

**Commissioner's keynote address: *Safe environments for young people: child protection – managing the risks***

**For Risk Management Institution of Australasia (RMIA) conference  
1:40pm, Tuesday 27 November 2007**

**Slide 1 on screen to start**

***Slide 2***

***Introduction***

Good morning and thank you for the opportunity to speak about the Commission for Children and Young People and Child Guardian's work to promote safe service environments for children and young people.

I would like to start by acknowledging the traditional owners of the land on which we are meeting.

Today, I'd like to focus on how the Commission helps organisations:

- identify the risks of harm to children and young people, and
- manage them through effective child protection risk management strategies.

***Slide 3***

We work with organisations whose paid employees or volunteers need blue cards under our Act.

These are environments where essential and developmentally-focused services are provided to children and young people. They include:

- schools and child care
- sport and active recreation
- churches, clubs and associations
- child accommodation including Homestays, and
- private teaching, coaching and tutoring.

I'm sure Queensland delegates who work in child-related 'regulated' services which need child protection risk management strategies already have them in place.

But I hope after my presentation, you'll reflect on the rationale behind your strategies and their effectiveness, and share what's working, and what's not.

You might consider strengthening safeguards for children in your care, and how effective risk management strategies can help address your corporate governance responsibilities.

#### **Slide 4 clippings**

Business and society today face a changing landscape – new risks and remedies are constantly emerging.

There is no way to tell how many of our children are abused in formal settings where blue cards are required, such as schools, child care, organised sports, or clubs.

We know in foster care, where blue cards are required, 281 children reported abuse by their carer in 2005-06 – or 3.9%.

If this same result applied to all children across Queensland, up to 39,000 could be affected each year.

That's why our legislation requires those who need risk management strategies to update them annually.

For those from organisations that don't provide child-related services under our Act, I hope I can encourage you to think about how you can be partners in fostering safer environments for our children.

Protecting children's wellbeing is a fundamental task for every society.

While the family has primary responsibility, I believe success depends on the broader community.

#### **Slides 5 – 12 children pics (will advance automatically, just click at end to bring next text slide up)**

Australian communities are generally strongly committed to promoting positive outcomes for children.

I'm encouraged by the rising standards of the kind of behaviour we accept towards our children, and the greater liabilities faced by service providers who fail to provide safe, supportive environments for them.

This augers well for our young people's future, but implies a need for reform. Changes need to be embraced and embedded in organisations' policies and practices.

The Commission is contributing to brighter futures for our children by helping organisations take this journey.

### ***Slide 13 Commission role and responsibilities***

First, a bit of background about our role. The Commission is an independent statutory authority which promotes and protects the rights, interests and wellbeing of children in Queensland, particularly our most vulnerable.

We work to achieve this through our Child Guardian, Strategic Policy and Research, Communication, Employment Screening and Risk Management functions.

### ***Slide 14 – (Child Guardian and Strategic Policy and Research)***

#### ***The Child Guardian***

Our Child Guardian functions provide independent, external monitoring of the child safety and juvenile justice systems in Queensland and oversee services to individual children living in a range of care environments.

The combined efforts of our investigation, monitoring and review teams - along with the Community Visitor Program and Complaints team - ensure children's circumstances and outcomes are scrutinised.

Service providers are held accountable for the effectiveness of the services to children and young people in these systems.

As well as monitoring children reliant on the child protection and juvenile justice systems, we advocate for them at an individual and systemic level and report our findings in range of annual reports.

These include our Child Guardian Report and Survey of Children and Young People in Care. Some of our key findings include:

- 98% of kids in care say they feel safe
- the highest risk group are those aged between 0 and four, and
- greater support is needed in the areas of health, education and transition from care.

## ***Strategic Policy and Research***

The Commission's Strategic Policy and Research function monitors, reviews and promotes laws, policies and practices affecting services which impact on children and young people.

We research and report on issues affecting the rights, interests and wellbeing of children and young people, through an report which provides a Snapshot of the wellbeing of children and young people, and a report on all child deaths in Queensland.

These reports show that the majority of children and young people in this state are doing well. Overall:

- the number of children subject to child protection notifications is down
- the overall morbidity rate is down, and
- crime against young people is down.

They also show that risks of tragic consequences are high among 0 to 4-year-olds from drowning; and 10 – 17-year-olds from transport accidents and suicide.

Risks for children and young people is highest in environments where there's:

- domestic violence
- substance misuse, or
- mental illness.

We also know there are still children suffering from high levels of disadvantage, with poverty, isolation, intergenerational issues such as abuse, and Indigenous children still over-represented in the system.

## **Slide 15**

### ***Employment Screening Services***

Of most relevance to this conference are the Commission's risk management and Employment Screening Services functions.

Many here today would know we administer Queensland's Working with Children Check, or blue card system.

The Working with Children Check is an extensive criminal history check of employees and volunteers who work with children in the service environments listed in the Commission's Act.

If a check on a blue card applicant shows they have a seriously concerning criminal history which could pose a risk of harm to children, they're given a negative notice.

This means they are prohibited from working or volunteering in the areas of child-related employment listed in the Commission's Act.

Since the blue card legislation was introduced in 2001, the Act and regulations governing the blue card system continue to be monitored and updated in response to government and community needs.

Amendments have resulted in more categories of child-related work being screened, and the inclusion of the risk management obligation on service providers to foster safe environments for children.

Further work is underway to highlight risk management requirements as central to the blue card system – so screening is based on risk assessment, rather than a strict list of occupations.

Criminal history screening allows us to prohibit contact between known perpetrators of abuse and children and young people in an organisational setting.

While screening is an important factor in protecting children, only those who have been charged or convicted of a crime appear on our radar.

Criminal history checking alone doesn't focus service providers on managing current and future child protection risks in their environments.

## **Slide 16**

### ***Risk management strategy requirement***

To address this, organisations providing child-related, regulated services have been required to have risk management strategies in place since January 2005.

Since then, regulated organisations providing child-related services are **legally required** to have a written risk management strategy in place.

The obligation to develop and implement a risk management strategy has been mandatory for all organisations which fall within the blue card system since January this year.

## **Slide 17**

### ***Aim of child protection risk management***

An effective risk management strategy should:

- promote the wellbeing of children and young people and protect them from harm
- prevent things from going wrong
- limit the degree of harm
- reduce an organisation's liability, and
- have protocols in place for what to do if a risk does arise.

But organisations can't manage risks they don't identify.

## **Slide 18**

To help organisations understand and comply with our Act, the Commission provides free, half-day workshops to help raise awareness of what a child protection risk management strategy needs to address.

This helps organisations identify child protection risks in their operating environment, and develop strategies to respond to and reduce those risks.

The *Safe environments for young people* workshops help participants understand how to foster safe environments for children and young people where risks are identified and managed.

The workshops explain the legislation and how it impacts on businesses and employers providing child-related services.

In this way, our staff help organisations build **their own** capacity to comply with the Act.

Since the program began on 30 June 2005, over 7600 people from child-regulated service environments have attended 367 free workshops and presentations throughout Queensland.

Training has been delivered in a wide range of areas, including Brisbane, Townsville, Cairns, the Gold Coast, Mount Isa, Thursday Island, and Indigenous communities including Wujal Wujal, New Mappoon, Umagico and Hope Vale.

We recently had our risk management workshops externally evaluated to see how they impact on participants' work practices.

The results were very promising, and if anyone's interested in hearing more about this, I'm happy to discuss in the break - or you can contact the Commission's Risk Management Unit.

To check that children and young people feel this work is effective, we've also carried out consultations with children and young people to get their views on what makes an environment safe for them.

Many stated that the kind of 'rules and guidelines' the Commission advocates for in organisations made them feel safe, as did increased supervision and security.

In line with our legislative responsibilities, we check that organisations are providing safe environments for children by making sure they're complying with risk management strategy requirements.

One way we do this is by periodically asking to see copies of selected organisation's risk management strategies.

## **Slide 19**

### ***Impacts of child abuse***

Increasingly, researching is helping us better understand and recognise the severe impact of child abuse on the long term social, emotional, psychological and physical development of children.

As a result, the Queensland Government – like its counterparts in other states – has identified 'protecting our children' and 'enhancing community safety' as among its key priorities.

Child abuse has an indelible impact on children's life chances. It's a known public health issue with measurable long-term consequences.

It puts children at increased risk of a range of poor life outcomes, including:

- health problems
- behavioural problems, such as acting out, becoming withdrawn, changes in behaviour and aggressiveness
- social problems, including problems establishing and maintaining healthy relationships
- poor educational outcomes and learning problems, contributing to reduced employment opportunities
- emotional problems such as depression, difficulties regulating emotions, stress, anxiety, low self esteem, self-loathing, a sense of hopelessness and confused thoughts
- post traumatic stress disorder, including flashbacks, repetitive play, nightmares, bedwetting and being afraid of the dark
- attachment problems, impacting on their ability to develop trust, difficulties with intimacy, sexuality and self-determination in adult life
- injuries, and
- developmental delays.

These are serious issues which will play out over and over again as inter-generational legacies if we don't address them.

Not only is the impact on individual children severe, there are significant costs for governments and the community in the long-term as we try to address the fall out from child abuse.

Responsible communities need to pay attention to what the research is telling us and take sensible, pertinent action.

I believe we have to work together to create a strong community of care to avoid these risks.

In this way, we can achieve positive outcomes for our children - particularly those most vulnerable.

**Slide 20**

## ***Child protection – everybody’s business***

Apart from noting the application of risk management theory in the blue card system, and how it’s being successfully applied to foster safer environments through education and regulation . . . some people might be asking:

“Is child protection relevant to me or to my organisation?”

I know you’ve heard it before, but I believe child protection is everybody’s business.

Even if you or your staff don’t need to hold blue cards, or you’re not from Queensland, there’s still an onus on everyone who has children, or has contact with them, to check they are safe from the risk of harm.

While many children in out-of-home care are there because they’ve been abused or neglected by their families, a significant proportion of children are abused **outside** the family environment, in organisational settings.

Investigations into such abuse show that effective risk management in these organisations may have prevented such abuse from occurring, or stopped it at an earlier stage.

We know the Commission’s Working with Children Check and risk management requirements act as a deterrent for potential child abusers seeking to work with children.

But we’re aware that a person intent on abusing children may look for workplaces or recreational environments where there are less stringent systems and procedures in place.

### ***Slide 21***

#### ***Factors associated with risk of abuse***

Research by Petraitis and O’Connor, 1999 found that child sex offenders often deliberately place themselves in an occupation, sport or service activity, a geographic location or family situation, that gives them access to children.

For 39% of the offenders examined, children were accessed through participation in some type of organisation.

Another study, conducted by Samllbone and Wortley in 2001, found that 20% of child sex offenders in prison in Queensland, accessed children through an organised activity.

According to Beyer and colleagues (2005), there are a number of factors which lead to a greater risk of abuse being able to occur in organisational settings. These include:

- staff being left alone with children
- hierarchical or patriarchal management practices where organisations are highly controlled, so no-one challenges their practices - the abuser in this type of organisation is often an authority figure protected by the hierarchical systems in place
- a culture of bullying
- economically independent organisations which lack external scrutiny
- staff not being held accountable for their actions
- inadequate funding and a reliance on volunteers prepared to work long hours for minimal remuneration – this increases the risk of an organisation being unable to attract or keep suitable staff

## ***Slide 22***

### ***Factors associated with risk of abuse continued***

Other risk factors include:

- a lack of policies and procedures for reporting and investigating complaints
- managers attempting to protect the reputation of the institution or hide the lack of procedures in the organisation by not reporting abuse
- poor disclosure policies
- internal inquiries which don't hold a perpetrator accountable for their actions, or prevent them from offending against other children, and
- physical isolation from the community.

## **Slide 23**

### ***All children are vulnerable***

Although your organisation may not provide direct child-related services, children may still come into contact with your organisation in some way.

For example:

- your law firm might be representing a 16 year old in legal proceedings
- your advertising agency might be using four or five-year-olds in an advertising campaign, or
- your accounting firm might hold family fun days for employees and provide hired entertainment for children.

And I'm sure many of you have your own children.

You might want to consider the risks of having them meet you at work, maybe for a lift home or 'popping in' to have lunch with you during school holidays.

In some workplaces, if a child is sick and there's no one at home to care for them, parents may bring their child to work.

Or child care may fall through at the last minute, and you have to take your child to work while making alternative arrangements.

I'm sure we all recognise these scenarios to some extent.

So while your organisation may not be regulated under the Commission's Act – so staff don't need blue cards or risk management strategies – you should still consider how to manage risks to protect children from harm in your own work environment.

I'm not advocating for children and young people to be stopped from being on unregulated premises.

To the contrary, I think we need to be more inclusive, But this means being aware of the potential risks in **every** environment, and the strategies we can put in place to minimise them.

## **Slide 24**

### ***Developing your child protection risk management strategy***

The Commission recommends organisations developing child protection risk management strategies should:

- identify foreseeable risks - what could happen to put a child or young person at risk of being harmed in some way – and how would this impact on your organisation?
- determine how these risks can be minimised or prevented
- be aware of your duty of care for the safety and wellbeing of the child or young person – what could have been done to prevent the incident or limit the damage?
- involve all stakeholders in the risk management process - this engenders a sense of ownership which people are more likely to support than criticise.

## **Slide 25**

### ***Risk management strategy - elements***

I'm sure many of your organisations already have risk management strategies in place.

But you also need to consider whether they include:

- a statement about commitment to the safety and wellbeing of children and the protection of children from harm
- a Code of Conduct stipulating the standards of behaviour when dealing with children and young people
- recruitment and selection processes (including appropriate employment screening)
- guidelines for handling disclosures of abuse or suspicions of harm – how to respond in the best interests of the child or young person
- risk management plans for high risk activities or special events to minimise potential risks of harm, and
- communication strategies to tell staff and parents about your organisation's commitment to providing safe environments for children.

## **Slide 26**

### ***Changing the culture of organisations - creating a child safe organisation***

Some organisations may face cultural change before they can effectively manage risks to children and young people.

A risk management approach needs to be built into corporate objectives to protect children and young people and provide them with safe environments in which to learn, play, grow and develop.

Consider also how you will take this information back to your workplace.

How can you positively impact on your fellow workers' levels of:

- **awareness** - of the Commission's legislation, of liability, of the significant incidence of child abuse
- **learnings** - of risk management process, and handling disclosures
- **behaviours** - what you do with the information and skills, and
- **results** – the difference made, to children and young people as well as staff, volunteers and parents.

## **Slide 27**

### ***Personal responsibility for child protection***

Ensuring children can access safe environments extends into our personal lives.

Parents expect their children to be safe from harm wherever they are, in school, recreational activities or taking part in youth club activities.

So we should also expect that children and young people will be safe in your organisation.

## **Slide 28**

### ***Conclusion – remain vigilant; manage risks***

We have to remember that abuse can often go undetected.

It's important to remain vigilant for the sake of children and young people.

Using a risk management methodology can help organisations take reasonable steps to prevent foreseeable harm.

We are all responsible for supporting our children and young people to live, learn and play in environments where risks are reduced and protective factors are embraced and accentuated.

There is much to be gained in helping young people achieve their potential.

There is clear evidence to show it's a cost effective investment, but more importantly, it's a testament to our humanity and fundamental to the future of our society.

But we have to work together to achieve this.

As partners, we can help create and maintain child-safe and child-friendly environments, so our children feel valued, protected and listened to – wherever they are.