In addition, South Australia will continue to engage with the federal, state and territory governments around this recommendation.</p>	

## Improving information sharing in key sectors

### *Sharing information about teachers and students*

#	Recommendation	Government Response
8.9	<p>The Council of Australian Governments (COAG) Education Council should consider the need for nationally consistent state and territory legislative requirements about the types of information recorded on teacher registers. Types of information that the council should consider, with respect to a person's registration and employment as a teacher, include:</p> <ol style="list-style-type: none"> <li>the person's former names and aliases</li> <li>the details of former and current employers</li> <li>where relating to allegations or incidents of child sexual abuse: <ol style="list-style-type: none"> <li>current and past disciplinary actions, such as conditions on, suspension of, and cancellation of registration</li> <li>grounds for current and past disciplinary actions</li> <li>pending investigations</li> <li>findings or outcomes of investigations where allegations have been substantiated</li> <li>resignation or dismissal from employment.</li> </ol> </li> </ol>	<p><b>Agency:</b> <b>Department for Education</b></p> <p>For further consideration</p>
	<p><b>DISCUSSION</b></p> <p>The recommendations that relate to teacher registration are expected to be part of the National Review of Teacher Registration, which is currently being conducted by the Australian Institute of Teaching and School Leadership.</p> <p>Findings of the national review will be reported to the COAG Education Council later in 2018. South Australia is in discussion with other states and territories via the Education Council about this recommendation (and 8.10, 8.11, 8.12, 8.16 and 13.8).</p>	

#	Recommendation	Government Response
8.10	The COAG Education Council should consider the need for nationally consistent provisions in state and territory teacher registration laws providing that teacher registration authorities may, and/or must on request, make information on teacher registers available to:	<b>Agency:</b> <b>Department for Education</b>
	<ul style="list-style-type: none"> <li>a. teacher registration authorities in other states and territories</li> <li>b. teachers' employers.</li> </ul>	For further consideration
	<p><b>DISCUSSION</b></p> <p>This recommendation will be considered through the National Review of Teacher Registration, which is currently underway.</p> <p>It is currently a function of the South Australian Teachers Registration Board to exchange information effectively across Australian jurisdictions (Section 6(e) of the <i>Teacher Registration and Standards Act 2004</i>).</p>	

#	Recommendation	Government Response
8.11	The COAG Education Council should consider the need for nationally consistent provisions	<b>Agency:</b> <b>Department for Education</b>
	<ul style="list-style-type: none"> <li>a. in state and territory teacher registration laws or</li> <li>b. in administrative arrangements, based on legislative authorisation for information sharing under our recommended information exchange scheme providing that teacher registration authorities may or must notify teacher registration authorities in other states and territories and teachers' employers of information they hold or receive about the following matters where they relate to allegations or incidents of child sexual abuse: <ul style="list-style-type: none"> <li>a. disciplinary actions, such as conditions or restrictions on, suspension of, and cancellation of registration, including with notification of grounds</li> <li>b. investigations into conduct, or into allegations or complaints</li> <li>c. findings or outcomes of investigations</li> <li>d. resignation or dismissal from employment.</li> </ul> </li> </ul>	For further consideration
	<p><b>DISCUSSION</b></p> <p>This recommendation is expected to be considered through the National Review of Teacher Registration, which is currently underway.</p> <p>The <i>Teacher Registration and Standards Act 2004</i> may need to be changed to allow for information exchange of the type described in (b).</p>	

#	Recommendation	Government Response
8.12	In considering improvements to teacher registers and information sharing by registration authorities, the COAG Education Council should also consider what safeguards are necessary to protect teachers' personal information.	<b>Agency:</b> <b>Department for Education</b>
		Accepted in principle
		Action: Discuss with other states and territories at the national level.
	<p><b>DISCUSSION</b></p> <p>The Government of South Australia supports the intent of this recommendation. The Australian Teacher Workforce Data Strategy led by the Australian Institute of Teaching and School Leadership is considering improvements to information sharing and appropriate safeguards. The Government of South Australia will work with other governments through the Council of Australian Governments Education Council on this recommendation.</p>	

#	Recommendation	Government Response
8.13	<p>State and territory governments should ensure that policies provide for the exchange of a student's information when they move to another school, where:</p> <ul style="list-style-type: none"> <li>a. the student may pose risks to other children due to their harmful sexual behaviours or may have educational or support needs due to their experiences of child sexual abuse and</li> <li>b. the new school needs this information to address the safety and wellbeing of the student or of other students at the school.</li> </ul> <p>State and territory governments should give consideration to basing these policies on our recommended information exchange scheme (Recommendations 8.6 to 8.8).</p>	<b>Agency:</b> <b>Department for Education</b>
		For further consideration
	<p><b>DISCUSSION</b></p> <p>A cross-sector memorandum of understanding exists between the Department for Education and the independent and Catholic sectors regarding student transfers within South Australia. Parent consent is required for student information to be exchanged between education sectors.</p> <p>Since 2006 there has been a joint agreement between the federal government, state and territory education departments, and the independent and Catholic education sectors to use a national system to transfer student information between schools in different states ('Interstate Student Data Transfer Note and Protocol'). The amount of information that is shared is decided by the student's parents.</p> <p>The Government of South Australia will work with the federal government and state and territory education departments to review and update the agreement if required.</p> <p>In addition, the state government will consider whether it should be compulsory to exchange information under South Australian laws, as described by Recommendations 8.13 and 8.14.</p>	



#	Recommendation	Government Response
8.14	State and territory governments should ensure that policies for the exchange of a student's information when they move to another school:	<b>Agency:</b> <b>Department for Education</b>
	<ul style="list-style-type: none"> <li>a. provide that the principal (or other authorised information sharer) at the student's previous school is required to share information with the new school in the circumstances described in Recommendation 8.13 and</li> <li>b. apply to schools in government and non-government systems.</li> </ul>	For further consideration
	<b>DISCUSSION</b> See Recommendation 8.13.	

#	Recommendation	Government Response
8.15	State and territory governments should ensure that policies about the exchange of a student's information (as in Recommendations 8.13 and 8.14) provide the following safeguards, in addition to any safeguards attached to our recommended information exchange scheme:	<b>Agency:</b> <b>Department for Education</b>
	<ul style="list-style-type: none"> <li>a. information provided to the new school should be proportionate to its need for that information to assist it in meeting the student's safety and wellbeing needs, and those of other students at the school</li> <li>b. information should be exchanged between principals, or other authorised information sharers, and disseminated to other staff members on a need-to-know basis.</li> </ul>	For further consideration
	<b>DISCUSSION</b> <p>Current practice in South Australia is consistent with this recommendation. South Australia's 'Information Sharing Guidelines for promoting the safety and wellbeing of children, young people and families' provide a process for government and non-government agencies to share information. The 'Information Privacy Principles Instruction' guides public sector agencies on the collection, use, storage and disclosure of personal information.</p> <p>As outlined in Recommendation 8.13, the Government of South Australia will consider whether it should be compulsory to exchange information under South Australian law. If this change occurs, the government will consider including the safeguards described in Recommendation 8.15.</p>	

#	Recommendation	Government Response
8.16	The COAG Education Council should review the Interstate Student Data Transfer Note and Protocol in the context of the implementation of our recommended information exchange scheme (Recommendations 8.6 to 8.8).	<b>Agency:</b> <b>Department for Education</b>
		Accepted in principle

		Action: To discuss with other states and territories at the national level.
	<p><b>DISCUSSION</b></p> <p>The Government of South Australia supports the intent of this recommendation. The Council of Australian Government's Education Council's Data Strategy Group is currently examining information exchange including the national agreement to use the Interstate Student Data Transfer Note and Protocol.</p>	

## Carers registers

#	Recommendation	Government Response
8.17	State and territory governments should introduce legislation to establish carers registers in their respective jurisdictions, with national consistency in relation to:	<b>Agency:</b> <b>Department for Child Protection</b>
	<ul style="list-style-type: none"> <li>a. the inclusion of the following carer types on the carers register: <ul style="list-style-type: none"> <li>i. foster carers</li> <li>ii. relative/kinship carers</li> <li>iii. residential care staff</li> </ul> </li> <li>b. the types of information which, at a minimum, should be recorded on the register</li> <li>c. the types of information which, at a minimum, must be made available to agencies or bodies with responsibility for assessing, authorising or supervising carers, or other responsibilities related to carer suitability and safety of children in out-of-home care.</li> </ul>	For further consideration
	<p><b>DISCUSSION</b></p> <p>The Department for Child Protection (DCP) Carer Approval and Review Unit is responsible for approving new and existing carers, and maintaining information about approved carers on the case management system. The unit works closely with DCP contracted non-government organisations, placement services and kinship care regarding carer reviews and assessments.</p> <p>A range of implementation issues will require further exploration before a carer register could be developed. This, includes significant resource implications to establish and maintain such a system.</p> <p>The Government of South Australia will discuss this recommendation further with other states and territories.</p>	

#	Recommendation	Government Response
8.18	Carers registers should be maintained by state and territory child protection agencies or bodies with regulatory or oversight responsibility for out-of-home care in that jurisdiction.	Agency: Department for <b>Child</b> Protection
		For further consideration
	<b>DISCUSSION</b> See response to Recommendation 8.17.	

#	Recommendation	Government Response
8.19	State and territory governments should consider the need for carers registers to include, at a minimum, the following information (register information) about, or related to, applicant or authorised carers, and persons residing on the same property as applicant/authorised home-based carers (household members): <ul style="list-style-type: none"> <li>a. lodgement or grant of applications for authorisation</li> <li>b. status of the minimum checks set out in Recommendation 12.6 as requirements for authorisation, indicating their outcomes as either satisfactory or unsatisfactory</li> <li>c. withdrawal or refusal of applications for authorisation in circumstances of concern (including in relation to child sexual abuse)</li> <li>d. cancellation or surrender of authorisation in circumstances of concern (including in relation to child sexual abuse)</li> <li>e. previous or current association with an out-of-home care agency, whether by application for authorisation, assessment, grant of authorisation, or supervision</li> <li>f. the date of reportable conduct allegations, and their status as either current, finalised with ongoing risk-related concerns, and/or requiring contact with the reportable conduct oversight body.</li> </ul>	Agency: <b>Department for Child Protection</b>
		For further consideration
	<b>DISCUSSION</b> See response to Recommendation 8.17.	

#	Recommendation	Government Response
8.20	State and territory governments should consider the need for legislative and administrative arrangements to require responsible agencies to:	Agency: <b>Department for Child Protection</b>

	<ul style="list-style-type: none"> <li>a. record register information in minimal detail</li> <li>b. record register information as a mandatory part of carer authorisation</li> <li>c. update register information about authorised carers.</li> </ul>	For further consideration
	<b>DISCUSSION</b> See response to Recommendation 8.17.	

#	Recommendation	Government Response
8.21	<p>State and territory governments should consider the need for legislative and administrative arrangements to require responsible agencies:</p> <ul style="list-style-type: none"> <li>a. before they authorise or recommend authorisation of carers, to: <ul style="list-style-type: none"> <li>i. undertake a check for relevant register information, and</li> <li>ii. seek further relevant information from another out-of-home care agency where register information indicates applicant carers, or their household members (in the case of prospective home-based carers) have a prior or current association with that other agency</li> </ul> </li> <li>b. in the course of their assessment, authorisation, or supervision of carers, to: <ul style="list-style-type: none"> <li>i. seek further relevant information from other agencies or bodies, where register information indicates they hold, or may hold, additional information relevant to carer suitability, including reportable conduct information.</li> </ul> </li> </ul> <p>State and territory governments should give consideration to enabling agencies to seek further information for these purposes under our recommended information exchange scheme (Recommendations 8.6 to 8.8).</p>	<p><b>Agency:</b> <b>Department for Child Protection</b></p>
	<p>For further consideration</p>	
	<b>DISCUSSION</b> See response to Recommendation 8.17.	

#	Recommendation	Government Response
8.22	<p>State and territory governments should consider the need for effective mechanisms to enable agencies and bodies to obtain relevant information from registers in any state or territory holding such information. Consideration should be given to legislative and administrative arrangements, and digital platforms, which will enable:</p> <ul style="list-style-type: none"> <li>a. agencies responsible for assessing, authorising or supervising carers</li> </ul>	<p><b>Agency:</b> <b>Department for Child Protection</b></p>
		For further consideration

	<p>b. other agencies, including jurisdictional child protection agencies and regulatory and oversight bodies, with responsibilities related to the suitability of persons to be carers and the safety of children in out-of-home care to obtain relevant information from their own and other jurisdictions' registers for the purpose of exercising their responsibilities and functions.</p>	
	<p><b>DISCUSSION</b></p> <p>See response to Recommendation 8.17.</p>	

#	Recommendation	Government Response
8.23	<p>In considering the legislative and administrative arrangements required for carers registers in their jurisdiction, state and territory governments should consider the need for guidelines and training to promote the proper use of carers registers for the protection of children in out-of-home care. Consideration should also be given to the need for specific safeguards to prevent inappropriate use of register information.</p>	<p><b>Agency:</b> <b>Department for Child Protection</b></p>
		<p>For further consideration</p>
	<p><b>DISCUSSION</b></p> <p>See response to Recommendation 8.17.</p>	

# Volume 9: Advocacy, support and therapeutic treatment services recommendations

The trauma of sexual abuse can have long-lasting, diverse and severe impacts on a child's psychological and emotional health and wellbeing. Victims and survivors have a right to care, treatment and support that can help them along their road to recovery. This volume talks about what the Royal Commission learned about the advocacy, support and therapeutic service needs of victims and survivors of child sexual abuse in institutions. It also looks at ways to improve these services to make sure victims and survivors can access the assistance they need to recover.

## Dedicated community support services for victims and survivors

#	Recommendation	Government Response
9.1	The Australian Government and state and territory governments should fund dedicated community support services for victims and survivors in each jurisdiction, to provide an integrated model of advocacy and support and counselling to children and adults who experienced childhood sexual abuse in institutional contexts.	<b>Agency: Attorney-General's Department</b>
	Funding and related agreements should require and enable these services to: <ul style="list-style-type: none"> <li>a. be trauma-informed and have an understanding of institutional child sexual abuse</li> <li>b. be collaborative, available, accessible, acceptable and high quality</li> <li>c. use case management and brokerage to coordinate and meet service needs</li> <li>d. support and supervise peer-led support models.</li> </ul>	For further consideration
	<b>DISCUSSION</b> State funding of dedicated community support services for victims and survivors has a range of implementation issues that require further consideration, including significant ongoing resource implications.	

#	Recommendation	Government Response
9.2	The Australian Government and state and territory governments should fund Aboriginal and Torres Strait Islander healing approaches as an ongoing, integral part of advocacy and support and therapeutic treatment service system responses for victims and survivors of child sexual abuse. These approaches should be evaluated in accordance with culturally appropriate methodologies, to contribute to evidence of best practice.	<b>Agency: Attorney-General's Department</b>
		For further consideration

	<p><b>DISCUSSION</b></p> <p>The Government of South Australia recognises the importance of culturally appropriate programs and services for Aboriginal and Torres Strait Islander victims and survivors.</p> <p>State funding of dedicated community support services for Aboriginal and Torres Strait Islander victims and survivors has a range of implementation issues that require further consideration, including significant ongoing resource implications.</p>
--	---

#	Recommendation	Government Response
9.3	<p>The Australian Government and state and territory governments should fund support services for people with disability who have experienced sexual abuse in childhood as an ongoing, integral part of advocacy and support and therapeutic treatment service system responses for victims and survivors of child sexual abuse.</p>	<p><b>Agency: Attorney-General's Department</b></p>
		For further consideration
	<p><b>DISCUSSION</b></p> <p>There are a number of implementation issues associated with state funded dedicated support services for victims and survivors with a disability. The Government of South Australia will consider this recommendation further in relation to ongoing resource implications.</p>	

## National service to navigate legal process

#	Recommendation	Government Response
9.4	<p>The Australian Government should establish and fund a legal advice and referral service for victims and survivors of institutional child sexual abuse. The service should provide advice about accessing, amending and annotating records from institutions, and options for initiating police, civil litigation or redress processes as required. Support should include advice, referrals to other legal services for representation and general assistance for people to navigate the legal service system.</p> <p>Funding and related agreements should require and enable these services to be:</p> <ol style="list-style-type: none"> <li>trauma-informed and have an understanding of institutional child sexual abuse</li> <li>collaborative, available, accessible, acceptable and high quality.</li> </ol>	<b>Noted</b>
	<p><b>DISCUSSION</b></p> <p>This recommendation is the responsibility of the Australian Government and is outside the scope of the Government of South Australia's response to the Final Report.</p>	

## National telephone helpline and website

#	Recommendation	Government Response
9.5	<p>The Australian Government should fund a national website and helpline as a gateway to accessible advice and information on childhood sexual abuse. This should provide information for victims and survivors, particularly victims and survivors of institutional child sexual abuse, the general public and practitioners about supporting children and adults who have experienced sexual abuse in childhood and available services. The gateway may be operated by an existing service with appropriate experience and should:</p> <ol style="list-style-type: none"> <li>be trauma-informed and have an understanding of institutional child sexual abuse</li> <li>be collaborative, available, accessible, acceptable and high quality</li> <li>provide telephone and online information and initial support for victims and survivors, including independent legal information and information about reporting to police</li> <li>provide assisted referrals to advocacy and support and therapeutic treatment services.</li> </ol>	<b>Noted</b>
<p><b>DISCUSSION</b></p> <p>This recommendation is the responsibility of the Australian Government and is outside the scope of the Government of South Australia's response to the Final Report.</p>		

## Enhancing the capacity of specialist sexual assault services

#	Recommendation	Government Response
9.6	<p>The Australian Government and state and territory governments should address existing specialist sexual assault service gaps by increasing funding for adult and child sexual assault services in each jurisdiction, to provide advocacy and support and specialist therapeutic treatment for victims and survivors, particularly victims and survivors of institutional child sexual abuse. Funding agreements should require and enable services to:</p> <ol style="list-style-type: none"> <li>be trauma-informed and have an understanding of institutional child sexual abuse</li> <li>be collaborative, available, accessible, acceptable and high quality</li> <li>use collaborative community development approaches</li> <li>provide staff with supervision and professional development.</li> </ol>	<p><b>Agency: SA Health</b></p> <p>For further consideration</p>
<p><b>DISCUSSION</b></p> <p>The Government of South Australia will identify service gaps and review the service funding agreement requirements for existing specialist sexual assault services in South Australia. Currently, Yarrow Place Rape and Sexual Assault Service and SA Health Child Protection Services</p>		



	<p>provide adult and child sexual assault services in accordance with a service level agreement with the Department for Health and Wellbeing.</p> <p>Yarrow Place and Child Protection Services are trauma specialist services and have a sound knowledge of the impact of early childhood trauma, both institutionalised and non-institutionalised. Both of these services utilise supervision frameworks applicable to trauma, the professional groups and vicarious trauma management.</p> <p>Yarrow Place is the lead agency responding to rape and sexual assault in South Australia for people who are 16 years or older at the time of the assault and provides 24 hour specialist advocacy, support and specialist therapeutic counselling for people who have been sexually assaulted, either recently or in the past, so long as they were 16 years or older at the time of the assault.</p> <p>SA Health Child Protection Services provide specialist assessment and therapeutic treatment services to children and their families where there is a suspicion of child abuse, including sexual assault, psychological maltreatment and/or neglect. They offer consultation to professionals to discuss child protection matters, provide information and advice. Child Protection Services accept referrals from the Department for Child Protection and South Australia Police for forensic medical and psychosocial assessments for children.</p> <p>These services work within trauma-informed frameworks and specific specialist clinical practice governance frameworks.</p>
--	--

#	Recommendation	Government Response
9.7	<p>Primary Health Networks, within their role to commission joined up local primary care services, should support sexual assault services to work collaboratively with key services such as disability-specific services, Aboriginal and Torres Strait Islander services, culturally and linguistically diverse services, youth justice, aged care and child and youth services to better meet the needs of victims and survivors.</p> <p><b>DISCUSSION</b></p> <p>This recommendation is the responsibility of the Australian Government and is outside the scope of the Government of South Australia response.</p> <p>SA Health will partner with the two South Australian Primary Health Networks and the federal government to ensure appropriate links are made between the services.</p>	<b>Noted</b>

## Responsive mainstream services

#	Recommendation	Government Response
9.8	The Australian Government and state and territory government agencies responsible for the delivery of human services should ensure relevant policy frameworks and strategies recognise the needs of victims and survivors and the benefits of implementing trauma informed approaches.	<p><b>Agency: SA Health</b></p> <p>Accepted in principle</p> <p>Action: Review policy and strategies.</p>

## DISCUSSION

While SA Health's current policy frameworks align with this recommendation, all relevant strategies and policies will be reviewed to ensure that they recognise the needs of victims and survivors and support trauma-informed approaches.

## National leadership to reduce stigma, promote help-seeking and support good practice

#	Recommendation	Government Response
9.9	<p>The Australian Government, in conjunction with state and territory governments, should establish and fund a national centre to raise awareness and understanding of the impacts of child sexual abuse, support help-seeking and guide best practice advocacy and support and therapeutic treatment. The national centre's functions should be to:</p> <ol style="list-style-type: none"> <li>raise community awareness and promote destigmatising messages about the impacts of child sexual abuse</li> <li>increase practitioners' knowledge and competence in responding to child and adult victims and survivors by translating knowledge about the impacts of child sexual abuse and the evidence on effective responses into practice and policy. This should include activities to: <ol style="list-style-type: none"> <li>identify, translate and promote research in easily available and accessible formats for advocacy and support and therapeutic treatment practitioners</li> <li>produce national training materials and best practice clinical resources</li> <li>partner with training organisations to conduct training and workforce development programs</li> <li>influence national tertiary curricula to incorporate child sexual abuse and trauma-informed care</li> <li>inform government policy making</li> </ol> </li> <li>lead the development of better service models and interventions through coordinating a national research agenda and conducting high-quality program evaluation.</li> </ol> <p>The national centre should partner with survivors in all its work, valuing their knowledge and experience.</p>	<p><b>Agency: SA Health</b></p> <p>For further consideration</p>
	<h2>DISCUSSION</h2> <p>The resourcing required to establish and maintain a jointly-funded national centre is currently unknown. South Australia's participation in a national centre would be subject to these funding considerations.</p> <p>The Government of South Australia will engage with other states and territories around this recommendation at the national level.</p>	

# Volume 10: Children with harmful sexual behaviours recommendations

It is important to acknowledge that not all sexual abuse experienced by children in institutions is perpetrated by adults. Individually tailored responses are needed when children display harmful sexual behaviours to prevent it from continuing into adulthood and to protect other children from abuse. This volume talks about children who have been sexually abused by other children in institutions. It looks at how big the problem is, what has been done by institutions and governments so far to address it, and what can be done to improve responses to children with harmful sexual behaviours in institutions.

## A framework for improving responses

#	Recommendation	Government Response
10.1	<p>The Australian Government and state and territory governments should ensure the issue of children's harmful sexual behaviours is included in the national strategy to prevent child sexual abuse that we have recommended (see Recommendations 6.1 to 6.3).</p> <p>Harmful sexual behaviours by children should be addressed through each of the following:</p> <ul style="list-style-type: none"> <li>a. primary prevention strategies to educate family, community members, carers and professionals (including mandatory reporters) about preventing harmful sexual behaviours</li> <li>b. secondary prevention strategies to ensure early intervention when harmful sexual behaviours are developing</li> <li>c. tertiary intervention strategies to address harmful sexual behaviours.</li> </ul>	<b>Agency: SA Health</b>
		Accepted in principle
		Action: Participate in development of a national strategy for the prevention of child abuse.
	<p><b>DISCUSSION</b></p> <p>The Government of South Australia will work with other jurisdictions to prioritise the inclusion of the complex issue of children's harmful sexual behaviours in the national strategy to prevent child sexual abuse, to support the wellbeing and safety of all children.</p>	

## Improving assessment and therapeutic intervention

#	Recommendation	Government Response
10.2	<p>The Australian Government and state and territory governments should ensure timely expert assessment is available for individual children with problematic and harmful sexual behaviours, so they receive appropriate responses, including therapeutic interventions, which match their particular circumstances.</p>	<b>Agency: SA Health</b>
		Accepted
		No further action required

	<p><b>DISCUSSION</b></p> <p>The Government of South Australia has implemented the Interagency Code of Practice – Investigation of Suspected Child Abuse or Neglect. This code sets out the actions interagency teams are required to take in meeting their responsibilities in providing timely appropriate responses including therapeutic interventions to serious sexual behaviour in children.</p> <p>The Child and Adolescent Mental Health Service provide priority mental health assessments and therapy to children and young people exhibiting problem sexual behaviours.</p>
--	--

#	Recommendation	Government Response
10.3	<p>The Australian Government and state and territory governments should adequately fund therapeutic interventions to meet the needs of all children with harmful sexual behaviours. These should be delivered through a network of specialist and generalist therapeutic services. Specialist services should also be adequately resourced to provide expert support to generalist services.</p>	<p><b>Agency: SA Health</b></p>
		<p>For further consideration</p>
	<p><b>DISCUSSION</b></p> <p>The Government of South Australia will consider this recommendation further in relation to ongoing resource implications.</p> <p><i>The Interagency Code of Practice – Investigation of suspected child abuse or neglect, which dictates a multi-agency approach to all therapeutic interventions, has been implemented. Current service provision is aligned with the Code of Practice.</i></p>	

#	Recommendation	Government Response
10.4	<p>State and territory governments should ensure that there are clear referral pathways for children with harmful sexual behaviours to access expert assessment and therapeutic intervention, regardless of whether the child is engaging voluntarily, on the advice of an institution or through their involvement with the child protection or criminal justice systems.</p>	<p><b>Agency: SA Health</b></p>
		<p>Accepted</p> <p>Action: Continue to work with the Department for Child Protection to ensure that the intent of this recommendation is implemented.</p>
	<p><b>DISCUSSION</b></p> <p>The Child and Adolescent Mental Health Service (CAMHS) accepts referrals for children with sexualised behaviours in all community teams across the state. Referrals are accepted from professionals, parents, and carers. Dependent on the assessment, more specialised treatment can be offered by staff who have received specific trainings. This work is overseen by a child and adolescent psychiatrist.</p> <p>CAMHS partners with the Department for Child Protection (DCP), Youth Justice System, Disability Services-SA and South Australia Police (SAPOL) in addressing the needs of young offenders.</p>	

	<p>The Interagency Code of Practice provides the key actions Child Protection Services practitioners need to take when they are involved in an investigative response to suspected child abuse or neglect including responsibilities in responding to children's serious sexual behaviour.</p> <p>The Child Protection Services accept referrals from DCP, SAPOL, parents, carers and other professionals where the major concern is problematic sexual behaviour.</p>
--	--

#	Recommendation	Government Response
10.5	<p>Therapeutic intervention for children with harmful sexual behaviours should be based on the following principles:</p> <ul style="list-style-type: none"> <li>a. a contextual and systemic approach should be used</li> <li>b. family and carers should be involved</li> <li>c. safety should be established</li> <li>d. there should be accountability and responsibility for the harmful sexual behaviours</li> <li>e. there should be a focus on behaviour change</li> <li>f. developmentally and cognitively appropriate interventions should be used</li> <li>g. the care provided should be trauma-informed</li> <li>h. therapeutic services and interventions should be culturally safe</li> <li>i. therapeutic interventions should be accessible to all children with harmful sexual behaviours.</li> </ul>	<b>Agency: SA Health</b>
		Accepted
		Action: Review all policies
	<p><b>DISCUSSION</b></p> <p>The current services provided by SA Health align with this recommendation, and are informed by these principles. All policies will be reviewed to ensure that they are compliant with these principles.</p>	

## Strengthening the workforce

#	Recommendation	Government Response
10.6	<p>The Australian Government and state and territory governments should ensure that all services funded to provide therapeutic intervention for children with harmful sexual behaviours provide professional training and clinical supervision for their staff.</p>	<b>Agency: SA Health</b>
		Accepted
		Action: Continue existing staff training and supervision.
	<p><b>DISCUSSION</b></p> <p>SA Health currently provides professional training and clinical supervision for staff who provide government funded therapeutic intervention for children with harmful sexual behaviours.</p>	

## Improving evaluation

#	Recommendation	Government Response
10.7	The Australian Government and state and territory governments should fund and support evaluation of services providing therapeutic interventions for problematic and harmful sexual behaviours by children.	<b>Agency: SA Health</b>
		For further consideration
	<p><b>DISCUSSION</b></p> <p>In response to the Child Protection Systems Royal Commission (SA), the Government of South Australia established the Early Intervention Research Directorate. The directorate is undertaking a desktop evaluation of child protection services, including those providing therapeutic interventions. The work of the directorate, which has not yet been published, is relevant to this recommendation.</p>	

# Volume 11: Historical residential institutions

Victims of historical child sexual abuse deserve to have their trauma recognised and addressed, even when the institutions where it occurred have shut their doors. This volume gives an overview of survivors' experiences of child sexual abuse in residential institutions from just after World War II up to 1990. While out-of-home care has changed significantly in recent times, the conditions and abuse that occurred in past residences has ongoing impacts on many survivors. Some of the stories of survivors were told to the Royal Commission during private sessions and public hearings. Other survivors wrote down their experiences to be shared with the Commissioners.

This volume focuses on the stories of victims and survivors. It does not contain recommendations for consideration by state and territory governments.

# Volume 12: Contemporary out-of-home care recommendations

Out-of-home care is a critical part of South Australia's child protection system, giving children and young people stability and nurture when they cannot remain with their biological parents. It is essential that children are protected from further harm when they move into foster, kinship, residential or commercial care. This volume talks about what the Commissioners learned about institutional responses to child sexual abuse in contemporary out-of-home care since 1990. It looks at risk factors that contribute to child sexual abuse and how what out-of-home care institutions can do to improve the way they respond to complaints.

## Data collection and reporting

#	Recommendation	Government Response
12.1	The Australian Government and state and territory governments should develop nationally agreed key terms and definitions in relation to child sexual abuse for the purpose of data collection and reporting by the Australian Institute of Health and Welfare (AIHW) and the Productivity Commission.	<b>Agency:</b> <b>Department for Child Protection</b>
		Accepted in principle
		Action: Discuss with other states and territories at the national level.
	<p><b>DISCUSSION</b></p> <p>The Government of South Australia will work with other jurisdictions to achieve nationally agreed key terms and definitions in relation to child sexual abuse through relevant agencies and portfolios.</p> <p>Governments will work together to agree research priorities and timeframes, noting the complexity and importance of establishing nationally agreed terms and definitions to provide a basis for further national research.</p>	

#	Recommendation	Government Response
12.2	<p>The Australian Government and state and territory governments should prioritise enhancements to the Child Protection National Minimum Data Set to include:</p> <ul style="list-style-type: none"> <li>a. data identifying children with disability, children from culturally and linguistically diverse backgrounds and Aboriginal and Torres Strait Islander children</li> <li>b. the number of children who were the subject of a substantiated report of sexual abuse while in out-of-home care</li> <li>c. the demographics of those children</li> </ul>	<b>Agency:</b> <b>Department for Child Protection</b>
		Accepted in principle
		Action: Discuss with other states and territories at the national level.



	<ul style="list-style-type: none"> <li>d. the type of out-of-home care placement in which the abuse occurred</li> <li>e. information about when the abuse occurred</li> <li>f. information about who perpetrated the abuse, including their age and their relationship to the victim, if known.</li> </ul>	
	<p><b>DISCUSSION</b></p> <p>The Government of South Australia will work with other jurisdictions to achieve enhancements to the Child Protection National Minimum Data Set through relevant agencies and portfolios.</p> <p>Some of the proposed enhancements refer to data sets that are not currently collected in South Australia. As such, these may be difficult to report against in future.</p>	

#	Recommendation	Government Response
12.3	State and territory governments should agree on reporting definitions and data requirements to enable reporting in the Report on Government Services on outcome indicators for 'improved health and wellbeing of the child', 'safer return home' and 'permanent care'.	<p><b>Agency:</b> <b>Department for Child Protection</b></p> <p>Accepted in principle</p> <p>Action: Discuss with other states and territories at the national level.</p>
	<p><b>DISCUSSION</b></p> <p>The Government of South Australia will work with other jurisdictions to agree on reporting definitions and data requirements through relevant agencies and portfolios.</p>	

## Accreditation of out-of-home care service providers

#	Recommendation	Government Response
12.4	Each state and territory government should revise existing mandatory accreditation schemes to: <ul style="list-style-type: none"> <li>a. incorporate compliance with the Child Safe Standards identified by the Royal Commission</li> <li>b. extend accreditation requirements to both government and non-government out-of-home care service providers.</li> </ul>	<p><b>Agency:</b> <b>Department for Child Protection</b></p> <p>Accepted in principle</p> <p>Action: To be implemented through the Children and Young People (Safety) Act 2017.</p>

	<p><b>DISCUSSION</b></p> <p>The new <i>Children and Young People (Safety) Act 2017</i>, which comes into effect on 22 October 2018, strengthens South Australia's licensing scheme for residential facilities, and incorporates child safe environments.</p> <p>The licensing scheme does not apply to residential care facilities delivered directly by the Department for Child Protection (DCP). However, all DCP residential facilities must comply with child safe requirements under the <i>Children's Protection Act 1993</i> and the new <i>Children and Young People (Safety) Act 2017</i> (6.8). These requirements align with the Child Safe Standards outlined by the Royal Commission.</p>
--	---

#	Recommendation	Government Response
12.5	<p>In each state and territory, an existing statutory body or office that is independent of the relevant child protection agency and out-of-home care service providers, for example a children's guardian, should have responsibility for:</p> <ol style="list-style-type: none"> <li>receiving, assessing and processing applications for accreditation of out-of-home care service providers</li> <li>conducting audits of accredited out-of-home care service providers to ensure ongoing compliance with accreditation standards and conditions.</li> </ol>	<p><b>Agency:</b> <b>Department for Child Protection</b></p>
		Not accepted
	<p><b>DISCUSSION</b></p> <p>South Australia's current out-of-home care licensing regime is managed by the Department for Child Protection (DCP).</p> <p>Under the <i>Children and Young People (Oversight and Advocacy Bodies) Act 2016</i>, the Guardian for Children and Young People and several other bodies advocate on behalf of children in out-of-home care and provide a level of oversight, including monitoring of residential care and conducting visits to residential care facilities.</p> <p>At this time South Australia is not seeking to change the roles and functions of these bodies or the licensing scheme.</p>	

## Carer authorisation

#	Recommendation	Government Response
12.6	<p>In addition to a National Police Check, Working With Children Check and referee checks, authorisation of all foster and kinship/relative carers and all residential care staff should include:</p> <ol style="list-style-type: none"> <li>community services checks of the prospective carer and any adult household members of home-based carers</li> <li>documented risk management plans to address any risks identified through community services checks</li> <li>at least annual review of risk management plans as part of carer reviews and more frequently as required.</li> </ol>	<p><b>Agency:</b> <b>Department for Child Protection</b></p>
		For further consideration

	<p><b>DISCUSSION</b></p> <p>The Government of South Australia recognises that advancements need to be made in this area, however further consideration is required regarding the implementation of this recommendation.</p>
--	---

#	Recommendation	Government Response
12.7	All out-of-home care service providers should conduct annual reviews of authorised carers that include interviews with all children in the placement with the carer under review, in the absence of the carer.	<b>Agency:</b> <b>Department for Child Protection</b>
		Accepted in principle
		Action: Consider how reviews may be incorporated into ongoing case management responsibilities.
	<p><b>DISCUSSION</b></p> <p>The implementation of this recommendation for all foster and kinship carers will have resourcing implications.</p> <p>Rather than interviews by out-of-home care service providers, the Department for Child Protection will consider how reviews may be incorporated into ongoing case management responsibilities.</p>	

#	Recommendation	Government Response
12.8	Each state and territory government should adopt a model of assessment appropriately tailored for kinship/relative care. This type of assessment should be designed to: <ul style="list-style-type: none"> <li>a. better identify the strengths as well as the support and training needs of kinship/relative carers</li> <li>b. ensure holistic approaches to supporting placements that are culturally safe</li> <li>c. include appropriately resourced support plans.</li> </ul>	<b>Agency:</b> <b>Department for Child Protection</b>
		Accepted in Principle
		Action: Continue to develop and refine assessment tools.
	<p><b>DISCUSSION</b></p> <p>The Government of South Australia supports suitable assessment tools for Kinship Care. The Department for Child Protection is currently trialling the Winangay Foster Carer Assessment tool in a number of remote areas, including Coober Pedy, Ceduna and the APY Lands. A decision will be made about whether the Winangay Tool will be adopted more broadly based on the outcomes of the trial. The Winangay Tool is a carer assessment tool purpose developed for</p>	

	collaborative work with kinship carers and is culturally appropriate for use with Aboriginal carers and workers.
--	--

## Child sexual abuse strategy

#	Recommendation	Government Response
12.9	<p>All state and territory governments should collaborate in the development of a sexual abuse prevention education strategy, including online safety, for children in out-of-home care that includes:</p> <ol style="list-style-type: none"> <li>input from children in out-of-home care and care-leavers</li> <li>comprehensive, age-appropriate and culture-appropriate education about sexuality and healthy relationships that is tailored to the needs of children in out-of-home care</li> <li>resources tailored for children in care, for foster and kinship/relative carers, for residential care staff and for caseworkers</li> <li>resources that can be adapted to the individual needs of children with disability and their carers.</li> </ol>	<b>Agency:</b> <b>Department for Child Protection and Department for Education</b>
		Accepted in principle
		Action: South Australia will contribute relevant information to state and territory conversations about improving safety and education for children in out-of-home care.
	<p><b>DISCUSSION</b></p> <p>The Government of South Australia has a range of programs that provide age appropriate education to children and young people. The 'Keeping Safe: Child Protection Curriculum' has been offered in schools since 2008, teaching children to recognise and report abuse, including sexual abuse. In addition, context specific programs and resources are offered in out-of-home care settings.</p> <p>South Australia will contribute its learnings and resources to state and territory governments who may be developing similar programs.</p>	

## Creating a culture that supports disclosure and identification of child sexual abuse

#	Recommendation	Government Response
12.10	<p>State and territory governments, in collaboration with out-of-home care service providers and peak bodies, should develop resources to assist service providers to:</p> <ol style="list-style-type: none"> <li>provide appropriate support and mechanisms for children in out-of-home care to communicate, either verbally or through behaviour, their views, concerns and complaints</li> <li>provide appropriate training and support to carers and caseworkers to ensure they hear and respond to children in out-</li> </ol>	<b>Agency:</b> <b>Department for Child Protection</b>
		Accepted in principle
		Action: South Australia will continue to work in

	<p>of-home care, including ensuring children are involved in decisions about their lives</p> <p>c. regularly consult with the children in their care as part of continuous improvement processes.</p>	<p>collaboration with out-of-home care service providers and peak bodies to develop resources to assist services to support children and carers.</p>
	<p><b>DISCUSSION</b></p> <p>A range of resources and tools in South Australia currently align with this recommendation.</p> <p>The Department for Child Protection provides an online survey (Viewpoint) that enables children in out-of-home care to document their views, concerns and complaints.</p> <p>In addition, the Guardian for Children and Young People provides and advocates for children and young people in out-of-home care.</p> <p>Children's participation in decision-making processes and the expression of their views are strengthened in the new <i>Children and Young Person (Safety) Act 2017</i>. These particular provisions came into effect in February 2018 (the remainder of the Act will commence in October 2018).</p>	

## Strengthening the capacity of carers, staff and caseworkers to support children

#	Recommendation	Government Response
12.11	<p>State and territory governments and out-of-home care service providers should ensure that training for foster and relative/kinship carers, residential care staff and child protection workers includes an understanding of trauma and abuse, the impact on children and the principles of trauma-informed care to assist them to meet the needs of children in out-of-home care, including children with harmful sexual behaviours.</p>	<p><b>Agency:</b> <b>Department for Child Protection</b></p>
		<p>Accepted in principle</p>
		<p>Action: South Australia will review orientation and other training and information available for carers.</p>
	<p><b>DISCUSSION</b></p> <p>The Department for Child Protection (DCP) uses contracts with non-government out-of-home care providers to ensure that all foster carers (other than kinship carers) and residential care staff undertake mandatory training on trauma and abuse, the impact on children and young people and trauma-informed care. Carers cannot be registered and facilities cannot be licensed without this training.</p> <p>The Government of South Australia has committed to a range of measures through 'A Fresh Start', the government's response to the Child Protection Systems Royal Commission (SA), including:</p> <ul style="list-style-type: none"> <li>reviewing the orientation training of carers seeking approval</li> </ul>	

- including training on recognising and managing trauma-related behaviours, together with information on the availability of and access to, therapeutic assistance if required.

## Identifying, assessing and supporting children with harmful sexual behaviours

#	Recommendation	Government Response
12.12	<p>When placing a child in out-of-home care, state and territory governments and out-of-home care service providers should take the following measures to support children with harmful sexual behaviours:</p> <ol style="list-style-type: none"> <li>undertake professional assessments of the child with harmful sexual behaviours, including identifying their needs and appropriate supports and interventions to ensure their safety</li> <li>establish case management and a package of support services</li> <li>undertake careful placement matching that includes: <ol style="list-style-type: none"> <li>providing sufficient relevant information to the potential carer/s and residential care staff to ensure they are equipped to support the child, and additional training as necessary</li> <li>rigorously assessing potential threats to the safety of other children, including the child's siblings, in the placement.</li> </ol> </li> </ol>	<b>Agency:</b> <b>Department for Child Protection</b>
		Accepted in principle
		Action: South Australia will consider how the suggested measures can be incorporated into policy and practice.
	<p><b>DISCUSSION</b></p> <p>The Government of South Australia accepts the intent of this recommendation to support children with harmful sexualised behaviours, and will consider how the measures can be incorporated into the policy and practice of the Department for Child Protection.</p> <p>The new <i>Children and Young Person (Safety) Act 2017</i> supports part c (i) of the recommendation by requiring that an approved carer be provided with sufficient information to enable a carer to provide appropriate care for a child.</p>	

#	Recommendation	Government Response
12.13	<p>State and territory governments and out-of-home care service providers should provide advice, guidelines and ongoing professional development for all foster and kinship/relative carers and residential care staff about preventing and responding to the harmful sexual behaviours of some children in out-of-home care.</p>	<b>Agency:</b> <b>Department for Child Protection</b>
		Accepted in principle
		Action: South Australia will continue to ensure foster carers and residential care staff are provided initial and ongoing advice,

		support and training.
	<p><b>DISCUSSION</b></p> <p>The Government of South Australia accepts the intent of this recommendation, and will continue to implement a number of measures to support out-of-home care staff to prevent and respond to harmful sexual behaviours.</p> <p>The Department for Child Protection, through its contracts with non-government out-of-home care providers, ensures that initial and ongoing advice, support and training is provided to foster carers and staff in residential care settings. Foster carers and residential care staff complete compulsory abuse and trauma training, including specialised training on protective behaviours and responding to a child or young person who has been sexually abused. In addition, residential care provider contracts require staff to undertake training on trauma-informed practice.</p>	

## Preventing and responding to child sexual exploitation

#	Recommendation	Government Response
12.14	<p>All state and territory governments should develop and implement coordinated and multi-disciplinary strategies to protect children in residential care by:</p> <ol style="list-style-type: none"> <li>identifying and disrupting activities that indicate risk of sexual exploitation</li> <li>supporting agencies to engage with children in ways that encourage them to assist in the investigation and prosecution of sexual exploitation offences.</li> </ol>	<p><b>Agency:</b> <b>Department for Child Protection</b></p>
		Accepted
		Action: No further action required.
	<p><b>DISCUSSION</b></p> <p>The Government of South Australia is committed to providing appropriate care to children and young people in residential care. A range of work and strategies are already in place that address this recommendation, including:</p> <ul style="list-style-type: none"> <li>rollout of an electronic logging system (E-log) to record observations of children, which is easily searchable and secure</li> <li>teaching children in residential care about protective behaviours</li> <li>implementation of the Safeguarding Practice Guide</li> <li>communication with South Australia Police through Local Liaison Group meetings to share information regarding children and young people with high-risk behaviour.</li> </ul>	

#	Recommendation	Government Response
12.15	<p>Child protection departments in all states and territories should adopt a nationally consistent definition for child sexual exploitation to enable the collection and reporting of data on sexual exploitation of children in out-of-home care as a form of child sexual abuse.</p>	<p><b>Agency:</b> <b>Department for Child Protection</b></p>
		Accepted

		Action: Collaborate and consult with other states and territories at the national level.
	<p><b>DISCUSSION</b></p> <p>The Government of South Australia will work with other jurisdictions to adopt a nationally consistent definition for child sexual exploitation through relevant agencies and portfolios.</p>	

## Increasing the stability of placements

#	Recommendation	Government Response
12.16	<p>All institutions that provide out-of-home care should develop strategies that increase the likelihood of safe and stable placements for children in care. Such strategies should include:</p> <ul style="list-style-type: none"> <li>a. improved processes for ‘matching’ children with carers and other children in a placement, including in residential care</li> <li>b. the provision of necessary information to carers about a child, prior to and during their placement, to enable carers to properly support the child</li> <li>c. support and training for carers to deal with the different developmental needs of children as well as managing difficult situations and challenging behaviour.</li> </ul>	<p><b>Agency:</b> <b>Department for Child Protection</b></p>
		Accepted in principle
		Action: Continue work to improve ‘matching’ processes and ensure carers are well informed and trained to support children placed with them.
	<p><b>DISCUSSION</b></p> <p>The Department for Child Protection (DCP) is taking steps to improve its processes for matching children with carers, as recommended in part a.</p> <p>The new <i>Children and Young Person (Safety) Act 2017</i> supports part b of this recommendation by requiring that carers are provided with sufficient information about a child, prior to and during their placement, to enable the carer to properly support the child.</p> <p>DCP will continue to work to ensure carers are well informed, trained and supported to respond to the different developmental needs of children placed with them and manage difficult situations and challenging behaviour, including through its contracts with non-government out-of-home care providers. (See also responses to Recommendations 12.11 to 12.13 and 12.19.)</p>	

## Supporting kinship/relative care placements

#	Recommendation	Government Response
12.17	Each state and territory government should ensure that:	<p><b>Agency:</b> <b>Department for Child Protection</b></p>



	<ul style="list-style-type: none"> <li>a. the financial support and training provided to kinship/relative carers is equivalent to that provided to foster carers</li> <li>b. the need for any additional supports are identified during kinship/relative carer assessments and are funded</li> <li>c. additional casework support is provided to maintain birth family relationships.</li> </ul>	<p>a. and b. Accepted in principle</p> <p>c. For further consideration</p>
		<p>Action:</p> <p>No further action required.</p>
<p><b>DISCUSSION</b></p> <p>Financial support provided by the Department for Child Protection (DCP) to kinship carers is already equivalent to the general foster care rates, and this will continue in line with this recommendation. DCP has implemented a new Kinship Care Assessment Tool that ensures that any requirements for additional supports are identified during the assessment process.</p> <p>The new <i>Children and Young People (Safety) Act 2017</i> recognises the safety of children and young people as the paramount consideration and identifies other priorities as children's needs to be heard and have their views considered, for love and attachment, for self-esteem, and to achieve their full potential. It also recognises that it is desirable that children and young people should maintain connection with biological family, but not at the expense of the child's safety or other identified needs. DCP is currently considering the best practice approach to maintaining birth family relationships in its work to implement the new Act.</p>		

## Residential care

#	Recommendation	Government Response
12.18	The key focus of residential care for children should be based on an intensive therapeutic model of care framework designed to meet the complex needs of children with histories of abuse and trauma.	<b>Agency:</b> <b>Department for Child Protection</b>
		Accepted in principle
		Action: Continue to develop a framework for the delivery of therapeutic residential care in South Australia.
<b>DISCUSSION</b>		
The Department for Child Protection (DCP) is committed to providing appropriate care to children and young people in residential care.		
DCP is currently developing a framework for essential service design principles for the delivery of therapeutic residential care across government and non-government services.		

#	Recommendation	Government Response
12.19	All residential care staff should be provided with regular training and professional supervision by appropriately qualified clinicians.	<b>Agency:</b> <b>Department for Child Protection</b>
		Accepted
		Action: No further action required.
	<p><b>DISCUSSION</b></p> <p>The Department for Child Protection (DCP) has established a clinical team to provide practice support and advice to residential care staff. A comprehensive Safeguarding Practice Guide is being developed for residential care staff. A Registered Training Organisation (RTO) provides a training package for residential care staff to complement the practice guide. New residential care staff are required to complete a 6 week induction training program run by the RTO and then to complete a Certificate IV in Child, Youth and Family Intervention within 12 months of starting date. Additional training requirements in leadership and management are established for senior staff. A new DCP supervision procedure requires all staff to receive regular supervision and a Performance Development Plan to be developed and reviewed at least annually.</p>	

## Aboriginal and Torres Strait Islander children

#	Recommendation	Government Response
12.20	<p>Each state and territory government, in consultation with appropriate Aboriginal and Torres Strait Islander organisations and community representatives, should develop and implement plans to:</p> <ol style="list-style-type: none"> <li>fully implement the Aboriginal and Torres Strait Islander Child Placement Principle</li> <li>improve community and child protection sector understanding of the intent and scope of the principle</li> <li>develop outcome measures that allow quantification and reporting on the extent of the full application of the principle, and evaluation of its impact on child safety and the reunification of Aboriginal and Torres Strait Islander children with their families</li> <li>invest in community capacity building as a recognised part of kinship care, in addition to supporting individual carers, in recognition of the role of Aboriginal and Torres Strait Islander communities in bringing up children.</li> </ol>	<b>Agency:</b> <b>Department for Child Protection</b>
		Accepted in principle
		Action: Collaborate and consult with other states and territories at the national level.
	<p><b>DISCUSSION</b></p> <p>The Government of South Australia is committed to fully implementing the 'Aboriginal and Torres Strait Islander Child Placement Principle', which is part of its national commitments under the 'National Framework for Protecting Australia's Children'.</p> <p>The placement principle is enshrined in the current Child Protection Act 1993 and the new Children and Young Person (Safety) Act 2017.</p>	

	The Government of South Australia will engage with the federal government and other states and territories to develop measures that allow the application of the placement principle to be measured and reported.
--	---

## Children with disability

#	Recommendation	Government Response
12.21	Each state and territory government should ensure: <ol style="list-style-type: none"> <li>the adequate assessment of all children with disability entering out-of-home care</li> <li>the availability and provision of therapeutic support</li> <li>support for disability-related needs</li> <li>the development and implementation of care plans that identify specific risk-management and safety strategies for individual children, including the identification of trusted and safe adults in the child's life.</li> </ol>	<b>Agency:</b> <b>Department for Child Protection</b>
		Accepted in principle
		Action: Continue implementing related recommendations from the Child Protection Systems Royal Commission (SA), and implementing the National Disability Insurance Scheme.
	<p><b>DISCUSSION</b></p> <p>The Department for Child Protection (DCP) is dedicated to providing appropriate care to children under guardianship with disability. The Government of South Australia accepted 8 recommendations from the Child Protection Systems Royal Commission (SA) relating to disability and the National Disability Insurance Scheme (NDIS). These focus on:</p> <ul style="list-style-type: none"> <li>improving staff knowledge of disability and disability services</li> <li>meeting the disability needs of children including through the NDIS</li> <li>improving the capacity of the case management system to provide better data on children with disability and disability-appropriate placement needs.</li> </ul> <p>South Australia moves to the full NDIS scheme from July 2018. DCP is working collaboratively with the National Disability Insurance Agency and the Department of Human Services to achieve effective roll out.</p>	

## Care leavers

#	Recommendation	Government Response
12.22	State and territory governments should ensure that the supports provided to assist all care-leavers to safely and successfully transition to independent living include:  a. strategies to assist care-leavers who disclose that they were sexually abused while in out-of-home care to access general post-care supports  b. the development of targeted supports to address the specific needs of sexual abuse survivors, such as help in accessing therapeutic treatment to deal with impacts of abuse, and for these supports to be accessible until at least the age of 25.	<b>Agency:</b> <b>Department for Child Protection</b>
		Accepted in principle
		Action: Continue to implement related recommendations from the Child Protection Systems Royal Commission (SA) and requirements of the <i>Children and Young People (Safety) Act 2017</i> .
<b>DISCUSSION</b>		
<p>The South Australian Government is committed to supporting care-leavers to safely and successfully transition from care. The Department for Child Protection (DCP) already funds Relationships Australia (SA) to provide post-care services to support eligible care leavers.</p> <p>The South Australian Government accepted recommendations of the Child Protection Systems Royal Commission (SA) including to provide a range of assistance to care leavers up to and including the age of 25:</p> <ul style="list-style-type: none"><li>to expand post-care financial support and financial counselling services</li><li>to expand and more clearly identify the range of priority government services that will be made readily accessible to care leavers</li><li>for DCP to develop a new service model for supporting young people to transition from care.</li></ul> <p>From 22 October 2018 the new <i>Children and Young People (Safety) Act 2017</i> will require that DCP offers such assistance to all eligible care leavers up to and including age 25 as might be appropriate to make the transition from care as easy as reasonably practicable. This includes assistance such as in accessing legal advice and health services, and counselling and support services. This will apply to all eligible care leavers including those who have experienced sexual abuse while in out-of-home care.</p>		

# Volume 13: Schools recommendations

Almost all South Australian children attend primary and secondary school to learn, develop and grow into healthy young adults. The community rightfully expects all schools to protect the safety and wellbeing of children, including safeguarding them against sexual abuse and responding swiftly and strongly to complaints. Volume 13 looks at institutional responses to child sexual abuse in government, Catholic and independent primary and secondary schools. It gives an overview of the way that these institutions have responded to child sexual abuse and looks at what has contributed to child sexual abuse happening in schools. The volume talks about the recommendations made by the Royal Commission to stop child sexual abuse from happening in the first place and what can be done to improve the way schools respond to complaints of child sexual abuse.

## Child safe standards

#	Recommendation	Government Response
13.1	All schools should implement the Child Safe Standards identified by the Royal Commission.	<b>Agency:</b> <b>Department for Education</b>
		Accepted in principle
		Action: Subject to Council of Australian Governments endorsement of National Statement of Principles for Child Safe Organisations.
	<b>DISCUSSION</b>  All education services provided to children and young people in South Australia must provide child safe environments in line with the <i>Children's Protection Act 1993</i> (See Recommendation 6.4). Subject to Council of Australian Governments endorsement of the 'National Statement of Principles for Child Safe Organisations', the current 'Principles of Good Practice' may be replaced by Child Safe Standards.	

#	Recommendation	Government Response
13.2	State and territory independent oversight authorities responsible for implementing the Child Safe Standards (see Recommendation 6.10) should delegate to school registration authorities the responsibility for monitoring and enforcing the Child Safe Standards in government and non-government schools.	<b>Agency:</b> <b>Department for Education</b>
		For further consideration

	<p><b>DISCUSSION</b></p> <p>The Government of South Australia will consider the operational and resource impacts of delegating this work to the Education and Early Childhood Services Registration and Standards Board of South Australia.</p>
--	---

#	Recommendation	Government Response
13.3	School registration authorities should place particular emphasis on monitoring government and non-government boarding schools to ensure they meet the Child Safe Standards. Policy guidance and practical support should be provided to all boarding schools to meet these standards, including advice on complaint handling.	<p><b>Agency:</b> <b>Department for Education</b></p>
		For further consideration
	<p><b>DISCUSSION</b></p> <p>See Recommendation 13.2.</p>	

## Supporting boarding schools

#	Recommendation	Government Response
13.4	The Australian Government and state and territory governments should ensure that needs-based funding arrangements for Aboriginal and Torres Strait Islander boarding students are sufficient for schools and hostels to create child safe environments.	<p><b>Agency:</b> <b>Department for Education</b></p>
		Accepted
		Action: No further action required.
	<p><b>DISCUSSION</b></p> <p>All South Australian boarding schools and hostels must provide child safe environments. Current funding for Aboriginal and Torres Strait Islander boarding students provided by the federal government Department of Human Services, Centrelink, Abstudy and 'away from base' allowances is adequate to maintain child safe environments.</p>	

#	Recommendation	Government Response
13.5	<ol style="list-style-type: none"> <li>Boarding hostels for children and young people should implement the Child Safe Standards identified by the Royal Commission.</li> <li>State and territory independent oversight authorities should monitor and enforce the Child Safe Standards in these institutions.</li> </ol>	<p><b>Agency:</b> <b>Department for Education</b></p>
		<ol style="list-style-type: none"> <li>Accepted in principle</li> <li>For further consideration</li> </ol>

		Action: 1. No further action required.
	<p><b>DISCUSSION</b></p> <ol style="list-style-type: none"> <li>1. Boarding hostels in South Australia are currently required under the <i>Children's Protection Act 1993</i> to provide child safe environments either through their status as a government agency or a non-government organisation that provides residential or welfare services wholly or partly to children. This requirement will continue under the new <i>Children and Young People (Safety) Act 2017</i>, with accommodation and residential services for children classifying as child related work. This recommendation relies on the Council of Australian Governments accepting the 'National Statement of Principles for Child Safe Organisations' (see Recommendation 6.4).</li> <li>2. The Government of South Australia will consider the role of an independent oversight body.</li> </ol>	

## Responding to complaints relating to children with harmful sexual behaviours

#	Recommendation	Government Response
13.6	Consistent with the Child Safe Standards, complaint handling policies for schools (see Recommendation 7.7) should include effective policies and procedures for managing complaints about children with harmful sexual behaviours.	<b>Agency:</b> <b>Department for Education</b>
		Accepted in principle
		Action: No further action required.
	<p><b>DISCUSSION</b></p> <p>The guideline entitled 'Responding to problem sexual behaviour in children and young people' helps all South Australian public, Catholic and independent schools manage concerns about children with harmful sexual behaviour.</p> <p>The guideline provides the policy and procedure basis for how to respond to problem sexual behaviour including complaint and incident management requirements.</p> <p>Current Department for Education complaints policy and procedures are consistent with parts a - e of Recommendation 7.7.</p>	

## Guidance for teachers and principals

#	Recommendation	Government Response
13.7	State and territory governments should provide nationally consistent and easily accessible guidance to teachers and principals on preventing	<b>Agency:</b> <b>Department for Education</b>

	and responding to child sexual abuse in all government and non-government schools.	Accepted in principle
		Action: Engage with other states and territories at the national level.
	<p><b>DISCUSSION</b></p> <p>The guidelines titled 'Responding to problem sexual behaviour in children and young people' and 'Managing Allegations of Sexual Misconduct' in South Australian education and care settings help all public, Catholic and independent schools manage allegations of child sexual abuse by students and staff.</p> <p>The Government of South Australia will engage with other states and territories around this recommendation.</p>	

## Teacher registration

#	Recommendation	Government Response
13.8	The Council of Australian Governments (COAG) should consider strengthening teacher registration requirements to better protect children from sexual abuse in schools. In particular, COAG should review minimum national requirements for assessing the suitability of teachers, and conducting disciplinary investigations.	<b>Agency:</b> <b>Department for Education</b>
		Accepted in principle
		Action: Engage with other states and territories at the national level.
<b>DISCUSSION</b>		
<p>The recommendations that relate to teacher registration are expected to be addressed in the National Review of Teacher Registration.</p> <p>The review has been commissioned to ensure teacher registration processes are consistent and rigorous with an emphasis on teacher quality. Within scope of the review is "consideration of the current function of regulatory authorities with regard to their legislated responsibility to ensure that registered teachers fulfil the fit and proper person requirement".</p> <p>Findings of the national review will be reported to the COAG Education Council later in 2018. South Australia will engage further with other states and territories via the Education Council regarding this recommendation.</p>		



# Volume 14: Sport, recreation, arts, culture, community and hobby groups recommendations

Children and young people in our community are encouraged to actively pursue their interests through a range of extra-curricular activities including sport, art, music and cultural activities. This is an important part of growing up in South Australia, and children deserve to feel safe and encouraged to participate. This volume talks about what the Commissioners learned about child sexual abuse in sport and recreation institutions. It gives an overview of children's sport and recreation in Australia and how these institutions have responded to complaints of child sexual abuse. It looks at what sport and recreation institutions can do to prevent child sexual abuse and improve the way they respond to complaints.

## Child Safe Standards

#	Recommendation	Government Response
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.	<b>Agency:</b> <b>Department for Education</b>
		Accepted in principle
		Action: No further action required.
<b>DISCUSSION</b>		
<p>Under the <i>Children's Protection Act 1993</i>, all organisations providing services “wholly or partly for children” must lodge a statement that they provide child safe environments. This includes sport, recreational, cultural, entertainment and party services.</p> <p>Under the <i>Children and Young People (Safety) Act 2017</i>, which comes into effect in October 2018, any prescribed organisation will be subject to this requirement. Prescribed organisations include children’s clubs or associations that provide coaching or tuition services such as sports, recreational activities, cultural awareness or cultural activities, arts and crafts. A number of commercial services will also be required to lodge a child safe environment statement, such as entertainment services, child competitions and photography of children.</p> <p>This recommendation relies on the Council of Australian Governments accepting the ‘National Statement of Principles for Child Safe Organisations’ (see Recommendation 6.4).</p> <p>The Office for Recreation and Sport within the Department for Planning, Transport and Infrastructure makes relevant sport and recreation organisations aware of their legal responsibility and assists them as needed to comply.</p>		

## A representative voice for the sector

#	Recommendation	Government Response
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.	<b>Noted</b>
	<b>DISCUSSION</b> This recommendation is the responsibility of the Australian Government and is outside the scope of the Government of South Australia's response to the Final Report.	

## Expanding Play by the Rules

#	Recommendation	Government Response
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.	<b>Noted</b>
	<b>DISCUSSION</b> This recommendation is the responsibility of the Australian Government and is outside the scope of the Government of South Australia's response to the Final Report.	

## Improving communication

#	Recommendation	Government Response
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.	<b>Agency:</b> <b>Department for Education</b>
		For further consideration
	<b>DISCUSSION</b> The Government of South Australia supports the intent of providing advice, resources and information on child safe environments to organisations. Further consideration will be given to the best way to implement this for all organisations in South Australia, including sporting and recreation organisations.	

# Volume 15: Contemporary detention environments recommendations

It is sometimes necessary for children and young people to be detained to protect the safety and security of the broader community. However, the vulnerability of children to sexual abuse in detention settings is heightened by their isolation from the community and the power imbalance between adults and children. This volume looks at child sexual abuse in youth detention, immigration detention, secure psychiatric environments and disability services since 1990.

## Contemporary detention environments

#	Recommendation	Government Response
15.1	All institutions engaged in child-related work, including detention institutions and those involving detention and detention-like practices, should implement the Child Safe Standards identified by the Royal Commission.	<b>Agency:</b> <b>Department of Human Services</b>
		Accepted in principle
		Action: Continue to implement existing standards under current legislation, policies and programs.
<b>DISCUSSION</b>		
<p>Current legislation, policies and programs in South Australia are consistent with this recommendation (See Recommendation 6.4).</p> <p>The <i>Young Offenders Act 1993</i> recognises the vulnerability of young people involved in the criminal justice system and emphasises the care necessary for a young person’s development and realisation of their potential when the state takes custody of them.</p> <p>The <i>Young Offenders Act 1993</i> is accompanied by the <i>Youth Justice Administration Act 2016</i>, which outlines the powers and functions of the responsible minister, the chief executive and departmental officers in respect to both custodial and community based supervision services.</p>		

#	Recommendation	Government Response
15.2	Given the Australian Government's commitment to ratify the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, the National Preventive Mechanism(s) should be provided with the expertise to consider and make recommendations relating to preventing and responding to child	<b>Noted</b>

	sexual abuse as part of regularly examining the treatment of persons deprived of their liberty in places of detention.	
	<p><b>DISCUSSION</b></p> <p>This recommendation is the responsibility of the Australian Government and is outside the scope of the Government of South Australia's response to the Final Report.</p>	

## Youth detention

### *Creating a safer physical environment*

#	Recommendation	Government Response
15.3	<p>Youth justice agencies in each state and territory should review the building and design features of youth detention to identify and address elements that may place children at risk. This should include consideration of how to most effectively use technology, such as closed-circuit television (CCTV) cameras and body-worn cameras, to capture interactions between children and between staff and children without unduly infringing children's privacy.</p>	<p><b>Agency:</b> <b>Department of Human Services</b></p>
		Accepted
		Action: Continue to implement existing guidelines and monitoring at youth facilities, and assess the effectiveness of body worn cameras following the completion of the current trial.
	<p><b>DISCUSSION</b></p> <p>Youth detention infrastructure is regularly reviewed in South Australia, and a trial of body worn cameras on staff has commenced.</p> <p>Strict guidelines and orders are in place at the Adelaide Youth Training Centre to protect all residents, as well as proactive security to monitor safety threats posed by other residents. CCTV systems are present in all common areas. An automatic record is made of all bedroom doors being opened and a minimum of three staff must be present when opening a door at night.</p>	

#	Recommendation	Government Response
15.4	<p>As part of efforts to mitigate risks of child sexual abuse in the physical environment of youth detention, state and territory governments should review legislation, policy and procedures to ensure:</p> <ul style="list-style-type: none"> <li>a. appropriate and safe placements of children in youth detention, including a risk assessment process before placement decisions that identifies if a child may be vulnerable to child sexual abuse or if a child is displaying harmful sexual behaviours</li> <li>b. children are not placed in adult prisons</li> </ul>	<p><b>Agency:</b> <b>Department of Human Services</b></p>
		Accepted
		Action: No further action required.

	<ul style="list-style-type: none"> <li>c. frameworks take into account the importance of children having access to trusted adults, including family, friends and community, in the prevention and disclosure of child sexual abuse and provide for maximum contact between children and trusted adults through visitation, and use of the telephone and audio-visual technology</li> <li>d. best practice processes are in place for strip searches and other authorised physical contact between staff and children, including sufficient safeguards to protect children such as: <ul style="list-style-type: none"> <li>i. adequate communication between staff and the child before, during and after a search is conducted or other physical contact occurs</li> <li>ii. clear protocols detailing when such practices are permitted and how they should be performed. The key elements of these protocols should be provided to children in an accessible format</li> <li>iii. staff training that highlights the potential for strip searching to re-traumatise children who have been sexually abused and how the misuse of search powers can lead to sexual humiliation or abuse. State &amp; territory governments should consider implementing strategies for detecting contraband, such as risk assessments or body scanners, to minimise the need for strip searching children.</li> </ul> </li> </ul>	
	<p><b>DISCUSSION</b></p> <p>Current South Australian legislation, policies and programs are mostly consistent with this recommendation.</p> <ul style="list-style-type: none"> <li>a. Relevant assessments inform immediate referral needs, unit placement and release information.</li> <li>b. Section 63 of the <i>Young Offenders Act 1993</i> governs when young people can be moved to adult prisons. Applications can be made to the Youth Court to transfer detainees who are 17 years or older from a training centre to a prison for the remainder of their sentence. This can only occur in certain circumstances, and there are a number of considerations and steps that must be taken by youth justice staff before recommending this action and providing evidence to support an application. The Government of South Australia does not intend to change this process.</li> <li>c. There are a number of mechanisms for current residents of the Adelaide Youth Training Centre to raise concerns or disclose alleged sexual abuse. These include: <ul style="list-style-type: none"> <li>• daily interactions with youth workers and custodial workers</li> <li>• weekly catch-ups with case coordinators</li> <li>• dedicated unrecorded telephone lines to the Ombudsman South Australia and the Office of the Guardian for Children and Young People</li> <li>• ongoing access to a broad group of people, such as SA Health staff, education staff, youth workers, centre management and visitors from the Office of the Guardian for Children and Young People</li> <li>• access to the Training Centre Visitor, who visits and inspects training centres and performs an advocacy and monitoring role (formalised position since 1 December 2016)</li> </ul> </li> </ul>	

	<ul style="list-style-type: none"> <li>ongoing access to lodge written feedback to the management team via a secure feedback box in each accommodation unit</li> <li>Youth Advisory Committee meetings held at the training centre</li> <li>contact with family.</li> </ul> <p>d. Training centre residents can be searched under the <i>Youth Justice Administration Act 2016</i>. Section 30 outlines the number of people who must be present at the search, their gender and the information to be recorded. In addition, the search must be carried out quickly and must consider the particular needs and circumstances of the resident. A number of search techniques can be used on Adelaide Youth Training Centre campuses including pat down searches, wand scan searches and partial unclothed searches. In all circumstances the least intrusive search must be selected to meet the required level of safety and security. All training centre operational staff are trained in approved search techniques.</p>
--	--

## Responding to children's different needs

#	Recommendation	Government Response
15.5	State and territory governments should consider further strategies that provide for the cultural safety of Aboriginal and Torres Strait Islander children in youth detention including:	<b>Agency:</b> <b>Department of Human Services</b>
	a. recruiting and developing Aboriginal and Torres Strait Islander staff to work at all levels of the youth justice system, including in key roles in complaint handling systems	a.) Accepted in principle
	b. providing access to interpreters, particularly with respect to induction and education programs, and accessing internal and external complaint handling systems	b.) to d.) Accepted
	c. ensuring that all youth detention facilities have culturally appropriate policies and procedures that facilitate connection with family, community and culture, and reflect an understanding of, and respect for, cultural practices in different clan groups	Action: a. Continue to identify and action opportunities as per current strategy
	d. employing, training and professionally developing culturally competent staff who understand the particular needs and experiences of Aboriginal and Torres Strait Islander children, including the specific barriers that Aboriginal and Torres Strait Islander children face in disclosing sexual abuse.	b to d. No further action required.
	<p><b>DISCUSSION</b></p> <p>Increasing Aboriginal employment in Youth Justice is a priority in the 'Youth Justice Aboriginal Cultural Inclusion Strategy 2015-18'.</p> <p>The Supporting Aboriginal Young People in Youth Justice cultural training module is available for new Adelaide Youth Training Centre operational staff, in addition to the mandatory 2 day Department of Human Services Cultural Sensitivity and Awareness Training.</p> <p>Cultural activities at the Adelaide Youth Training Centre strengthen support to Aboriginal residents. Aboriginal young people and their families also have access to a range of cultural support services and programs delivered by Aboriginal-specific service providers. Rehabilitation services are provided based upon the assessed needs of the individual, including their cultural needs.</p>	

	<p>The <i>Youth Justice Administration Act 2016</i> recognises the over-representation of Aboriginal and Torres Strait Islander young people in the justice system, and aims to improve responses to their needs through specific provisions that ensure best practice approaches are taken during their supervision. Under the Act, assessment and case planning must consider the cultural identity and unique needs of Aboriginal young people and include representations made by the young person and their guardian, relative or carer. The Aboriginal and Torres Strait Islander Youth Justice Principle builds on this by requiring that family and community participate in case planning, assessment and decision-making for Aboriginal young people.</p>
--	---

#	Recommendation	Government Response
15.6	<p>All staff should receive appropriate training on the needs and experiences of children with disability, mental health problems, and alcohol or other drug problems, and children from culturally and linguistically diverse backgrounds that highlights the barriers these children may face in disclosing sexual abuse.</p>	<p><b>Agency:</b> <b>Department of Human Services</b></p>
		<p>Accepted in principle</p>
		<p>Action: Consider further actions to meet this recommendation.</p>
	<p><b>DISCUSSION</b></p> <p>New employees at the Department of Human Services (DHS) must attend a one day induction program. All new operation staff at the Adelaide Youth Training Centre must complete a 7 week induction program.</p> <p>Training for all staff includes, but is not limited to:</p> <ul style="list-style-type: none"> <li>• trauma informed practice</li> <li>• cultural awareness and diversity</li> <li>• child safe environments</li> <li>• mental health and suicide awareness.</li> </ul> <p>In addition, disability awareness online training is available to all DHS staff and is a requirement for all training centre operational staff.</p>	

#	Recommendation	Government Response
15.7	<p>State and territory governments should improve access to therapeutic treatment for survivors of child sexual abuse who are in youth detention, including by assessing their advocacy, support and therapeutic treatment needs and referring them to appropriate services, and ensure they are linked to ongoing treatment when they leave detention.</p>	<p><b>Agency:</b> <b>Department of Human Services</b></p>
		<p>Accepted</p>
		<p>Action: No further action required.</p>

	<p><b>DISCUSSION</b></p> <p>Current policies and practices in South Australia are consistent with this recommendation. Youth Justice, a division of the Department of Human Services, uses case management to refer young people to services that meet their needs, including services for victims of child sexual abuse. Youth Justice also works in partnership with agencies and community to support engagement with services.</p>
--	--

## Support and training for staff

#	Recommendation	Government Response
15.8	State and territory governments should ensure that all staff in youth detention are provided with training and ongoing professional development in trauma-informed care to assist them to meet the needs of children in youth detention, including children at risk of sexual abuse and children with harmful sexual behaviours.	<b>Agency:</b> <b>Department of Human Services</b>
		Accepted
		Action: Identify and action opportunities to improve staff knowledge and practice.
	<p><b>DISCUSSION</b></p> <p>Current policies and programs in South Australia are consistent with this recommendation.</p> <p>A Trauma Informed Practice Working Group has been established to identify and action further opportunities for improvement to staff knowledge and practice.</p>	

## Improving complaint handling systems

#	Recommendation	Government Response
15.9	<p>State and territory governments should review the current internal and external complaint handling systems concerning youth detention to ensure they are capable of effectively dealing with complaints of child sexual abuse, including so that:</p> <ul style="list-style-type: none"> <li>a. children can easily access child-appropriate information about internal complaint processes and external oversight bodies that may receive or refer children's complaints, such as visitor's schemes, ombudsmen, inspectors of custodial services, and children's commissioners or guardians</li> <li>b. children have confidential and unrestricted access to external oversight bodies</li> <li>c. staff involved in managing complaints both internally and externally include Aboriginal and Torres Strait Islander peoples and professionals qualified to provide trauma-informed care</li> <li>d. complaint handling systems are accessible for children with literacy difficulties or who speak English as a second language</li> </ul>	<b>Agency:</b> <b>Department of Human Services</b>
		Accepted
		Action: Complete review of internal complaints mechanisms (currently underway), and consider improvements



	e. children are regularly consulted about the effectiveness of complaint handling systems and systems are continually improved.	
	<p><b>DISCUSSION</b></p> <p>Youth detention complaint handling systems were reviewed as part of the development of the <i>Youth Justice Administration Act 2016</i>. Internal complaints mechanisms overseen by the Department of Human Services (DHS) are currently under review to identify potential improvements. This review is being conducted by the Training Centre Visitor, which is a formal and independent monitoring and advocacy position at the Adelaide Youth Training Centre (AYTC). Complaints can also be made to Ombudsman SA and the Health and Community Services Complaints Commissioner. All complaints remain confidential.</p> <p>When young people are admitted to AYTC, they go through an induction process which includes information about residents' rights, complaints processes and how to make contact with the Guardian for Children and Young People/Training Centre Visitor. There are also posters outlining residents' rights throughout the training centre and in all accommodation units.</p> <p>There are a number of mechanisms for current residents of the training centre to raise concerns, including dedicated unrecorded telephone lines to Ombudsman South Australia and the Office of the Guardian for Children and Young People.</p> <p>An Operational Order provides detailed guidance and direction for training centre staff to manage the complaints process, in accordance with DHS policy.</p>	

### *Independent oversight of youth detention*

#	Recommendation	Government Response
15.10	State and territory governments should ensure they have an independent oversight body with the appropriate visitation, complaint handling and reporting powers, to provide oversight of youth detention. This could include an appropriately funded and independent Inspector of Custodial Services or similar body. New and existing bodies should have expertise in child-trauma, and the prevention and identification of child sexual abuse.	<b>Agency:</b> <b>Department of Human Services</b>
		Accepted
		Action: Implement inspection standards developed by the Guardian for Children and Young People.
	<p><b>DISCUSSION</b></p> <p>South Australia has laws and mechanisms which are consistent with this recommendation. The Guardian for Children and Young People has been appointed as the Training Centre Visitor under the <i>Youth Justice Administration Act 2016</i>, formalising the important monitoring and advocacy role the Guardian provides for the Adelaide Youth Training Centre. As part of this role, the Guardian is developing a set of inspection standards.</p>	

## Immigration detention

### *The Child Protection Panel recommendations*

#	Recommendation	Government Response
15.11	The Department of Immigration and Border Protection should publicly report within 12 months on how it has implemented the Child Protection Panel's recommendations.	<b>Noted</b>
	<b>DISCUSSION</b> This recommendation is the responsibility of the Australian Government and is outside the scope of the Government of South Australia's response to the Final Report.	

### *Implementing the Child Safe Standards in immigration detention*

#	Recommendation	Government Response
15.12	a. The Australian Government should establish a mechanism to regularly audit the implementation of the Child Safe Standards in immigration detention by staff, contractors and agents of the Department of Immigration and Border Protection. The outcomes of each audit should be publicly reported. b. The Department of Immigration and Border Protection should contractually require its service providers to comply with the Child Safe Standards identified by the Royal Commission, as applied to immigration detention.	<b>Noted</b>
	<b>DISCUSSION</b> This recommendation is the responsibility of the Australian Government and is outside the scope of the Government of South Australia's response to the Final Report.	

### *Therapeutic support for victims in immigration detention*

#	Recommendation	Government Response
15.13	The Department of Immigration and Border Protection should identify the scope and nature of the need for support services for victims in immigration detention. The Department of Immigration and Border Protection should ensure that appropriate therapeutic and other specialist and support services are funded to meet the identified needs of victims in immigration detention and ensure they are linked to ongoing treatment when they leave detention.	<b>Noted</b>
	<b>DISCUSSION</b> This recommendation is the responsibility of the Australian Government and is outside the scope of the Government of South Australia's response to the Final Report.	

## *Training and supporting department and service provider staff*

#	Recommendation	Government Response
15.14	The Department of Immigration and Border Protection should designate appropriately qualified child safety officers for each place in which children are detained. These officers should assist and build the capacity of staff and service providers at the local level to implement the Child Safe Standards.	<b>Noted</b>
	<b>DISCUSSION</b> This recommendation is the responsibility of the Australian Government and is outside the scope of the Government of South Australia's response to the Final Report.	

## *Preventative monitoring and oversight*

#	Recommendation	Government Response
15.15	The Department of Immigration and Border Protection should implement an independent visitors program in immigration detention.	<b>Noted</b>
	<b>DISCUSSION</b> This recommendation is the responsibility of the Australian Government and is outside the scope of the Government of South Australia's response to the Final Report.	

# Volume 16: Religious institutions recommendations

Religion plays an important role in the lives of many families, often involving the spiritual and moral education of children as they develop into adulthood. However, the Royal Commission has reported hearing more allegations of child sexual abuse in religious institutions than in any other. This volume presents what the Commissioners learned about institutional responses to child sexual abuse in religious institutions. It looks at stories shared by survivors of their experiences of child sexual abuse in a religious institution and how these institutions have responded to reports of child sexual abuse. It talks about ways religious institutions can change the way they respond to complaints of child sexual abuse to make these environments safer for children.

## Recommendations to the Anglican Church

#	Recommendation	Government Response
16.1	The Anglican Church of Australia should adopt a uniform episcopal standards framework that ensures that bishops and former bishops are accountable to an appropriate authority or body in relation to their response to complaints of child sexual abuse.	<b>Noted</b>
	<b>DISCUSSION</b> This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.	

#	Recommendation	Government Response
16.2	The Anglican Church of Australia should adopt a policy relating to the management of actual or perceived conflicts of interest that may arise in relation to allegations of child sexual abuse, which expressly covers: <ul style="list-style-type: none"> <li>a. members of professional standards bodies</li> <li>b. members of diocesan councils (otherwise known as bishop-in-council or standing committee of synod)</li> <li>c. members of the Standing Committee of the General Synod</li> <li>d. chancellors and legal advisers for dioceses.</li> </ul>	<b>Noted</b>
	<b>DISCUSSION</b> This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.	

#	Recommendation	Government Response
16.3	The Anglican Church of Australia should amend 'Being together' and any other statement of expectations or code of conduct for lay members of the Anglican Church to expressly refer to the importance of child safety.	<b>Noted</b>
	<b>DISCUSSION</b> This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.	

#	Recommendation	Government Response
16.4	The Anglican Church of Australia should develop a national approach to the selection, screening and training of candidates for ordination in the Anglican Church.	<b>Noted</b>
	<b>DISCUSSION</b> This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.	

#	Recommendation	Government Response
16.5	<p>The Anglican Church of Australia should develop, and each diocese should implement, mandatory national standards to ensure that all people in religious or pastoral ministry (bishops, clergy, religious and lay personnel):</p> <ol style="list-style-type: none"> <li>undertake mandatory, regular professional development, compulsory components being professional responsibility and boundaries, ethics in ministry and child safety</li> <li>undertake mandatory professional/pastoral supervision</li> <li>undergo regular performance appraisals.</li> </ol>	<b>Noted</b>
	<b>DISCUSSION</b> This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.	

## Recommendations to the Catholic Church

#	Recommendation	Government Response
16.6	The bishop of each Catholic Church diocese in Australia should ensure that parish priests are not the employers of principals and teachers in Catholic schools.	<b>Noted</b>
	<b>DISCUSSION</b>	

	This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.
--	---

#	Recommendation	Government Response
16.7	The Australian Catholic Bishops Conference should conduct a national review of the governance and management structures of dioceses and parishes, including in relation to issues of transparency, accountability, consultation and the participation of lay men and women. This review should draw from the approaches to governance of Catholic health, community services and education agencies.	<b>Noted</b>
	<b>DISCUSSION</b> This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.	

#	Recommendation	Government Response
16.8	In the interests of child safety and improved institutional responses to child sexual abuse, the Australian Catholic Bishops Conference should request the Holy See to: <ul style="list-style-type: none"> <li>a. publish criteria for the selection of bishops, including relating to the promotion of child safety</li> <li>b. establish a transparent process for appointing bishops which includes the direct participation of lay people.</li> </ul>	<b>Noted</b>
	<b>DISCUSSION</b> This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.	

#	Recommendation	Government Response
16.9	The Australian Catholic Bishops Conference should request the Holy See to amend the 1983 Code of Canon Law to create a new canon or series of canons specifically relating to child sexual abuse, as follows: <ul style="list-style-type: none"> <li>a. All delicts relating to child sexual abuse should be articulated as canonical crimes against the child, not as moral failings or as breaches of the 'special obligation' of clerics and religious to observe celibacy.</li> <li>b. All delicts relating to child sexual abuse should apply to any person holding a 'dignity, office or responsibility in the Church' regardless of whether they are ordained or not ordained.</li> <li>c. In relation to the acquisition, possession, or distribution of pornographic images, the delict (currently contained in Article 6 §2 1° of the revised 2010 norms attached to the motu proprio</li> </ul>	<b>Noted</b>

	Sacramentorum sanctitatis tutela) should be amended to refer to minors under the age of 18, not minors under the age of 14.	
	<p><b>DISCUSSION</b></p> <p>This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.</p>	

#	Recommendation	Government Response
16.10	The Australian Catholic Bishops Conference should request the Holy See to amend canon law so that the pontifical secret does not apply to any aspect of allegations or canonical disciplinary processes relating to child sexual abuse.	<b>Noted</b>
	<p><b>DISCUSSION</b></p> <p>This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.</p>	

#	Recommendation	Government Response
16.11	The Australian Catholic Bishops Conference should request the Holy See to amend canon law to ensure that the 'pastoral approach' is not an essential precondition to the commencement of canonical action relating to child sexual abuse.	<b>Noted</b>
	<p><b>DISCUSSION</b></p> <p>This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.</p>	

#	Recommendation	Government Response
16.12	The Australian Catholic Bishops Conference should request the Holy See to amend canon law to remove the time limit (prescription) for commencement of canonical actions relating to child sexual abuse. This amendment should apply retrospectively.	<b>Noted</b>
	<p><b>DISCUSSION</b></p> <p>This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.</p>	

#	Recommendation	Government Response
---	----------------	---------------------

16.13	The Australian Catholic Bishops Conference should request the Holy See to amend the 'imputability' test in canon law so that a diagnosis of paedophilia is not relevant to the prosecution of or penalty for a canonical offence relating to child sexual abuse.	<b>Noted</b>
<b>DISCUSSION</b> This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.		

#	Recommendation	Government Response
16.14	The Australian Catholic Bishops Conference should request the Holy See to amend canon law to give effect to Recommendations 16.55 and 16.56.	<b>Noted</b>
<b>DISCUSSION</b> This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.		

#	Recommendation	Government Response
16.15	The Australian Catholic Bishops Conference and Catholic Religious Australia, in consultation with the Holy See, should consider establishing an Australian tribunal for trying canonical disciplinary cases against clergy, whose decisions could be appealed to the Apostolic Signatura in the usual way.	<b>Noted</b>
<b>DISCUSSION</b> This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.		

#	Recommendation	Government Response
16.16	The Australian Catholic Bishops Conference should request the Holy See to introduce measures to ensure that Vatican Congregations and canonical appeal courts always publish decisions in disciplinary matters relating to child sexual abuse, and provide written reasons for their decisions. Publication should occur in a timely manner. In some cases it may be appropriate to suppress information that might lead to the identification of a victim.	<b>Noted</b>
<b>DISCUSSION</b> This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.		



#	Recommendation	Government Response
16.17	The Australian Catholic Bishops Conference should request the Holy See to amend canon law to remove the requirement to destroy documents relating to canonical criminal cases in matters of morals, where the accused cleric has died or ten years have elapsed from the condemnatory sentence. In order to allow for delayed disclosure of abuse by victims and to take account of the limitation periods for civil actions for child sexual abuse, the minimum requirement for retention of records in the secret archives should be at least 45 years.	<b>Noted</b>
	<b>DISCUSSION</b> This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.	

#	Recommendation	Government Response
16.18	The Australian Catholic Bishops Conference should request the Holy See to consider introducing voluntary celibacy for diocesan clergy.	<b>Noted</b>
	<b>DISCUSSION</b> This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.	

#	Recommendation	Government Response
16.19	All Catholic religious institutes in Australia, in consultation with their international leadership and the Holy See as required, should implement measures to address the risks of harm to children and the potential psychological and sexual dysfunction associated with a celibate rule of religious life. This should include consideration of whether and how existing models of religious life could be modified to facilitate alternative forms of association, shorter terms of celibate commitment, and/or voluntary celibacy (where that is consistent with the form of association that has been chosen).	<b>Noted</b>
	<b>DISCUSSION</b> This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.	

#	Recommendation	Government Response
16.20	In order to promote healthy lives for those who choose to be celibate, the Australian Catholic Bishops Conference and all Catholic religious institutes in Australia should further develop, regularly evaluate and continually improve, their processes for selecting, screening and training of candidates for the clergy and religious life, and their processes of ongoing formation, support and supervision of clergy and religious.	<b>Noted</b>
	<b>DISCUSSION</b> This recommendation is the responsibility of religious institutions is outside the scope of the Government of South Australia's response to the Final Report.	

#	Recommendation	Government Response
16.21	The Australian Catholic Bishops Conference and Catholic Religious Australia should establish a national protocol for screening candidates before and during seminary or religious formation as well as before ordination or the profession of religious vows.	<b>Noted</b>
	<b>DISCUSSION</b> This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.	

#	Recommendation	Government Response
16.22	<p>The Australian Catholic Bishops Conference and Catholic Religious Australia should establish a mechanism to ensure that diocesan bishops and religious superiors draw upon broad-ranging professional advice in their decision-making, including from staff from seminaries or houses of formation, psychologists, senior clergy and religious, and lay people, in relation to the admission of individuals to:</p> <ul style="list-style-type: none"> <li>a. seminaries and houses of religious formation</li> <li>b. ordination and/or profession of vows.</li> </ul>	<b>Noted</b>
	<b>DISCUSSION</b> This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.	

#	Recommendation	Government Response
16.23	<p>In relation to guideline documents for the formation of priests and religious:</p> <ul style="list-style-type: none"> <li>c. The Australian Catholic Bishops Conference should review and revise the <i>Ratio nationalis institutionis sacerdotalis: Programme for priestly formation</i> (current version December 2015), and all other guideline documents relating to the formation of priests, permanent deacons, and those in pastoral ministry, to explicitly address the issue of child sexual abuse by clergy and best practice in relation to its prevention.</li> <li>d. All Catholic religious institutes in Australia should review and revise their particular norms and guideline documents relating to the formation of priests, religious brothers, and religious sisters, to explicitly address the issue of child sexual abuse and best practice in relation to its prevention.</li> </ul>	<b>Noted</b>
	<p><b>DISCUSSION</b></p> <p>This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.</p>	

#	Recommendation	Government Response
16.24	<p>The Australian Catholic Bishops Conference and Catholic Religious Australia should develop and each diocese and religious institute should implement mandatory national standards to ensure that all people in religious or pastoral ministry (bishops, provincials, clergy, religious, and lay personnel):</p> <ul style="list-style-type: none"> <li>a. undertake mandatory, regular professional development, compulsory components being professional responsibility and boundaries, ethics in ministry, and child safety</li> <li>b. undertake mandatory professional/pastoral supervision</li> <li>e. undergo regular performance appraisals.</li> </ul>	<b>Noted</b>
	<p><b>DISCUSSION</b></p> <p>This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.</p>	

#	Recommendation	Government Response
16.25	<p>The Australian Catholic Bishops Conference and Catholic Religious Australia should develop and each diocese and religious institute should implement mandatory national standards to ensure that all people in religious or pastoral ministry (bishops, provincials, clergy, religious, and lay personnel):</p>	<b>Noted</b>

	<ul style="list-style-type: none"> <li>a. undertake mandatory, regular professional development, compulsory components being professional responsibility and boundaries, ethics in ministry, and child safety</li> <li>b. undertake mandatory professional/pastoral supervision</li> <li>c. undergo regular performance appraisals.</li> </ul>	
	<p><b>DISCUSSION</b></p> <p>This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.</p>	

	Recommendation	Government Response
16.26	<p>The Australian Catholic Bishops Conference should consult with the Holy See, and make public any advice received, in order to clarify whether:</p> <ul style="list-style-type: none"> <li>a. information received from a child during the sacrament of reconciliation that they have been sexually abused is covered by the seal of confession</li> <li>b. if a person confesses during the sacrament of reconciliation to perpetrating child sexual abuse, absolution can and should be withheld until they report themselves to civil authorities.</li> </ul>	<b>Noted</b>
	<p><b>DISCUSSION</b></p> <p>This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.</p>	

## Recommendations to the Jehovah's Witness organisation

#	Recommendation	Government Response
16.27	<p>The Jehovah's Witness organisation should abandon its application of the two-witness rule in cases involving complaints of child sexual abuse.</p>	<b>Noted</b>
	<p><b>DISCUSSION</b></p> <p>This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.</p>	

#	Recommendation	Government Response
16.28	<p>The Jehovah's Witness organisation should revise its policies so that women are involved in processes related to investigating and determining allegations of child sexual abuse.</p>	<b>Noted</b>
	<p><b>DISCUSSION</b></p> <p>This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.</p>	

#	Recommendation	Government Response
16.29	The Jehovah's Witness organisation should no longer require its members to shun those who disassociate from the organisation in cases where the reason for disassociation is related to a person being a victim of child sexual abuse.	<b>Noted</b>
	<b>DISCUSSION</b> This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.	

## Recommendations to Jewish institutions

#	Recommendation	Government Response
16.30	All Jewish institutions in Australia should ensure that their complaint handling policies explicitly state that the halachic concepts of mesirah, moser and loshon horo do not apply to the communication and reporting of allegations of child sexual abuse to police and other civil authorities.	<b>Noted</b>
	<b>DISCUSSION</b> This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.	

## Recommendations to all religious institutions in Australia

#	Recommendation	Government Response
16.31	All institutions that provide activities or services of any kind, under the auspices of a particular religious denomination or faith, through which adults have contact with children, should implement the 10 Child Safe Standards identified by the Royal Commission.	<b>Noted</b>
	<b>DISCUSSION</b> This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.	

#	Recommendation	Government Response
16.32	Religious organisations should adopt the Royal Commission's 10 Child Safe Standards as nationally mandated standards for each of their affiliated institutions.	<b>Noted</b>

	<p><b>DISCUSSION</b></p> <p>This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.</p>
--	---

#	Recommendation	Government Response
16.33	Religious organisations should drive a consistent approach to the implementation of the Royal Commission's 10 Child Safe Standards in each of their affiliated institutions.	<b>Noted</b>
	<p><b>DISCUSSION</b></p> <p>This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.</p>	

#	Recommendation	Government Response
16.34	Religious organisations should work closely with relevant state and territory oversight bodies to support the implementation of and compliance with the Royal Commission's 10 Child Safe Standards in each of their affiliated institutions.	<b>Noted</b>
	<p><b>DISCUSSION</b></p> <p>This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.</p>	

#	Recommendation	Government Response
16.35	Religious institutions in highly regulated sectors, such as schools and out-of-home care service providers, should report their compliance with the Royal Commission's 10 Child Safe Standards, as monitored by the relevant sector regulator, to the religious organisation to which they are affiliated.	<b>Noted</b>
	<p><b>DISCUSSION</b></p> <p>This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.</p>	

#	Recommendation	Government Response
16.36	Consistent with Child Safe Standard 1, each religious institution in Australia should ensure that its religious leaders are provided with leadership training both pre- and post-appointment, including in relation to the promotion of child safety.	<b>Noted</b>

	<p><b>DISCUSSION</b></p> <p>This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.</p>
--	---

#	Recommendation	Government Response
16.37	<p>Consistent with Child Safe Standard 1, leaders of religious institutions should ensure that there are mechanisms through which they receive advice from individuals with relevant professional expertise on all matters relating to child sexual abuse and child safety. This should include in relation to prevention, policies and procedures and complaint handling. These mechanisms should facilitate advice from people with a variety of professional backgrounds and include lay men and women.</p>	<b>Noted</b>
	<p><b>DISCUSSION</b></p> <p>This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.</p>	

#	Recommendation	Government Response
16.38	<p>Consistent with Child Safe Standard 1, each religious institution should ensure that religious leaders are accountable to an appropriate authority or body, such as a board of management or council, for the decisions they make with respect to child safety.</p>	<b>Noted</b>
	<p><b>DISCUSSION</b></p> <p>This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.</p>	

#	Recommendation	Government Response
16.39	<p>Consistent with Child Safe Standard 1, each religious institution should have a policy relating to the management of actual or perceived conflicts of interest that may arise in relation to allegations of child sexual abuse. The policy should cover all individuals who have a role in responding to complaints of child sexual abuse.</p>	<b>Noted</b>
	<p><b>DISCUSSION</b></p> <p>This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.</p>	

#	Recommendation	Government Response
16.40	Consistent with Child Safe Standard 2, wherever a religious institution has children in its care, those children should be provided with age-appropriate prevention education that aims to increase their knowledge of child sexual abuse and build practical skills to assist in strengthening self-protective skills and strategies. Prevention education in religious institutions should specifically address the power and status of people in religious ministry and educate children that no one has a right to invade their privacy and make them feel unsafe.	<b>Noted</b>
	<b>DISCUSSION</b> This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.	

#	Recommendation	Government Response
16.41	Consistent with Child Safe Standard 3, each religious institution should make provision for family and community involvement by publishing all policies relevant to child safety on its website, providing opportunities for comment on its approach to child safety, and seeking periodic feedback about the effectiveness of its approach to child safety.	<b>Noted</b>
	<b>DISCUSSION</b> This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.	

#	Recommendation	Government Response
16.42	Consistent with Child Safe Standard 5, each religious institution should require that candidates for religious ministry undergo external psychological testing, including psychosexual assessment, for the purposes of determining their suitability to be a person in religious ministry and to undertake work involving children.	<b>Noted</b>
	<b>DISCUSSION</b> This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.	

#	Recommendation	Government Response
16.43	Each religious institution should ensure that candidates for religious ministry undertake minimum training on child safety and related matters, including training that:	<b>Noted</b>



	<ul style="list-style-type: none"> <li>a. equips candidates with an understanding of the Royal Commission's 10 Child Safe Standards</li> <li>b. educates candidates on: <ul style="list-style-type: none"> <li>i. professional responsibility and boundaries, ethics in ministry and child safety</li> <li>ii. policies regarding appropriate responses to allegations or complaints of child sexual abuse, and how to implement these policies</li> <li>iii. how to work with children, including childhood development</li> <li>iv. identifying and understanding the nature, indicators and impacts of child sexual abuse.</li> </ul> </li> </ul>	
	<p><b>DISCUSSION</b></p> <p>This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.</p>	

#	Recommendation	Government Response
16.44	Consistent with Child Safe Standard 5, each religious institution should ensure that all people in religious or pastoral ministry, including religious leaders, are subject to effective management and oversight and undertake annual performance appraisals.	<b>Noted</b>
	<p><b>DISCUSSION</b></p> <p>This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.</p>	

#	Recommendation	Government Response
16.45	Consistent with Child Safe Standard 5, each religious institution should ensure that all people in religious or pastoral ministry, including religious leaders, have professional supervision with a trained professional or pastoral supervisor who has a degree of independence from the institution within which the person is in ministry.	<b>Noted</b>
	<p><b>DISCUSSION</b></p> <p>This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.</p>	

#	Recommendation	Government Response
16.46	Religious institutions which receive people from overseas to work in religious or pastoral ministry, or otherwise within their institution, should have targeted programs for the screening, initial training and professional supervision and development of those people. These	<b>Noted</b>

	programs should include material covering professional responsibility and boundaries, ethics in ministry and child safety.	
	<p><b>DISCUSSION</b></p> <p>This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.</p>	

#	Recommendation	Government Response
16.47	Consistent with Child Safe Standard 7, each religious institution should require that all people in religious or pastoral ministry, including religious leaders, undertake regular training on the institution's child safe policies and procedures. They should also be provided with opportunities for external training on best practice approaches to child safety.	<b>Noted</b>
	<p><b>DISCUSSION</b></p> <p>This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.</p>	

#	Recommendation	Government Response
16.48	Religious institutions which have a rite of religious confession for children should implement a policy that requires the rite only be conducted in an open space within the clear line of sight of another adult. The policy should specify that, if another adult is not available, the rite of religious confession for the child should not be performed.	<b>Noted</b>
	<p><b>DISCUSSION</b></p> <p>This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.</p>	

#	Recommendation	Government Response
16.49	Codes of conduct in religious institutions should explicitly and equally apply to people in religious ministry and to lay people.	<b>Noted</b>
	<p><b>DISCUSSION</b></p> <p>This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.</p>	

#	Recommendation	Government Response
16.50	<p>Consistent with Child Safe Standard 7, each religious institution should require all people in religious ministry, leaders, members of boards, councils and other governing bodies, employees, relevant contractors and volunteers to undergo initial and periodic training on its code of conduct. This training should include:</p> <ul style="list-style-type: none"> <li>a. what kinds of allegations or complaints relating to child sexual abuse should be reported and to whom</li> <li>b. identifying inappropriate behaviour which may be a precursor to abuse, including grooming</li> <li>c. recognising physical and behavioural indicators of child sexual abuse</li> <li>d. that all complaints relating to child sexual abuse must be taken seriously, regardless of the perceived severity of the behaviour.</li> </ul>	<b>Noted</b>
	<p><b>DISCUSSION</b></p> <p>This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.</p>	

#	Recommendation	Government Response
16.51	<p>All religious institutions' complaint handling policies should require that, upon receiving a complaint of child sexual abuse, an initial risk assessment is conducted to identify and minimise any risks to children.</p>	<b>Noted</b>
	<p><b>DISCUSSION</b></p> <p>This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.</p>	

#	Recommendation	Government Response
16.52	<p>All religious institutions' complaint handling policies should require that, if a complaint of child sexual abuse against a person in religious ministry is plausible, and there is a risk that person may come into contact with children in the course of their ministry, the person be stood down from ministry while the complaint is investigated.</p>	<b>Noted</b>
	<p><b>DISCUSSION</b></p> <p>This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.</p>	

#	Recommendation	Government Response
16.53	The standard of proof that a religious institution should apply when deciding whether a complaint of child sexual abuse has been substantiated is the balance of probabilities, having regard to the principles in <i>Briginshaw v Briginshaw</i> .	<b>Noted</b>
	<b>DISCUSSION</b> This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.	

#	Recommendation	Government Response
16.54	Religious institutions should apply the same standards for investigating complaints of child sexual abuse whether or not the subject of the complaint is a person in religious ministry.	<b>Noted</b>
	<b>DISCUSSION</b> This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.	

#	Recommendation	Government Response
16.55	Any person in religious ministry who is the subject of a complaint of child sexual abuse which is substantiated on the balance of probabilities, having regard to the principles in <i>Briginshaw v Briginshaw</i> , or who is convicted of an offence relating to child sexual abuse, should be permanently removed from ministry. Religious institutions should also take all necessary steps to effectively prohibit the person from in any way holding himself or herself out as being a person with religious authority.	<b>Noted</b>
	<b>DISCUSSION</b> This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.	

#	Recommendation	Government Response
16.56	Any person in religious ministry who is convicted of an offence relating to child sexual abuse should: <ul style="list-style-type: none"> <li>a. in the case of Catholic priests and religious, be dismissed from the priesthood and/or dispensed from his or her vows as a religious</li> <li>b. in the case of Anglican clergy, be deposed from holy orders</li> </ul>	<b>Noted</b>

	<ul style="list-style-type: none"> <li>c. in the case of Uniting Church ministers, have his or her recognition as a minister withdrawn</li> <li>d. in the case of an ordained person in any other religious denomination that has a concept of ordination, holy orders and/or vows, be dismissed, deposed or otherwise effectively have their religious status removed.</li> </ul>	
	<p><b>DISCUSSION</b></p> <p>This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.</p>	

#	Recommendation	Government Response
16.57	<p>Where a religious institution becomes aware that any person attending any of its religious services or activities is the subject of a substantiated complaint of child sexual abuse, or has been convicted of an offence relating to child sexual abuse, the religious institution should:</p> <ul style="list-style-type: none"> <li>a. assess the level of risk posed to children by that perpetrator's ongoing involvement in the religious community</li> <li>d. take appropriate steps to manage that risk.</li> </ul>	<b>Noted</b>
	<p><b>DISCUSSION</b></p> <p>This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.</p>	

#	Recommendation	Government Response
16.58	<p>Each religious organisation should consider establishing a national register which records limited but sufficient information to assist affiliated institutions identify and respond to any risks to children that may be posed by people in religious or pastoral ministry.</p>	<b>Noted</b>
	<p><b>DISCUSSION</b></p> <p>This recommendation is the responsibility of religious institutions and is outside the scope of the Government of South Australia's response to the Final Report.</p>	

# Volume 17: Beyond the Royal Commission recommendations

Volume 17 looks back at the impact of the Royal Commission during its five-year life. It also looks to the future and what needs to happen next to ensure the recommendations made by the Commissioners are put into place by states and territories.

## Monitoring and reporting on implementation

### *An initial government response*

#	Recommendation	Government Response
17.1	The Australian Government and state and territory governments should each issue a formal response to this Final Report within six months of it being tabled, indicating whether our recommendations are accepted, accepted in principle, rejected or For further consideration.	<b>Agency: Attorney-General's Department</b>
		Accepted
		Action: No further action required,
	<b>DISCUSSION</b>  The Government of South Australia agrees to issue formal responses to the Final Report in June 2018.	

### *Ongoing periodic reporting*

#	Recommendation	Government Response
17.2	The Australian Government and state and territory governments should, beginning 12 months after this Final Report is tabled, report on their implementation of the Royal Commission's recommendations made in this Final Report and its earlier Working With Children Checks, Redress and civil litigation and Criminal justice reports, through five consecutive annual reports tabled before their respective parliaments.	<b>Agency:</b> <b>Department for Child Protection</b>
		Accepted
		Action: Annual reporting on progress in implementing the recommendations of the Royal Commission,
<b>DISCUSSION</b>		
The Government of South Australia agrees to report on progress in implementing the Royal Commission's recommendations from the <i>Final Report</i> , the <i>Working with Children Checks</i> , <i>Redress and Civil Litigation</i> and <i>Criminal Justice</i> reports.		

	These progress reports will be tabled in the Parliament of South Australia. Information will also be shared with the public with a focus on ensuring information is accessible to survivors, families, children and institutions.
--	---

#	Recommendation	Government Response
17.3	Major institutions and peak bodies of institutions that engage in child-related work should, beginning 12 months after this Final Report is tabled, report on their implementation of the Royal Commission's recommendations to the National Office for Child Safety through five consecutive annual reports. The National Office for Child Safety should make these reports publicly available. At a minimum, the institutions reporting should include those that were the subject of the Royal Commission's institutional review hearings held from 5 December 2016 to 10 March 2017.	<b>Noted</b>
	<b>DISCUSSION</b> This recommendation is the responsibility of the Australian Government and is outside the scope of the Government of South Australia's response to the Final Report.	

#	Recommendation	Government Response
17.4	<p>The Australian Government should initiate a review to be conducted 10 years after the tabling of this Final Report. This review should:</p> <ol style="list-style-type: none"> <li>establish the extent to which the Royal Commission's recommendations have been implemented 10 years after the tabling of the Final Report</li> <li>examine the extent to which the measures taken in response to the Royal Commission have been effective in preventing child sexual abuse, improving the responses of institutions to child sexual abuse and ensuring that victims and survivors of child sexual abuse obtain justice, treatment and support</li> <li>advise on what further steps should be taken by governments and institutions to ensure continuing improvement in policy and service delivery in relation to child sexual abuse in institutional contexts.</li> </ol>	<b>Noted</b>
	<b>DISCUSSION</b> This recommendation is the responsibility of the Australian Government and is outside the scope of the Government of South Australia's response to the Final Report.	

#	Recommendation	Government Response
17.5	The Australian Government should host and maintain the Royal Commission website for the duration of the National Redress Scheme for victims and survivors of institutional child sexual abuse.	<b>Noted</b>
	<b>DISCUSSION</b> This recommendation is the responsibility of the Australian Government and is outside the scope of the Government of South Australia's response to the Final Report.	

#	Recommendation	Government Response
17.6	A national memorial should be commissioned by the Australian Government for victims and survivors of child sexual abuse in institutional contexts. Victims and survivors should be consulted on the memorial design and it should be located in Canberra.	<b>Noted</b>
	<b>DISCUSSION</b> This recommendation is the responsibility of the Australian Government and is outside the scope of the Government of South Australia's response to the Final Report.	





**Government  
of South Australia**