
TRANSCRIPT OF PROCEEDINGS

COMMISSION OF INQUIRY INTO THE TASMANIAN GOVERNMENT'S
RESPONSES TO CHILD SEXUAL ABUSE IN INSTITUTIONAL SETTINGS

HOBART

TUESDAY, 26 OCTOBER 2021
(1st day of hearing)

BEFORE :

THE HONOURABLE M. NEAVE AO - President and Commissioner

PROFESSOR L. BROMFIELD - Commissioner

THE HONOURABLE R. BENJAMIN AM - Commissioner

1 COMMISSIONER BENJAMIN: My fellow Commissioners and I pay
2 respect to the traditional and original owners of this
3 land - the Muwinina people. We pay respect to those who
4 have passed before us and acknowledge all of Tasmania's
5 Aboriginal people who are the custodians of this land.
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7 I am Commissioner Robert Benjamin and I am joined
8 today by Commissioner Leah Bromfield. President of
9 the Commission, Marcia Neave, joins us from Melbourne.
10 I would like to invite Commissioner Neave to make her
11 opening remarks on behalf of the Commission.
12

13 PRESIDENT NEAVE: Thank you, Commissioner Benjamin.
14 I also wish to acknowledge the traditional owners of the
15 land I am on today in Melbourne, the Bunurong Boon Wurrung
16 and Wurundjeri Woi Wurrung peoples of the Eastern Kulin
17 Nation, and to pay my respects to the Elders past and
18 present.
19

20 I and my fellow Commissioners have been given the task
21 of examining the Tasmanian government's responses to child
22 sexual abuse in government institutions, particularly
23 within State schools, health services, youth detention, out
24 of home care and other services substantially funded by
25 government.
26

27 We must consider and acknowledge the history of child
28 safety in Tasmanian government institutions and the past
29 harms revealed by previous inquiries. But our terms of
30 reference require us to focus mainly on current responses
31 to child sexual abuse. This includes examining ways to
32 prevent child sexual abuse from occurring in the first
33 place, but also to ensure quick and effective responses
34 when it does occur. Our recommendations take into account
35 what has been learned by previous inquiries and will build
36 upon their recommendations. We will aim to ensure that
37 wherever possible perpetrators are held accountable by the
38 criminal justice system. We will also aim to make sure
39 that the experiences of those affected by child sexual
40 abuse in government institutions are recognised and not
41 dismissed, that their disclosures are taken seriously and
42 that all of them receive trauma-informed care, treatment,
43 support and redress for their harm.
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45 Our inquiry will look at the policies, decisions,
46 culture and actions of government departments and bodies
47 acting on behalf of government in the non-government

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Together we bring a range of skills and perspectives to this task. Our fundamental role is to listen, to learn, to weigh the evidence and provide an honest assessment of Tasmania's approach to child safety in government institutions. We will do this so that we are equipped to recommend the reforms that the Tasmanian government should make.

Although I am joining this hearing from Melbourne, over the course of the inquiry all three Commissioners have spent lengthy periods of time in Tasmania conducting consultations and sessions with a Commissioner. Commissioner Benjamin has effectively been working full-time in Tasmania for several months. Both Commissioner Benjamin and Commissioner Bromfield were born and raised in Tasmania and have a longstanding connection with the Tasmanian community.

Unfortunately, the COVID-19 pandemic has prevented me from returning to Tasmania at this time. However, we thought it was important for us to proceed with this hearing today to provide an overview of our progress and foreshadow the next stages of our inquiry. We are also joined today by one of our counsel assisting the Commission, Maree Norton, who will be making submissions on behalf of her fellow counsel, Rachel Ellyard, Elizabeth Bennett and Alexandra Darcey.

Before I share information about our progress, I wanted to make some general observations about the issues we are examining. First, the impact of child sexual abuse in institutional settings. As a society we have learned many important things from the work of the National Royal Commission into Institutional Responses to Child Sexual Abuse. People sometimes think that child sexual abuse in institutional settings is a problem of the past. This is not true. It is a terrible fact that some children continue to experience abuse and harm in settings where people believe they are safe. While we often worry about strangers harming children, the majority of sexual abuse is perpetrated by a person known to a child, most commonly in family settings. But we know from the work of the National Royal Commission that sexual abuse by those in positions of trust in institutional settings - teachers, doctors, nurses, carers and youth workers - is also more common than

1 we would like to think, as is sexual harm caused by other
2 children and young people. Many of the children displaying
3 harmful sexual behaviour are themselves victims of
4 childhood trauma. The harm victim-survivors experience as
5 a result of the sexual abuse can be compounded if the
6 institution betrays them as well by not believing them, by
7 not acknowledging their suffering and trauma, and by not
8 protecting them from further harm.

9
10 Institutions are only as committed to child safety as
11 the people within them. We will be exploring any
12 shortcomings of current policies and practices, but our
13 inquiry is also based on the idea that all of us have a
14 shared responsibility to protect children from harm. This
15 seems self-evident in principle, but it is not always
16 straightforward in practice, particularly in environments
17 where raising concerns may be difficult or even
18 discouraged. We will be examining the attitudes and
19 practices that can contribute to risks to children and that
20 lead to complaints not being addressed at the earliest
21 opportunity.

22
23 While confronting the reality of child sexual abuse is
24 challenging, it must be done. When its impact is not met
25 with action and empathy, it is often devastating and
26 lifelong. Some do not survive it. We have already heard
27 many stories filled with grief and despair from
28 victim-survivors, but we have also seen their extraordinary
29 resilience in living in a society that can be unsympathetic
30 to the day-to-day realities of living with trauma. We have
31 also witnessed the bravery and persistence of
32 victim-survivors taking action to protect other children
33 from harm, often at great personal cost.

34
35 Some victim-survivors have told us how their abuse has
36 affected their ability to form close and trusting
37 relationships. Some failed to reach their potential in
38 their education or career, and lost their ability to do
39 activities they previously enjoyed. As one survivor said,
40 'They survive but don't thrive.' Some have sought respite
41 from their anguish in drugs, alcohol and other addictions,
42 or found themselves enmeshed in criminal offending or
43 cycles of homelessness and poverty.

44
45 Despite these challenges, many victim-survivors have
46 worked exceptionally hard to overcome their childhood
47 experiences. They offer hope and encouragement to others

1 that healing is possible. Often they are driven to
2 contribute to change for children today and we intend to
3 honour their commitment as we continue our work.
4

5 Those who support victim-survivors also experience the
6 aftershocks of child sexual abuse. We know that friends
7 and families of victim-survivors bear witness to their
8 private suffering and do the often invisible work of caring
9 for them as they come to terms with their trauma. While
10 done with love and without question, we know that distress
11 and trauma vicariously carries its own impacts on mental
12 health and wellbeing.
13

14 We have also heard from courageous people who are
15 deeply affected by the profound injustices they have
16 witnessed, either in their personal or professional lives.
17 We are grateful for their trust in us.
18

19 Next, the work of this Commission of Inquiry. It has
20 been nearly four years since the National Royal Commission
21 reported and made over 400 recommendations for reform.
22 Some of these recommendations have already been implemented
23 or are in progress. However, some key recommendations have
24 not yet been implemented by the Tasmanian Government and we
25 are keen to understand why.
26

27 While the National Royal Commission provides an
28 important foundation for our inquiry, our task is to
29 examine what is happening on the ground in Tasmania. We
30 know that there are specific concerns that led to this
31 Commission of Inquiry - particularly concerns about sexual
32 abuse in state schools, hospitals and in Ashley Youth
33 Detention Centre. Some of these issues were not examined
34 by the National Royal Commission, so it is the role of this
35 Commission to undertake the necessary work of examining
36 those areas.
37

38 There have also been a range of other inquiries in
39 Tasmania that touch on aspects of child safety within
40 institutions, including a recent independent review about
41 child sexual abuse in state schools by Professor Stephen
42 Smallbone and Professor Tim McCormack. We will be taking
43 account of the submissions made to that review and its
44 report, but we emphasise that its publication or
45 implementation should not be delayed on our account.
46 Similarly, it is vital that the Tasmanian Government
47 maintains its momentum and commitment to implementing the

1 National Royal Commission's recommendations in parallel
2 with our inquiry. Where opportunities have already been
3 identified by the National Royal Commission or other
4 inquiries, they should be acted upon promptly. The
5 community would be rightly concerned if changes designed to
6 protect children were not put in place as soon as possible.
7

8 Next, what have we done so far. Since the
9 establishment of the Commission we have been gathering as
10 much information as possible. We have engaged experts to
11 help us hear directly from children and young people with
12 varied experiences of institutions in Tasmania about their
13 experiences of safety. Children have important views and
14 perspectives, particularly on current approaches to protect
15 their safety, and we want to hear their voices and views to
16 inform our findings and recommendations.
17

18 Aboriginal children are overrepresented in certain
19 government institutions, including in the out-of-home care
20 system and in youth detention. We have been working with
21 Aboriginal and Torres Strait Islander communities to ensure
22 that our consultation processes are culturally safe and
23 inclusive and that First Nations perspectives are heard and
24 reflected in our findings.
25

26 We have held a series of consultations across the
27 state, from Launceston, to Burnie, Devonport and Scamander
28 through to Queenstown and Hobart and have spoken to over
29 100 people. We invited local police, teachers, health
30 professionals, social workers, psychologists, sexual
31 assault counsellors, academic experts, community leaders
32 and staff from local organisations to talk to us in an
33 informal setting. We have also held targeted meetings with
34 organisations that regularly deal with child sexual assault
35 matters, and conducted site visits, including to the Ashley
36 Youth Detention Centre. We will continue to meet with a
37 range of agencies that have useful information to share
38 with us.
39

40 The Commission has a range of powers under the
41 *Commissions of Inquiry Act* to compel the production of
42 documents and we have used these to obtain over 21,000
43 documents to date, from government departments, agencies
44 and individuals. We are working methodically through all
45 of the material we receive, and expect to request more
46 documents and materials over coming months.
47

1 On 13 May 2021 we published a brief information paper
2 and invited written submissions from organisations and
3 individuals who wished to share their views or experiences.
4 We publicised a phone line that people could call for
5 information and help. We also made arrangements to ensure
6 that people who needed help to make a submission were
7 assisted to do so. We received 111 submissions from a wide
8 range of agencies and individuals. We are deeply grateful
9 for the contributions received, particularly from those
10 sharing painful and traumatic experiences, sometimes for
11 the first time.
12

13 We have also invited people to participate in a
14 session with a Commissioner to speak directly and privately
15 about their experiences. These sessions may be difficult
16 and distressing for victim-survivors. We have taken care
17 to ensure these sessions are trauma-informed and that there
18 is a qualified counsellor or psychologist available to
19 provide support. Participants have control over how the
20 information they share is used and may choose to provide
21 information confidentially or request that it be used in a
22 way that does not identify them. To date, 23 people have
23 spoken to us through these sessions and we will be speaking
24 to many more throughout the course of the inquiry.
25

26 We continue to encourage victim-survivors, family and
27 supporters of people with information to contact the
28 Commission about child sexual abuse in government
29 institutions that has occurred or been reported since the
30 year 2000.
31

32 What are our next steps? Our public hearings will be
33 held in February and March next year in Hobart and
34 Launceston. We will hear from a wide range of
35 witnesses - including academics and experts, people in
36 government positions or those with direct knowledge and
37 experience of the issues we are considering.
38 Victim-survivors and their supporters will be invited to
39 share their experiences as part of these hearings. Our
40 hearings will be ably led by our counsel who have been
41 appointed to assist the Commission. All of them bring
42 independence and a wealth of experience to this inquiry.
43

44 Members of the public and the media will be invited to
45 watch the hearings in person, unless they are closed to
46 protect the privacy of a witness. They will be
47 live-streamed to our website and transcripts will be made

1 available to all to read.

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2 MS NORTON: Thank you, President Neave. If the Commission
3 pleases, my name is Maree Norton and I appear today with
4 Ms Darcey as Counsel Assisting the Commission of Inquiry.
5 I would like to begin by paying respect to the traditional
6 and original owners of this land, the Muwinina people.
7 I pay my respect to those who have passed before us and
8 acknowledge today's Tasmanian Aboriginal people, who are
9 the custodians of this land.

10
11 This opening address is made on behalf of all members
12 of the Counsel Assisting team. As noted by President
13 Neave, the other members of that team are Rachel Ellyard,
14 Elizabeth Bennett and Alexandra Darcey. Both Ms Darcey and
15 I are members of the Tasmanian Independent Bar. We grew up
16 in this community. We live and work here. Our children
17 attend Tasmanian schools.

18
19 Ms Ellyard and Ms Bennett are members of the Victorian
20 Bar who each bring a wealth of relevant experience
21 regarding the operations of government institutions and
22 public inquiries more generally. Ms Ellyard has held
23 various Counsel Assisting roles in Victoria, including last
24 year's Hotel Quarantine Board of Inquiry and the Family
25 Violence Royal Commission. Ms Bennett has worked on
26 inquiries connected with disability and mental health.

27
28 We believe that the combination of local knowledge and
29 interstate perspective that the Counsel Assisting team
30 brings will make a valuable contribution to this inquiry.

31
32 The work of the Commission is supported by many
33 dedicated and hard working staff who we recognise and
34 acknowledge for their breadth of experience and
35 capabilities, and I will provide some further detail in
36 relation to the various teams assisting the Commission a
37 little later in my address.

38
39 The purpose of today's hearing, as the President has
40 said, is to provide an update on the work the Commission
41 has undertaken to date and to set out in general terms the
42 areas that will be the subject of future work, including at
43 public hearings to be held next year. Commissioners,
44 I expect to speak for about an hour this morning in
45 relation to these matters.

46
47 Before I outline the role that this Commission has

1 been asked to perform, I would like to provide some
2 important context relating to the National Royal Commission
3 into Institutional Responses to Child Sexual Abuse and why,
4 in addition to the work of that Commission, there is a need
5 for a Tasmania-specific inquiry.
6

7 The National Royal Commission ran over five years and
8 generated a final report that comprises 17 volumes. The
9 volume tabling its recommendations alone is 114 pages long
10 and contains over 400 recommendations. The learnings
11 derived from that Commission are vast. They include a
12 greater understanding of the nature and impact of child
13 sexual abuse, the people who perpetrate it, and the
14 circumstances in which it occurs. Later in this address
15 I will have more to say about what the National Royal
16 Commission has taught us.
17

18 Against this backdrop, as the President has noted,
19 questions might well be asked about whether it is really
20 necessary to have a Tasmanian inquiry. What will it
21 achieve? Will it be 'just another inquiry', where
22 recommendations are made but not adopted, or adopted but
23 not fully implemented, with the result that little or
24 nothing changes?
25

26 The distressing reality is that, despite the work of
27 the National Royal Commission, concerns continue in
28 relation to responses to child sexual abuse within
29 Tasmanian Government institutions. The words chosen by the
30 Premier of Tasmania, the Honourable Peter Gutwein, when
31 announcing the Commission of Inquiry in November 2020 bear
32 repeating. Mr Gutwein said:
33

34 *I am concerned that as the number of*
35 *allegations coming to light continues to*
36 *grow, we must take every step to ensure we*
37 *identify any systemic gaps and put in place*
38 *measures to fill them. This situation is*
39 *nothing short of terrible and we must take*
40 *further action. I believe that one of*
41 *the greatest responsibilities is to learn*
42 *from the past and commit to not repeating*
43 *its mistakes.*
44

45 But, as President Neave has acknowledged in her remarks,
46 the issue is not a purely historical one. We have heard
47 about recent cases where institutional responses may have

1 failed to take allegations seriously and where
2 victim-survivors and people who raised concerns may have
3 been punished rather than supported. For these reasons it
4 is both necessary and appropriate for this Commission to
5 take the language, understanding and tools developed in the
6 National Royal Commission and apply them in a present day
7 Tasmanian context. The Commission's role is not to
8 duplicate the work that has already taken place at a
9 national level, but to use that work as the guide and a
10 measure. This will include considering whether the
11 Tasmanian Government has taken sufficient action to
12 implement the National Royal Commission recommendations and
13 whether, in some cases, those recommendations need to be
14 tailored to recognise matters such as Tasmania's smaller
15 population and more limited resources.

16
17 I'll now turn to outline the role that the Commission
18 has been asked to perform more broadly.

19
20 The Commission's task is defined and limited by its
21 terms of reference, which are available on the Commission's
22 website. By way of overview, the Commission has two
23 principal functions. The first is to investigate the
24 adequacy or otherwise of past and present responses to
25 allegations of child sexual abuse in government
26 institutions, including schools, hospitals and at the
27 Ashley Youth Detention Centre. The second is to make
28 recommendations on reforms to address any inadequacies
29 identified and to better protect children against child
30 sexual abuse in institutional settings in the future.

31
32 The terms of reference also emphasise the need for
33 those affected by child sexual abuse to have an opportunity
34 to share their knowledge, to assist with personal and
35 social healing.

36
37 In outlining what the Commission will do, it is
38 important to recognise the limits on what it can do.
39 Through its work, the Commission will learn from the past
40 while focusing firmly on the systemic reforms of the
41 future. Any reforms must be informed by accounts of how
42 the system has already failed Tasmanian children.
43 Victim-survivors and their supporters will have an
44 opportunity to share their experiences of the response of
45 government institutions to child sexual abuse since 2000,
46 including during the public hearings. It is important to
47 bear in mind that, although the Commission is concerned

1 with fact finding in relation to the government's response
2 to allegations of child sexual abuse, it is not the
3 Commission's role to prosecute every individual case of
4 child sexual abuse. That is the role of the police,
5 prosecutors and the courts. The community should rest
6 assured, however, that the Commission can and will refer
7 matters to the police and other regulatory bodies if it
8 considers it appropriate to do so.

9
10 The Commission's work is confined to responses to
11 child sexual abuse in government institutional settings.
12 This might include abuse that takes place on the premises
13 of a government-run hospital or youth detention centre. It
14 can also include abuse that is committed by a person who
15 has had contact with a child through their role with an
16 institution, such as a teacher at a government run school,
17 regardless of whether the abuse takes place on school
18 grounds.

19
20 While the Commission's main focus will be on
21 institutions run by government departments, it may also
22 cover publicly funded non-government institutions whose
23 activities represent an outsourcing of traditional public
24 functions. Out-of-home care providers fall within this
25 category; sporting organisations, local clubs and
26 non-government schools do not.

27
28 Turning now to the establishment of the Commission.
29 The intention to establish the Commission of Inquiry was
30 announced by the Tasmanian Premier in November 2020. Some
31 within the community might have expected public hearings to
32 have commenced by now, but before hearings could be held a
33 great deal of other work had to be done and the Commission
34 has been very busy doing that work.

35
36 This is the first Commission of Inquiry in Tasmania
37 since 2000. Needless to say, it is a very significant
38 undertaking. Existing legislation and regulations needed
39 to be enacted or amended to be fit for purpose. Many
40 processes needed to be established from the ground up.

41
42 It was necessary for amendments to the *Commissions of*
43 *Inquiry Act* to be drafted and ultimately passed by
44 Parliament. Those amendments did not come into effect
45 until 1 March this year. Following the amendments, the
46 Commission was formally established by an order of the then
47 Governor on 15 March 2021. It was only from this point

1 that staff could be recruited or seconded to the
2 Commission.

3
4 Liaison with government was necessary to put in place
5 appropriate legal and payroll arrangements. Office space
6 had to be found and IT resources set up. The Commission's
7 office and staff are primarily based in Hobart, including
8 the Chief Executive Officer and the Chief Operating
9 Officer. Some other staff are situated in Melbourne and
10 Adelaide.

11
12 Commissioners, you are well supported in your work by
13 your strategic adviser and by staff in four teams: the
14 Policy and Research Team is comprised of policy officers
15 and an investigator. It is responsible for research
16 strategies and programs informing the strategic direction
17 of the Commission, developing and understanding
18 investigation plans, and ensuring the Commission is well
19 informed to make robust recommendations that are capable of
20 implementation.

21
22 The Community Engagement Team is responsible for
23 supporting the Commission's consultation processes. The
24 team comprises members with years of experience assisting
25 vulnerable people, including victim-survivors of child
26 sexual abuse.

27
28 The Operations Team has established the Commission's
29 offices and is responsible for coordinating staff across
30 three states. This team is also tasked with securing
31 venues for public hearings and other venues necessary for
32 the Commission to do its work.

33
34 Finally, the Solicitors Assisting and Counsel
35 Assisting Teams comprise lawyers responsible for
36 administering inquiry processes and procedures, developing
37 investigation strategies and programs, and assisting in the
38 proper and effective conduct of hearings. As your Counsel
39 Assisting, our role in the public hearings is to assist
40 you, rather than to represent any individual party or point
41 of view. We are responsible for identifying, calling and
42 questioning witnesses to explore issues in a full and fair
43 manner and provide useful evidence which you can then use
44 in your deliberations.

45
46 While the work of these teams got underway, the
47 *Commissions of Inquiry Regulations* needed to be enacted

1 before the Commission could begin gathering information and
2 conducting its consultations. This did not occur until
3 14 July this year. The Regulations have the effect of
4 disapplying certain legislation that would otherwise have
5 applied to and constrained the work of the Commission.
6 Among other things, the Regulations allow State Service
7 employees to provide information to the Commission without
8 breaching their employment obligations. The Regulations
9 were also necessary to permit other people to come forward
10 and share sensitive information with the necessary
11 protections in place.

12
13 Even with those protections, we are aware that some
14 people have been reluctant to come forward. The Commission
15 has taken an active approach to build trust and identify
16 and reach out to people with relevant information and
17 insights. These things take time, Commissioners, but the
18 work of the Commission is now well underway.

19
20 I would like to spend some time now discussing the
21 purpose of the public hearings, before outlining some of
22 the matters that we expect to explore through them.

23
24 The public hearings serve several important functions.
25 They will inform the community about how child sexual abuse
26 occurs and how inaction may have allowed this abuse to
27 continue in government institutions. We expect the public
28 hearings to bring home the importance of responding
29 promptly when child sexual abuse is suspected.

30
31 They will also provide an opportunity for some
32 victim-survivors and their advocates to speak of their
33 experiences and for the Commission, and the community more
34 generally, to bear witness to their accounts.

35
36 Next, the public hearings will enable the Commission
37 to examine the response of government institutions to
38 incidents or allegations of child sexual abuse since 2000,
39 with a view to identifying poor practices that need to
40 change.

41
42 Finally, the public hearings will be a forum for the
43 Commission to hear from experts across a range of fields
44 about what should be done to better protect Tasmanian
45 children and to achieve best practice in the reporting of,
46 and responses to, allegations of child sexual abuse.

1 Most hearings will be in public, though in some cases
2 it may be necessary or appropriate to receive evidence from
3 a witness in a restricted or private hearing. Public
4 hearings are planned for February and March next year in
5 Hobart and Launceston. Any interested party may apply for
6 leave to appear in accordance with the relevant practice
7 direction. Such applications will be considered by the
8 Commissioners. In this regard I acknowledge the presence
9 of the Tasmanian Solicitor General and Assistant Solicitor
10 General in the room this morning. I anticipate that the
11 State will in due course seek leave to appear before the
12 Commission.

13
14 The Commission may issue notices to appear in person
15 to give evidence. Counsel Assisting will determine a
16 suitable timetable for witnesses to give their evidence and
17 each witness will be provided with reasonable notice and,
18 where required, assistance in preparing for the hearing.
19 Procedural fairness will be extended to all witnesses,
20 particularly if an adverse finding against an individual or
21 a department is a possibility.

22
23 Commissioners, you can make findings of fact,
24 including findings of misconduct, where there is a proper
25 evidentiary basis to do so.

26
27 The public hearings are likely to feature unsettling
28 and upsetting accounts of child sexual abuse within
29 institutional settings in this state. We may hear accounts
30 that will challenge our assumptions about the value placed
31 on the safety and welfare of children. Victim-survivors
32 will give us insight into the suffering that comes not only
33 from being sexually abused, but also from having their
34 experiences disbelieved or diminished to protect other
35 interests. We expect to hear from people who have
36 witnessed conduct that contradicts their moral beliefs and
37 values, as well as examples of people falling short in
38 meeting their obligations to children. We will also hear
39 from those whose efforts to expose problems may have been
40 resisted.

41
42 While the Commission's main focus is on government
43 institutions, not individuals, as the President has said,
44 in the end institutions can be no better than the people
45 working in them. If people or departments have erred, the
46 role of the public hearings is to assist the Commission to
47 identify those errors and explore models for reform to

1 ensure that they are not repeated.

2
3 I would now like to return to what the National Royal
4 Commission taught us about child sexual abuse before
5 outlining the case studies that we will explore at public
6 hearings.

7
8 First, the National Royal Commission reminded us that
9 child sexual abuse takes many forms. It involves any act
10 which exposes a child to, or involves a child in, sexual
11 processes that are beyond his, her or their understanding
12 or are contrary to accepted community standards. It
13 includes both penetrative and non-penetrative acts, as well
14 as masturbation, voyeurism, exhibitionism and exposing a
15 child to or involving a child in pornography. It also
16 includes grooming which refers to actions deliberately
17 undertaken with the aim of befriending and establishing
18 emotional connection with a child, to lower the child's
19 inhibitions in preparation for sexual activity.

20
21 The definition of child sexual abuse in the
22 Commission's terms of reference accommodates all of these
23 features.

24
25 Second, the National Royal Commission taught us more
26 about perpetrators. Contrary to popular or common belief,
27 perpetrators do not fit a typical profile. They do not
28 conform to the notions we hold in our imagination - of
29 evil, sinister predators on the fringes of society. To the
30 contrary, victim-survivors often describe perpetrators as
31 charming, charismatic and popular. They are not all male.
32 Some hide in plain sight. Some occupy positions of
33 trust - teachers, health care professionals, foster carers,
34 police and youth detention staff - positions that enable
35 greater access to children for those inclined to exploit
36 it.

37
38 We, as members of the community, overestimate our
39 ability to identify abusers, who may sometimes be our
40 friends, colleagues and neighbours. It is precisely this
41 ordinariness that often leads us to make excuses for the
42 behaviour of abusers and to disbelieve those they abuse.
43 Sometimes it's the extraordinariness of abusers in terms of
44 trust or service to the community which might cause people
45 to say, 'X? No, X wouldn't do that.' These damaging myths
46 must be dismantled so that we can better understand,
47 recognise, prevent and address abusive behaviours in

1 future.

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Perpetrators must of course be held responsible for their actions, but we must also recognise that they are often enabled in their abuse by a broader web of individuals. It is important to note that the definition of child sexual abuse in the terms of reference incorporates matters related to child sexual abuse, including conduct designed to assist an abuser to avoid detection.

We know that ordinary people might turn a blind eye to something that seems wrong. They might try to convince themselves that a child was 'confused' when they disclosed abuse, or feel that addressing the problem was someone else's job. These actions can seem callous or negligent with the benefit of hindsight, but often reflect common human behaviours in the face of a difficult or frightening situation.

In a different category altogether are calculated efforts to cover up sexual abuse of a child to protect a perpetrator or preserve an organisation's interests or reputation. This can include failure to report abuse when required to do so, tampering with documents and outright corruption. Some organisations can close ranks and reinforce a culture of secrecy. They can ostracise or penalise those who are not willing to be complicit. Known abusers can be shuffled off to unsuspecting communities and the risks they pose to children minimised or ignored.

It is also the sad fact that children themselves sometimes engage in harmful sexual behaviours towards other children. Research commissioned by the National Royal Commission indicates that a substantial proportion of institutional child sexual abuse that was reported to police between 2010 and 2014 was carried out by children. Despite its prevalence, there is little community understanding of this type of child sexual abuse. Services targeted to prevent and respond to this abuse are also lacking. The Commission will look at these issues in the course of its work.

Next, the National Royal Commission taught us about the circumstances in which child sexual abuse occurs. The extent of child sexual abuse in institutional settings in Australia is significant and longstanding. Cultural,

1 organisational and environmental factors can enable child
2 sexual abuse to occur more in some institutions than
3 others. These factors include leadership, attitudes
4 towards children, day-to-day practices, complaints
5 processes and responses, as well as the nature of physical
6 and online spaces and whether they enable perpetrators to
7 access children out of view. A lack of vigilance towards
8 children in institutions and in out-of-home care can allow
9 children to be targeted and accessed by perpetrators.

10
11 Finally, the accounts of victim survivors over the
12 course of the National Royal Commission make plain that the
13 impact of child sexual abuse is far-ranging and often
14 lifelong. It can have devastating effects on all aspects
15 of the lives of victim-survivors. It also affects their
16 families and the community more broadly. Through its work,
17 the Commission has and will continue to hear accounts of
18 the impact of child sexual abuse, as well as the resilience
19 of victim-survivors. Some of those accounts may be shared
20 during public hearings. They will be distressing and
21 members of the community should prepare themselves for
22 this.

23
24 The Commission has been asked to examine responses to
25 child sexual abuse within specific institutional
26 settings: education, the provision of health care and youth
27 justice. As I have already foreshadowed, the Commission
28 will also examine responses to child sexual abuse in
29 out-of-home care.

30
31 The work of the Commission, particularly during the
32 public hearings, will focus on case studies in each of
33 these four areas as a way of understanding how the
34 Tasmanian government responds to child sexual abuse and
35 identifying what needs to change in the future.

36
37 At this stage I am not in a position to delve into the
38 case studies in detail. I will, however, provide an
39 outline of the themes and lines of enquiry that have
40 emerged to date. But before I do so, I would like to pause
41 to acknowledge the commitment and professionalism displayed
42 by so many State Service employees in the areas of
43 education, health, youth justice and out-of-home care,
44 employees who do act in the best interests of children in
45 their care. The Commission's case studies are not in any
46 way intended to detract from their efforts. Indeed, we
47 expect that those employees will welcome the Commission's

1 work in calling out failures where they have occurred and
2 in using the case studies to develop solutions.

3
4 Beginning then with the education case study. Schools
5 are places for children to be nurtured and to learn.
6 People within the system occupy a particular position of
7 trust and confidence in the community. Students often look
8 up to them. Teachers are required to be registered, must
9 be of good character and fit to teach, and must observe a
10 code of professional ethics.

11
12 While the education experience can be formative and
13 fulfilling, the submissions received by the Commission
14 suggest that this has not been the case for all. The terms
15 of reference specifically require consideration of the
16 adequacy and appropriateness of the response of
17 the Department of Education to allegations of child sexual
18 abuse in Tasmanian Government schools.

19
20 We recognise that the work of this Commission follows
21 the independent review carried out by Professor Smallbone
22 and Professor McCormack, completed in June this year. We
23 do not intend to invite the Commission to unnecessarily
24 duplicate the work of that review, but we do expect that
25 the Commission will consider at least some issues in common
26 with it. We are also likely to ask the Department of
27 Education to explain its position on the review and the
28 status of its response to the recommendations of the
29 review.

30
31 The Commission will hear case studies about the way in
32 which educational institutions or the department have
33 responded to complaints or suspicions of inappropriate
34 conduct. We will examine the systems, processes and people
35 tasked with ensuring that Tasmanian children are able to
36 access their education free from fear and harm.

37
38 The way in which students, parents and care-givers are
39 able to raise issues or concerns will be a central part of
40 our work in this area. We will consider the options
41 available to students wishing to raise concerns, and
42 whether they feel safe and supported to do so. For
43 example, we will consider how principals and teachers react
44 when they become aware of incidents and allegations of
45 child sexual abuse and what they do about allegations of
46 children harming other children within schools.

1 Next, we will examine the ways in which schools and
2 the department deal with concerns or issues that have been
3 raised. It is important, Commissioners, that
4 investigations are person-centred and trauma informed. It
5 is critical that they are independent and robust, with
6 proper oversight from the relevant authorities. Through
7 our case studies we will explore whether this has been the
8 case. We will also examine the efficacy of investigations,
9 including the circumstances in which they are carried out
10 internally or are referred to Tasmania Police for further
11 consideration. We will look at whether the complaints of
12 children or their advocates were listened to, or whether
13 there was a tendency in some cases to doubt the accounts of
14 children or to minimise concerns about conduct like
15 grooming. Conversely, we will be alert to identify a
16 readiness to defer to the response of adult perpetrators.

17
18 Some of the submissions received by the Commission
19 discuss responses to behaviour that has not historically
20 been criminal - such as grooming - and how that has been
21 placed in the context of risks to children. In recent
22 years concerns of this kind have extended to online
23 communications.

24
25 Having identified the risks and deficiencies in
26 existing systems, we will explore evidence and put before
27 you ideas about how systems and processes can be improved
28 going forward.

29
30 Moving on to the health case study, the vulnerability
31 of children under the care of hospitals run by the
32 Tasmanian Health Service cannot be overestimated. Not only
33 are these children in need of medical care, they are also
34 away from their families and support networks. Family
35 members and other loved ones cannot necessarily keep a
36 bedside vigil at all times. When children are left in the
37 care of hospital staff, families and carers assume, very
38 reasonably, that they will suffer no harm at the hands of
39 those entrusted with their care. Commissioners, evidence
40 led via this case study may demonstrate that that trust has
41 been betrayed within government-run hospitals in this
42 state.

43
44 Many members of the public will be familiar with child
45 sexual abuse allegations made in relation to a former
46 paediatric nurse, Mr James Griffin, who is now deceased.
47 Those allegations have been published in the media and have

1 been explored in detail in the podcast *The Nurse*.

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MEMBER OF THE PUBLIC: I'm fine, thank you.

COMMISSIONER BENJAMIN: Thank you.

MEMBER OF THE PUBLIC: Thank you for checking; I appreciate it.

COMMISSIONER BENJAMIN: Thank you, Ms Norton.

MS NORTON: Thank you, Commissioner Benjamin. We do expect this case study to raise uncomfortable questions, including whether the response of persons and institutions to allegations of child sexual abuse in health settings might have involved negligence, wilful blindness or, worse still, deliberate cover-up. At this stage we cannot rule out the possibility that the evidence might support findings of misconduct in relation to persons of concern. Whether such findings are made is of course a matter for you, Commissioners.

Next, the Commission's terms of reference expressly call on you to consider the adequacy and appropriateness of the Department of Communities Tasmania's responses to allegations of child sexual abuse within the Ashley Youth Detention Centre.

Ashley is Tasmania's only youth detention facility. The children who are placed there can be as young as 10. Disadvantaged and indigenous communities are overrepresented within the cohort. The facility is located in Deloraine, remote from most children's families and support networks. It is a closed or 'total' institution, meaning that children placed there have limited or no contact with anyone other than Ashley staff members. It is well recognised that children in such institutions are particularly vulnerable to sexual abuse.

The Commission is aware of allegations of child sexual abuse occurring from 1970 to the present time. Those allegations have been made by or on behalf of children placed at Ashley, as well as by people who have worked there. Some have been made publicly and have been the subject of media reports or again the podcast *The Nurse*. Others have been disclosed to the Commission in confidential settings. The allegations include not only that there have been multiple perpetrators amongst Ashley

1 staff who have sexually abused children, but also that
2 there are older children who have sexually assaulted
3 younger children and have done so without any proper
4 intervention or response by staff.

5
6 It has also been alleged that staff at Ashley have
7 covered up the abuse, that they have destroyed records or
8 failed to report abuse at all. Those raising concerns
9 about the treatment of children at Ashley will perhaps have
10 been glad to hear of the Tasmanian Government's
11 announcement in September this year that Ashley will be
12 closed within three years and that different arrangements
13 for youth justice will be put in place, including a
14 therapeutic model of care for those who are placed in new
15 youth justice facilities.

16
17 That proposed closure does not change the importance
18 of the Commission examining the practices at Ashley and how
19 allegations of child sexual abuse have been treated there.
20 There are children held at Ashley right now. In the course
21 of the coming three years more children will be placed
22 there. Without change, three years may be too long a time
23 for the State to continue to house some of its most
24 vulnerable children at Ashley.

25
26 The scope of the allegations made about Ashley invites
27 consideration of whether there is an institutional culture
28 there which has normalised, facilitated or enabled child
29 sexual abuse. On one view the experiences of children and
30 staff from decades ago are mirrored in the experience of
31 those at Ashley in more recent years. Ashley's location
32 and role as a major employer in a regional area appears to
33 have contributed to the facility remaining open despite
34 many reviews over many years having identified concerns
35 about the safety of children detained there and the
36 appropriateness of the prison model which, despite a
37 purported move to a trauma informed approach, appears to
38 continue to inform the way that Ashley is run.

39
40 There is also an apparent incongruence between the
41 nature and extent of allegations which are known to the
42 Commission and the much smaller number of complaints which
43 have been made to oversight bodies. It appears that the
44 structures which ought to be ensuring appropriate oversight
45 may not be working as they should and that the result is
46 that child sexual abuse may have been occurring at Ashley
47 at rates significantly higher than reports to oversight

1 bodies would suggest. It may be that children either
2 didn't know they could complain, didn't know how to
3 complain, or were fearful of making a complaint.
4

5 It might also be that there has been deliberate
6 cover-up either of abuse or risks of abuse. There may have
7 been failures to report harm; victimisation of children and
8 others who make complaints. There may have been attempts
9 to discourage complaints.
10

11 Another question warranting exploration is
12 institutional inertia. Why has it been, on the evidence,
13 so hard to make some of the changes that reports over many
14 years have suggested should be made to better protect
15 children from the risk of child sexual abuse and other
16 kinds of harm? Is there conscious resistance to change
17 and, if so, what is driving that resistance?
18

19 The government's plan for new youth detention
20 buildings may not be sufficient to ensure the safety of
21 children in youth detention if a culture which has failed
22 to prevent abuse at Ashley is not identified and prevented
23 from being transferred to new facilities. Part of the role
24 of the Commission will be to understand the slow pace of
25 progress of reforms that other reports and bodies have
26 recommended. Where necessary, the Commission will call
27 people to account for that lack of progress.
28

29 The Commission will hear from witnesses about
30 policies, procedures and practices of Ashley and the
31 Department of Communities, including in relation to
32 Ashley's structure, the training of staff and the extent to
33 which external professionals are able to gain access to and
34 offer support to children.
35

36 We will hear about how complaints are made and
37 investigated, including how records are kept and
38 notifications made. We will look at how staff are trained
39 to treat children and how they in fact do treat children,
40 including whether there is improper use of strip searching,
41 isolation, and threats of being placed at risk of harm from
42 other children.
43

44 How children displaying harmful sexual behaviours are
45 identified and treated will also be looked at, as well as
46 how children are protected or not protected from the risk
47 of harm from other, and often older, children.

1
2 Finally, the role that is or should be played by
3 Communities Tasmania, the Tasmanian Police, the Health
4 Department, the Custodial Inspector and the Commissioner
5 for Children and Young People will be looked at.
6

7 As foreshadowed, the Commission is also considering
8 responses to child sexual abuse where the child is under
9 the guardianship or custody of the Secretary of
10 the Department of Communities Tasmania and living in
11 out-of-home care. In the past such children would have
12 lived in institutions like orphanages or children's homes.
13 Now they will usually be in a foster care or kinship
14 placement or in the care of government funded services as
15 part of the child safety services system.
16

17 Children in the guardianship or custody of the
18 Secretary will often have histories of trauma, disrupted
19 attachments and abuse or neglect in their families of
20 origin which will make them vulnerable to future
21 exploitation, including child sexual abuse. They will have
22 come into the guardianship or custody of the Secretary
23 because they needed care and protection which they were not
24 able to receive in their families of origin.
25

26 The cohort of children in out-of-home care includes an
27 overrepresentation of children with disabilities or mental
28 health problems, children who are indigenous or from
29 culturally and linguistically diverse backgrounds, and
30 children who have already been subjected to child sexual
31 abuse. The out-of-home care system should be a safe place
32 for these vulnerable children, a place where they can be
33 supported to grow from childhood to adulthood without
34 coming to further harm.
35

36 Sadly, there are indicators that, far from being a
37 place of safety, the out-of-home care system can itself
38 place children at risk of being sexually abused. The
39 information already gathered by the Commission through
40 submissions, consultations and a review of past reports
41 into the system suggests that children can be at risk from
42 foster carers and Child Safety Services workers; from
43 grooming and other exploitative behaviour from adults
44 outside the system who take advantage of the vulnerability
45 of the children inside the system; and also they can be at
46 risk from other children in the system who, often as a
47 consequence of their own trauma and experiences, engage in

1 harmful sexual behaviours towards other, often younger,
2 children.

3
4 Each of these risks needs to be separately identified
5 and addressed in any system which truly protects children
6 from child sexual abuse. In considering the extent to
7 which the present system is actively reducing those risks,
8 the Commission will be inquiring into matters of both
9 culture and process, including the proper role of
10 government in setting and monitoring standards for
11 out-of-home care.

12
13 Questions including the following will be asked. Are
14 those working in the system, including Child Safety
15 Services staff, third party guardianship holders, and
16 carers appropriately resourced, assessed, trained and
17 supported to identify and respond to risks of child sexual
18 abuse, including the risks posed by harmful sexual
19 behaviours among children and the signs and risks of
20 grooming and sexual exploitation?

21
22 Are there risk assessments, safeguards and complaint
23 processes which can be relied upon to identify and exclude
24 adults who pose a risk to children from having any role in
25 out-of-home care?

26
27 How are children who are in care and engaging in
28 harmful sexual behaviours responded to and supported in a
29 way which doesn't place other children in care at risk?
30 How are child safety and out-of-home care providers
31 protecting children in State care from sexual exploitation?

32
33 Finally, does the recent introduction of the Strong
34 Families Safe Kids Advice and Referral Line serve its
35 intended purpose of providing early responses to concerns
36 about the safety and wellbeing of children, including in
37 relation to child sexual abuse?

38
39 The public hearings will include evidence relevant to
40 these questions from a range of perspectives, including the
41 experiences of children in care and care leavers,
42 governmental and non-governmental providers of out-of-home
43 care and associated services, experts and the relevant
44 staff from Communities Tasmania.

45
46 While each case study will involve its own issues, we
47 anticipate that certain themes and lines of enquiry will

1 transcend individual institutions. The information
2 available to the Commission invites the conclusion that
3 child sexual abuse within Tasmanian government institutions
4 has consisted of more than just isolated incidents of
5 predators gaining access to children within an otherwise
6 safe system. Rather, we are concerned that such abuse may
7 have been made possible by structural weaknesses in how
8 these institutions understand and respond to child sexual
9 abuse. The reasons for this are likely to be complicated
10 and to require detailed exploration.

11
12 The public hearings will examine the extent to which
13 institutions such as schools, hospitals and Ashley display
14 the attributes of child safe institutions. Do they respect
15 children? Are children given agency and a voice? Do
16 senior staff, in particular, place the welfare of children
17 at the centre of their work and above questions of
18 reputation, economics and efficiency? Do these
19 institutions recognise the risk of child sexual abuse as
20 real and take action accordingly? Are children and
21 concerned adults encouraged to raise complaints, and are
22 they listened to when they do?

23
24 The work of the Commission thus far suggests that not
25 only have some children had terrible experiences in
26 institutional settings in this state, there may also have
27 been failures to respond to those experiences in ways which
28 gave paramount concern to child welfare and the prevention
29 of further harm.

30
31 The issue of staff culture will be at the forefront of
32 our inquiries. How is it that child sexual abuse has
33 occurred in government institutions? Do staff feel
34 supported to raise concerns? Was there wilful blindness or
35 indifference to the risks of abuse? Perhaps there was a
36 genuine lack of knowledge about how perpetrators groom and
37 abuse their victims. Perhaps it was in part a failure of
38 imagination about what abusers are capable of, or borne of
39 assumptions about the reliability of children who complain
40 of abuse. At worst, there may have been an active culture
41 of cover-up or minimisation to protect reputations and
42 institutional interests. These are confronting questions,
43 but they must be asked.

44
45 The evidence also raises difficult questions about the
46 extent to which institutions may have become desensitised
47 to the risks posed by child sexual abuse, especially where

1 the children belong to cohorts with additional needs - for
2 instance, children who are identified as young offenders or
3 troublemakers. There may be a failure to recognise that
4 children's behaviour is the result of trauma, and a lack of
5 training and support for staff who have the role of caring
6 for and supporting those children.

7
8 Next, we will examine the investigative and
9 disciplinary processes which apply to public servants
10 against whom allegations of child sexual abuse are made.
11 While criminal prosecutions and convictions take time and
12 may not always be achieved, appropriate and decisive action
13 taken at a managerial level within government institutions
14 is essential to reducing the likelihood of continued
15 offending while the criminal process plays out.

16
17 The Commission has been furnished with information
18 about internal disciplinary processes applied within the
19 Departments of Education, Health and Communities where
20 allegations of child sexual abuse have prompted the
21 stand-down of State Service employees. We will examine
22 whether those stand-downs have occurred in a timely way
23 following the application of robust departmental policies,
24 including the extent to which stand-downs may have been
25 prompted by external scrutiny rather than internal rigour.

26
27 Finally, the role of the State and its obligations as
28 a model litigant in the national redress scheme and in
29 civil litigation will be considered in light of the impact
30 that current policies and procedures may have on claimants
31 or litigants who have suffered child sexual abuse in
32 government institutions. Has the State's conduct of civil
33 claims on occasions served to exacerbate the harm suffered
34 by victim-survivors? Are appropriate support services
35 available? If they are not, how can systems be reformed to
36 alleviate the impact of child sexual abuse on
37 victim-survivors?

38
39 We also expect the public hearings to look beyond the
40 specific areas of education, youth justice and out-of-home
41 care to consider other key Tasmanian agencies and
42 officeholders whose work responds to or influences how
43 child sexual abuse is viewed and treated in those specific
44 areas.

45
46 We will look at information sharing and oversight.
47 How do different agencies and officeholders work together

1 in a coordinated fashion to avoid fragmentation and silos?
2 If they don't, why is this the case? We will consider
3 calls for a reportable conduct scheme to be introduced, as
4 well as the available models. We may also invite the
5 Commission to consider whether the State's integrity system
6 is equipped to identify, investigate and address misconduct
7 in relation to child sexual abuse. If it is not, should it
8 be reformed or replaced?
9

10 Child sexual abuse includes many forms of conduct
11 which are criminal offences. Where it occurs and is
12 reported to the police, the criminal justice system is
13 engaged. Perceptions of how those within that system,
14 particularly the police and the Director of Public
15 Prosecutions, will respond to complaints may be a factor
16 which influences whether children disclose abuse in the
17 first place, and the assumptions, practices and structures
18 within those systems may affect whether children who do
19 make reports to police will have their reports taken
20 seriously and investigated.
21

22 Whilst a detailed examination of the criminal justice
23 response to child sexual abuse is beyond the scope of this
24 Commission, it is necessary and appropriate to consider how
25 children can be best supported after they report sexual
26 abuse, including as they give evidence in criminal
27 proceedings.
28

29 The recent introduction of a pilot scheme of
30 intermediaries - trained persons who are present to assist
31 as child witnesses give their evidence - is one example of
32 a reform which may reduce stress on children and improve
33 their experience of being questioned in court. But there
34 may be other changes which would make the system safer for
35 children and better ensure that perpetrators are brought to
36 account without exposing children to further traumatic
37 experiences. These might include providing greater support
38 to victim-survivors once offences are reported, the
39 creation of a specialist policing unit, or training for
40 those who engage with child victim-survivors in the
41 criminal justice system.
42

43 Commissioners, these inquiries will be conducted with
44 a view to both understanding past and current practices,
45 and informing the recommendations you make for systems
46 reform. The public hearings will present an opportunity
47 for the Commission to hear from leading thinkers in

1 relation to how systems and processes can be improved,
2 having regard to both best practice and the needs and
3 resources of the Tasmanian community.
4

5 Again, the work of the Commission is not intended to
6 duplicate the work of past bodies and reports, but the
7 reality is that across all the institutional context that
8 the Commission will be examining that past work has not
9 always borne fruit. We expect that one of the themes for
10 the Commission's work must be why have past reviews and
11 reports not been able to solve the problems they have
12 identified. Are there cultural or structural reasons why
13 these problems persist? To what extent have Tasmania's
14 size and demographics affected past responses? If they
15 have, how can your findings and recommendations take
16 account of those State specific issues while not
17 compromising on what is needed to keep children safe?
18

19 In this context we will examine concerns regarding the
20 Tasmanian Government's lack of response to key
21 recommendations of the National Royal Commission. In
22 particular, limited progress has been made on the
23 introduction of a reportable conduct scheme, or the
24 implementation of the National Principles for Child Safe
25 Organisations, which were endorsed by the Council of
26 Australian Governments in 2019.
27

28 The consultation phase for the draft legislation, the
29 *Child Safe Organisations Bill 2020*, was completed in
30 February this year but legislation is yet to be tabled in
31 Parliament. Criticisms have also been made by the
32 community sector about the content of the draft legislation
33 and whether it is consistent with the National Principles.
34 Questions will be asked about why this significant area of
35 reform remains outstanding and whether what is proposed is
36 sufficient.
37

38 The public hearings will also be an opportunity to
39 review the Government's progress towards reforms or
40 recommendations that are already within its capability to
41 implement. The report of child sexual abuse within the
42 Department of Education and the issues which have led to
43 the intended closure of Ashley are matters which the
44 government can be taking action on now. Where Government
45 has the tools to make Tasmanian children safer in Tasmanian
46 institutions today, it should use them. It should not wait
47 until the outcome of this Commission is known to take

1 action which it already knows is necessary.

2
3 The recommendations you make will need to be sound in
4 both principle and practice. They will need to be informed
5 by the best evidence of what needs to be done, but to also
6 take account of the context in which they are to be given
7 effect. This means that questions of how to make the
8 Commission's own recommendations capable of speedy and full
9 implementation, and how to make sure its recommendations
10 are in fact implemented, will be a matter of utmost concern
11 to the Commission.

12
13 The task before the Commission is a challenging and
14 complex one. In some areas the Commission's work may show
15 that there are good practices and substantial progress has
16 been made in protecting children from child sexual abuse in
17 Government institutions in this state. The work may also
18 demonstrate that there have been failures that will have
19 lifelong implications for victim-survivors.

20
21 The importance of your work to the Tasmanian community
22 cannot be overestimated. The Tasmanian Government, through
23 its institutions and agencies, is the largest employer in
24 the state. It is the primary provider of the core services
25 of education, health, youth justice and out-of-home care.
26 Children must be safe in public institutions. Complaints
27 of child sexual abuse must be listened to and acted on.
28 Perpetrators must be dealt with. Victim-survivors and
29 other complainants must be supported when they come
30 forward.

31
32 Commissioners, at the end of it all your task is to
33 produce a final report and make recommendations that
34 provide the Tasmanian Government with a blueprint for
35 practical and concrete steps aimed at protecting the safety
36 of Tasmanian children within public institutions. It will
37 then be a task for Government to do the work necessary to
38 make its institutions child safe places of the future. It
39 is the solemn hope of all involved in the work of this
40 Commission that it will be anything but 'just another
41 inquiry'. If the Commission pleases.

42
43 COMMISSIONER BENJAMIN: Thank you, Ms Norton. We will now
44 adjourn.

45
46 **AT 11.30AM THE HEARING ADJOURNED**
47