

**IN THE MATTER OF
THE BOARD OF INQUIRY
INTO HISTORICAL CHILD SEXUAL ABUSE IN BEAUMARIS PRIMARY SCHOOL
AND CERTAIN OTHER GOVERNMENT SCHOOLS**

Witness Statement of Elly Gay

**Executive Director, Operational Policy, School Engagement and Compliance
Division**

I, Eleanor (Elly) Gay, Executive Director, Operational Policy, School Engagement and Compliance Division, Department of Education (**DoE**), say as follows in response to the Notice to Produce a Statement issued by the Board of Inquiry and dated 16 October 2023:

A. CURRENT ROLE

1. I am currently employed in the position of Executive Director, Operational Policy, School Engagement and Compliance Division (**OPSEC Division**) at the DoE.
2. In my current position I am responsible for a number of functions including:
 - (a) Sexual Harm Response Unit (**SHRU**);
 - (b) School Compliance Unit (**SCU**);
 - (c) Policy and Advisory Unit; and
 - (d) School Engagement Unit (**SEU**).
3. I describe the functions of these units in response to the questions addressed in my statement.

B. WORK HISTORY

4. My work history at the DoE is set out in my resume, attached to this statement at **EG-01**.

C. CONTEMPORARY CHILD SAFETY PRACTICES

Qn. 14 What legislative framework and child safety policies and practices are in place as at the date of this notice in government schools, including:

(a) what Relevant Policies and Practices are in place to respond to allegations or incidents of child sexual abuse in government schools;

Policy and Advisory Unit

5. The Policy and Advisory Unit maintains the DoE's Policy and Advisory Library (**PAL**) which is the repository of all DoE policy that applies to government schools. The Policy and Advisory Unit works with each of the policy-owning divisions to quality-assure their content for publication on PAL.
6. There are a number of relevant policies on PAL in relation to responding to allegations or incidents of child sexual abuse in government schools. These are developed and reviewed by responsible divisions who are the subject matter experts in the particular topics. For example:
 - (a) Wellbeing, Health and Engagement Division (**WHED**) is responsible for child safety responding and reporting policies; and
 - (b) Employee Conduct Branch (**ECB**) is responsible for management of all complaints, misconduct and unsatisfactory performance allegations against adults working in schools.
7. I am not able to speak to the content of the policies which are the responsibility of other parts of the DoE.

SHRU

8. The SHRU was established as part of my Division at the beginning of Term 1, 2023. SHRU was specifically established to support schools to respond to instances of child sexual abuse (including grooming and child abuse material offences), including providing appropriate supports and responses to the victim-survivor and their family, where the alleged perpetrator is working in a government school at the time that criminal charges are laid (or where allegations are substantiated through a non-criminal process). In the period since it was established, SHRU's scope expanded and, as described in my

response to question 14(b), SHRU now also receives reports of historical child sexual abuse in government schools through the 'Report Abuse' contact details on the DoE's website. SHRU's involvement with historical child sexual abuse matters is currently quite limited. It is not involved in the majority of historical child sexual abuse matters, which are notified to the DoE through civil claims or the National Redress Scheme.

9. SHRU commenced operations when the SHRU Manager started work on 20 March 2023, along with a Senior Advisor who was on a short term secondment to the role until September 2023. From 9 October 2023 SHRU was fully staffed for the first time with three staff members in total.
10. In paragraphs 11 to 19 below, I describe how SHRU responds to allegations or incidents of child sexual abuse where the alleged perpetrator is currently working in a Victorian government school.
11. SHRU is responsible for assisting the school principal and the relevant regional team (usually the Senior Education Improvement Leader (**SEIL**) and the Area Executive Director (**AED**) and others, for example, health and wellbeing managers or other student support services (SSS) officers to appropriately support the victim-survivor and their family, and to assist the principal to appropriately notify and engage with the school community following an arrest (or substantiation of allegations through a non-criminal investigation). In this way, SHRU provides end-to end case management to assist the principal to respond and support the victim-survivor and their family and the school community.
12. I have attached to this statement key documents which are relevant to SHRU's work:
 - (a) 'Sexual harm matters – internal protocol for actions and information sharing', which is an internal protocol to guide the DoE's response to allegations or incidents of child sexual abuse in government schools (**SHRU Protocol**) (attachment **EG-02** to my statement);
 - (b) 'Process for Employee Conduct (EC) to notify the Sexual Harm Response Unit (SHRU) of relevant new matters' (attachment **EG-03** to my statement); and

- (c) 'SHRU checklist' (attachment **EG-04** to my statement).
13. The SHRU Protocol sets out the roles and responsibilities of each relevant area of the DoE. The SHRU Protocol covers three 'stages', some or all of which may occur in relation to a sexual harm matter:
- (a) Stage 1: Police are informed and are investigating but no criminal charges have been laid yet (and may or not be laid in the future but that is not yet known);
 - (b) Stage 2: Criminal charges are laid by police;
 - (c) Stage 3: No police charges are laid or the matter does not meet a threshold for reporting to police, charges have been withdrawn OR accused found not guilty in a criminal process. The DoE investigation process commences.
14. The SHRU Protocol does not replace the existing DoE policies and guidelines that are published on PAL relating to the child safety reporting and response requirements of schools and the DoE, and to employee conduct allegations. Instead, the SHRU Protocol is intended to explain the points at which SHRU will be involved to support the case management of an incident, in addition to the existing policies and requirements.
15. The SHRU Protocol and practice ensures that:
- (a) a risk assessment is undertaken to determine the possibility of other victims that may have been abused or harmed, that may not have been identified or who have not made a disclosure;
 - (b) appropriate supports are offered to the victim-survivor and their family, and at the appropriate time after the conclusion of the criminal process, an acknowledgment of the abuse and apology is provided with offers of further engagement with the DoE at a time when the victim-survivor is ready (taking a trauma-informed approach);
 - (c) appropriate engagement with staff and school communities occurs including sending communications to the school community (following consultation with relevant parties such as Victoria Police and the victim-survivor and their family where they are still part of the school

- community) and, depending on the circumstances, to past students who had contact with or were taught by the staff member;
- (d) ongoing dialogue occurs with Victoria Police throughout the criminal process; and
 - (e) a post-incident review is undertaken by the school (with support from SHRU and SCU) as required by clause 14.2(a) of 'Implementing the Child Safe Standards – Managing the risk of child abuse in schools and boarding premises, Ministerial Order No. 1359' (**MO1359**) to review and evaluate the school's child safety and wellbeing policies, procedures and practices after a 'significant child safety incident'. A copy of MO1359 is attachment **EG-05** to my statement.
16. Actions and steps in relation to the alleged perpetrator, their suspension, investigation of allegations and reporting requirements are undertaken by the ECB.
 17. For every new arrest or criminal charge for child sexual offences being laid against an adult working in a school environment, SHRU ensures that communications are drafted for the principal to send to their school community and staff to inform them of the charges and other information that they need to know (for example, the relevant supports available to students and their families at the school and through external agencies).
 18. In each case, SHRU works with Victoria Police to ensure any communications issued by the school will not compromise any criminal processes. Where possible SHRU also includes specific contact details for the investigating Victoria Police officer in the relevant Sexual Offences and Child Abuse Investigation Team (**SOCIT**) for anyone to call if they have further information. The key purpose of these communications is to ensure that the school is transparent about any criminal charges with the broader school community in the event that there are other victims who have not yet made a disclosure, and to ensure the community is informed of available school-based and external wellbeing and support services.
 19. Transparency also enables staff and parents / carers to look out for any warning signs of abuse that might otherwise have been missed. Further, when

information about criminal charges against a staff member is out in the open, it is hoped that others might feel more comfortable about reporting disclosures or concerns. The earlier that any victims can be identified, the greater the chance those victim-survivors have of being supported with counselling and hopefully, the earlier the opportunity for healing and recovery.

(b) what Relevant Policies and Practices are in place to respond to allegations or incidents of historical child sexual abuse in government schools;

20. Soon after its initial establishment in March 2023, SHRU commenced a review of the existing content on the Victorian government website relating to how a current or former student can report abuse in a government school. As a result of this review, the website content was updated on 30 June 2023 and a direct phone number and email address for people to report abuse to the DoE by contacting SHRU was published. Prior to the update, the website told people wishing to make reports to contact Victoria Police, their school or regional office. The webpage is accessible here:
<https://www.vic.gov.au/report-abuse-if-youre-current-or-former-student>.
21. As part of the updates to the webpage, SHRU also included information about some specialist external support agencies, the National Redress Scheme, the Victims of Crime Financial Assistance Scheme, apologies and acknowledgements. SHRU also added more information in relation to making a legal claim against the DoE to seek compensation as a result of the impact and harm caused by abuse by a government school staff member. The webpage explains the Counselling Assistance Program for anyone seeking financial assistance (both victim-survivors and their family members) for counselling and lists a number of specialist external agencies victim-survivors may wish to seek support from. The page also invites feedback to SHRU on how the DoE engages with victim-survivors, as part of the DoE's commitment to continuously improving the way that the DoE engages with victim-survivors and their families.
22. DoE developed 'speaking notes' for staff members who may receive calls from a victim-survivor of historical child sexual abuse. The notes provide

- guidance to staff so they can assist victim-survivors who contact DoE seeking information.
23. Since the publication of the contact details for SHRU on that webpage, 6 people have contacted SHRU to report abuse that occurred before 31 December 1999. In each of these cases, the circumstances of the reports and the wishes of the reporters have been quite different. SHRU staff in each instance have been careful to take a trauma-informed approach to communications, to ensure that the reporters were aware of supports, and the information published on the Report Abuse webpage, whilst also taking an individualised approach to each report and being guided by what the reporter was seeking.
24. In taking a trauma-informed approach to interactions with reporters who contact the DoE through the Report Abuse contact details, SHRU refers to contemporary expert advice. In particular, SHRU is guided by the following information published by the Blue Knot Foundation:
- (a) *Trauma-Informed Practice* Fact Sheet, (attachment **EG-06** to my statement);
 - (b) *Talking About Trauma* Fact Sheet (attachment **EG-07** to my statement); and
 - (c) *Responding to Adults Disclosing Child Sexual Abuse* Fact Sheet (attachment **EG-08** to my statement).
25. We aim to apply the 5 guiding principles to all interactions, as appropriate. These principles are: safety, trustworthiness, choice, collaboration and empowerment.
26. In some instances, reporters have simply emailed a few sentences and have not engaged further. In others, reporters (who may be primary or secondary victim-survivors) have wanted to convey their experiences. As much time as needed has been provided to them to do this, sometimes over multiple conversations. In each case, SHRU has offered to follow up with further information, phone calls or other contact, depending on the wishes of the reporter and noting that they can come back to us at any time in the future if they do not want further contact at this stage.

27. To date, one person has contacted SHRU to report historical child sexual abuse involving a former employee that had not already been reported to Victoria Police and where the name of the alleged perpetrator was known. On that occasion, after a discussion with the victim-survivor, SHRU made a report to Victoria Police and also checked the DoE employment and other records, including the Victorian Institute of Teaching (VIT) register, to see whether the person was still working in the government school system or still registered as a teacher. They were not.
28. We have not yet had any instances in which SHRU received a report of historical child sexual abuse where the alleged perpetrator was still working in a government school. If such a case arose where the alleged perpetrator of historical child sexual abuse was still working in a school, SHRU would follow the usual process set out in paragraphs 11 to 19 to above would commence as for any current staff member or volunteer where an allegation has been made.
- (c) **what record-keeping and management policies and practices are in place in relation to allegations or incidents of child sexual abuse in government schools; and**
- (d) **what record-keeping and management policies and practices are in place in relation to allegations or incidents of historical child sexual abuse in government schools?**
29. SHRU maintains its own records for all new incidents or allegations of child sexual abuse on which it has worked or is working, using the DoE's records management software, Sharepoint (with appropriate security settings to restrict access to staff in the SHRU team). These records are saved under perpetrator and school names so that they can be searched for under any one of these categories in the future. The files are all electronic (no paper files are kept). These electronic files are managed centrally by the DoE's Records Management Unit in accordance with Public Records Office of Victoria requirements.

Qn. 15 How does the Department liaise with other government departments or agencies as at the date of this notice, to manage and respond to child sexual abuse, including historical child sexual abuse, in government schools?

30. For non-historical child sexual abuse in government schools, SHRU liaises directly with:
- (a) the relevant informant at Victoria Police (normally in a SOCIT) in relation to charges against an adult working in a school;
 - (b) the relevant local Centre Against Sexual Assault (**CASA**) or other appropriate support services (depending on circumstances and needs of the victim-survivor at the time); and
 - (c) if any child protection concerns arise or become apparent in relation to the student through the disclosure/reporting of the abuse, the principal will be supported to make a report to Child Protection, Department of Families Fairness and Housing (**DFFH**) if one has not already been made by school staff members.
31. As set out in my answers to questions 21(b) to (d) below, in instances of historical child sexual abuse reported to SHRU, our liaison with other government departments and agencies is informed by our conversations with the victim-survivor.

Qn. 17 What Department policies and practices are in place as at the date of this notice to ensure that teaching and other staff were advised of, trained in and implemented Relevant Policies and Practices in government schools?

32. PAL contains detailed policy, guidance and resources for operational topics and links to relevant legislation and other related policies. PAL is the single source of truth for DoE policy applying to schools across all topics. School leaders and staff know that PAL is the first port of call for all DoE policy. In addition, the DoE's website and anywhere else they might search for DoE policy (including google) will direct them to PAL. At the local level, schools' own child safety policies that they are required to be trained in annually also contain links to relevant DoE PAL policies relating to child safety and the DoE's template child safety training slides for school staff also refer to relevant PAL policies.

33. The DoE publishes the School Update which is a weekly direct send email to all school leaders and administrative staff. The School Update contains critical information, policy changes and actions for schools. Each article includes links to the relevant PAL topic. The School Update is the one critical source of consolidated new information and actions for schools each week.
34. PAL also has a register of all changes and updates made to it which is available from the PAL homepage. In the second last week of each school term, there is an article in the School Update which summarises all the PAL changes and any new policies introduced that term.
35. Where there is a significant policy change or new policy, a standalone article will also be published at the point of the change/introduction of the new policy in the School Update. For example, this occurred when the new Child Safe Standards came into effect in mid-2022. A follow up article reminding staff of the new standards (attached at **EG-09** to this statement) also explains that staff training must be provided and includes a link to training slides that can be used to deliver the training.

SCU

36. The SCU conducts all cyclical assessments of government schools' compliance with the Minimum Standards for School Registration (including the Child Safe Standards as detailed in MO1359). This process is governed by the DoE's memorandum of understanding (**MoU**) with the Victorian Registration and Qualifications Authority (**VRQA**) which sets out each parties' respective obligations. The DoE is appointed under the MoU as the 'review body' for government schools and reports to the VRQA on compliance on request and at least annually.
37. Completion of annual school staff training as required under MO1359 is checked through the quadrennial Minimum and Child Safe Standards Compliance Assessment process conducted by SCU. Results of all compliance assessments are reported to the VRQA, as described in my response to question 18 below. During the assessment, schools are required to provide evidence that all staff have been trained in the last 12 months and that the training and information provided to staff meets the requirements of

clauses 6.2(h), 7.2(c), 10.4(a), 10.4(b) and 12.2(a) of MO1359. If schools have not completed their annual child safety training for all staff at the time of their Minimum and Child Safe Standards Compliance Assessment, they will be required to do so as part of their rectification plan. Before the school's assessment is finalised, SCU verifies the completion of the training or, in some limited instances, verifies that the school has scheduled the training and the principal attests that it will be completed.

38. Specifically, the SCU assessment process checks that the school has delivered training and information to staff on child safety in the last 12 months that includes:
- (a) the child safety and wellbeing policy of the school;
 - (b) the school's child safety code of conduct;
 - (c) the procedures for responding to child abuse in the school's Child Safety Responding and Reporting Obligations Policy and Procedures;
 - (d) guidance on recognising indicators of child harm including harm caused by other children and students;
 - (e) guidance on responding effectively to issues of child safety and wellbeing and supporting colleagues who disclose harm;
 - (f) guidance on how to build culturally safe environments for children and students;
 - (g) guidance on their information sharing and recordkeeping obligations; and
 - (h) guidance on how to identify and mitigate child safety and wellbeing risks in the school environment without compromising a child or student's right to privacy, access to information, social connections and learning opportunities.

Qn. 18 How does the Department monitor, audit or report on adherence to the relevant legislative framework, child safety practices and Relevant Policies and Practices in government schools as at the date of this notice?

39. SCU assesses and reports on schools' compliance with the Minimum Standards for School Registration, which includes the Child Safe Standards (specifically, MO1359), for all government schools at least once every 5 years and, in most cases, once every 4 years. In term 2, 2022 DoE implemented a new model for assessing compliance with the Minimum and Child Safe Standards, which was designed to enhance the support for schools and increase the quality and consistency of compliance assessments. Assessments under the new model are more comprehensive and robust, and subject to greater quality control.
40. The requirements outlined in MO1359 are detailed and comprehensive in terms of schools' obligations to effectively respond to and report child sexual abuse allegations in addition to taking preventative measures relating to governance, culture, student empowerment, training, family engagement, diversity and equity, staff and volunteer suitability and others.
41. SCU allocates a Senior Advisor to each school being reviewed. The Senior Advisor's role is to conduct an assessment of the school's compliance with the Minimum Standards for School Registration (which includes a full assessment of compliance with MO1359). Each school being assessed is invited to attend a pre-briefing about the process, and is provided with a self-assessment checklist and links to detailed guidance about all of the standards and the evidence requirements. The Senior Advisor allocated to the school will provide 1:1 support to the school, answer questions at any time and write up a detailed initial assessment report after completing a desktop assessment and an onsite school visit (or for some schools, a virtual visit).
42. Any areas of non-compliance identified during the assessment are set out in the initial assessment report and schools are provided with clear information on the actions they must take to rectify these areas of non-compliance. Schools are asked to provide evidence to demonstrate that they have addressed all rectifications within 6 weeks of receiving the initial assessment report. Schools receive a final compliance report confirming their compliance with all requirements at the conclusion of the assessment process once they have completed all rectification actions.

43. Senior Advisors work in a supportive capacity with schools to provide advice and guidance on compliance requirements, and support to complete rectification actions where required. This approach has proved to be very valuable for schools to increase their awareness and understanding of the requirements under MO1359 and principals have reported that it has also led to changed practices in their schools. The school's local SEIL and their Area Executive Director are kept informed and where needed, more closely engaged, at key stages of the compliance assessment so that they are able to provide further local support to the school if needed.
44. The DoE, through SCU, reports to the VRQA on an annual basis through an Annual Compliance Report for each school year. In addition, SCU provides monthly reports to each of the four Regional Executive Teams (comprised of the Regional Director, Area Executive Directors and Executive Directors of School Support and School Improvement) which include details of the number of schools assessed in the year to date in each Area and a list of schools that have overdue rectification actions.
45. SCU also reports on compliance data, issues and risk areas to the Regional Executive teams at meetings held once per term, as well as to relevant policy-owning divisions (e.g. WHED) through a steering committee and a project control board. SCU also reports to the Executive Board of the DoE on school compliance data relating to the Minimum and Child Safe Standards assessments, as well as any issues and risk areas.
46. SCU also conducts out-of-cycle reviews in some circumstances, where risks have been identified in relation to a particular school, for example where there has been a significant child safety incident. This means that even though a school might not be due for their quadrennial review, a DoE executive or the VRQA might request that an assessment of compliance is undertaken with some or all of the Minimum Standards (including some or all of the requirements under MO1359) at any time, or alternatively, SCU or SHRU may identify that an out-of-cycle review is required due to a significant child safety incident. As with the cyclical compliance assessment process, the SCU team continues to work with schools that are subject to an out-of-cycle compliance

assessment until the school has rectified all areas of non-compliance identified through the assessment process.

47. After a significant child safety incident (including cases SHRU is working on), SCU also assists schools to undertake a post incident review to identify any opportunities to improve the school's child safety policies, procedures and practices, consult with their school community, make updates following consultation and then communicate those changes and the new policies back to their school community at the end of the process. Where SHRU is involved in the matter, SHRU will often support the school with these communications to the school community, working in close collaboration with SCU. This is a requirement in clause 14 of the new MO1359. This exercise helps the school to reflect on its current policies, practices and child safety risks in light of the incident and reduce the chances of any further similar incidents occurring in the future. The process is very much focused on taking measures at a policy, procedure or practice level at the school and does not investigate wrongdoing or failures by any individual staff member – these are matters that would be investigated by ECB separately from both the post-incident review that SCU supports the school to complete under clause 14 of MO1359 and any out-of-cycle compliance assessment that SCU may be undertaking with the school that has been prompted by the incident.

Qn. 19 What are the most recent findings from the monitoring, auditing and reporting described in your response to question 18?

48. The latest findings in relation to schools' compliance with the Child Safe Standards relate to the 2022 calendar year and include schools where the assessment process began pre-1 July 2022 (which were assessed against 'Child Safe Standards – Managing the risk of child abuse in school: Ministerial Order No. 870' (attachment **EG-10** to my statement)) and schools that started the process after 1 July 2022 (which were assessed against MO1359).
49. These results show that the majority of schools assessed against the new Child Safe Standards in the 2022 calendar year were initially assessed as fully compliant with the majority of the Child Safe Standards (i.e. the majority of schools were initially assessed as fully compliant with 72% of the Child

Safe Standards assessed under MO1359). In addition, 91% of all schools assessed became fully compliant within 3 months of the initial assessment and 100% of schools were supported to become fully compliant by the end of the compliance assessment process.

50. The overall rate of full compliance on initial assessment was impacted by:
- (a) the new assessment model, which was more comprehensive, robust and subject to greater quality controls,
 - (b) the new Child Safe Standards, imposed under MO1359, which came into effect on 1 July 2022 and which imposed a higher number of requirements upon schools; and
 - (c) the relatively short transition period in which schools could prepare for and transition to the new Child Safe Standards.
51. Schools overall had a very solid base of compliance against the Child Safe Standards (both old and new) and areas of non-compliance were often more administrative or technical in nature (e.g. school's child safety policies did not note the approval and review details). For the newer standards, such as family engagement, there was a higher degree of non-compliance, which was an unsurprising result given the short timeframe schools had had to engage with their communities since this new requirement had been introduced. Under the model for assessing compliance, the SCU team ensures that 100% of schools are fully compliant by the end of the process.

Qn. 20 How are the relevant legislative frameworks, child safety practices and Relevant Policies and Practices at the date of this notice communicated to students, parents and school communities in government schools?

52. The DoE has 'pull' communication channels which are its public-facing websites that publish information for parents and the broader community. PROTECT and PAL are both published on public webpages which means that the policy information on those platforms is accessible by parents and communities.
53. Under MO1359, schools are required to make publicly available to the school community certain child safety policies, including:

- (a) Child Safety and Wellbeing Policy;
 - (b) Child Safety Responding and Reporting Policy and Procedure;
 - (c) Child Safety Code of Conduct; and
 - (d) Complaints Policy.
54. Through the cyclical Minimum and Child Safe Standards assessments referred to above, schools are required to demonstrate that they have made these policies publicly available (usually by publishing them on their school website). The DoE publishes information for schools about which local policies they must communicate to their communities.
55. In addition, under MO1359 there are now requirements for schools to engage with their families and communities about the school's child safety policies and practices. This has meant that since 1 July 2022 when the new MO1359 came into effect, schools have had to provide evidence of how they have provided families and the school community with the opportunity to have a say in the development and review of their child safety policies and practices (e.g. through school newsletters or other communication channels). Compliance with this requirement is checked through the SCU compliance assessment process detailed in response to question 18.

Qn. 21 What is the process at the date of this notice for responding to allegations or incidents of historical child sexual abuse which are notified to the Department? Does this involve:

(a) a consideration of any current or ongoing risk to students or children and, if so, what are these considerations?

56. As described in paragraphs 20 to 28 above, SHRU's processes when it receives a report of allegations or incidents of historical child sexual abuse include checking DoE employment and other records including the VIT Register to see if the person is still working in the government school system or still registered as a teacher.
57. Where the alleged perpetrator's employment history shows that they are currently working or have recently (in the last 6 or 7 years) worked at a government school, a consideration of current or ongoing risk to students or

children will be undertaken by SHRU. By applying a 6 year time frame in secondary school settings and a 7 year time frame in primary school settings, SHRU considers the possibility of students still being enrolled at the school who may have been taught by or interacted with the alleged perpetrator. This risk assessment includes working with Victoria Police and the relevant principal to understand more about the contextual information, for example, the alleged perpetrator's role with students (e.g. nature and frequency of interactions with students), their employment history and whether any concerns had been raised about their conduct in the past and any other relevant factors, to consider the risk that other victims may have been abused and to take appropriate steps, for example communications to the current school community. In some cases, communications with former students may be appropriate, where even more than 7 years have elapsed since the staff member last worked there.

(b) referral to law enforcement;

58. SHRU will typically only become aware of allegations once a report has already been made to Victoria Police. However, if the report of historical abuse comes into SHRU through the Report Abuse phone line or email address then SHRU will discuss reporting to Victoria Police with the reporter. Where the alleged perpetrator's name is known and provided to SHRU, following discussions with the victim-survivor, SHRU will make a report to Victoria Police if that report has not already been made. This has happened in one instance so far since SHRU established the Report Abuse phone and email line. We aim to ensure that we work collaboratively with the victim-survivor on any engagement with Victoria Police, taking a trauma-informed approach, whilst also ensuring that reports of criminal allegations are being made to police, from a community safety perspective.

(c) referral of the victim-survivor to support services and, if so, which support services and how are they referred; or

59. The Report Abuse webpage provides a non-exhaustive list of some of the key support services available including the CASAs, the Sexual Assault Crisis line, Blue Knot Foundation, Kids Help Line and Lifeline. SHRU also keeps an

internal resource directory with specific support agencies that might be appropriate for some community members, e.g. Aboriginal or Torres Strait Islanders or LGBTIQ+ community, but these are not services specifically for sexual abuse survivors. We also refer to the National Redress Scheme, which was established to provide a trauma-informed specialist service (including counselling, a redress payment and direct personal responses) for victim-survivors following the Royal Commission into Institutional Responses to Child Sexual Abuse.

60. Taking a trauma-informed approach, the DoE's response is very much led by the victim-survivor and their views and preferences about next steps once they have made contact with SHRU. Noting that there have only been 6 reports to SHRU of historical abuse to date, SHRU does not have any examples yet of having made a warm referral to a specific support agency, although we have done so for a non-historical case. There has been one instance where a caller had engaged in counselling or therapeutic support at a previous time in their life and were apprehensive about engaging in similar support again. Due to the particular characteristics and experience of that survivor, SHRU suggested speaking to a trusted GP before trying to contact a specialist support agency from the list we had. In that instance, the caller has continued to engage with SHRU for further discussions. In all instances we have provided victim-survivors with options for engaging with us and we are guided by those communications as to what referrals might be appropriate.
61. The SHRU Manager who currently directly interacts with most of the reporters of historical abuse through the phone line/email address has a youth work and Child Protection background and is experienced and knowledgeable about services available in the community and also how to have respectful and trauma-informed conversations with survivors. SHRU is committed to providing bespoke and tailored approaches to each reporter that contacts us and to ensure that we take whatever steps we can as an institution to support that particular victim-survivor in their healing journey.
- (d) referral of the victim-survivor to independent advice and, if so, what sort of independent advice and how are they referred?**

62. There are some referral pathways for independent advice listed on the Report Abuse webpage and victim-survivors contacting SHRU will be supported to access those if that is what they are looking for. The specific organisations currently listed on the Report Abuse webpage for independent legal advice are the Law Institute of Victoria referral service, Victoria Legal Aid and the Federation of Community Legal Centres. There has been 1 instance in which a caller wanted advice about how to make a legal claim. We provided a warm referral for the caller with a DoE lawyer who could talk through the claims process and how to seek independent legal advice.

D. PREVIOUS INQUIRIES

Qn. 22 What reforms have been made to improve Relevant Policies and Practices in government schools since the Royal Commission into Institutional Responses to Child Sexual Abuse and the Victorian Parliamentary Inquiry into Abuse in Religious and Non- Government Organisations?

63. In 2018, the DoE launched the School Policy Templates Portal which provides schools with templates of local policies that they are required to have in their schools. These templates are quality assured so that they are compliant with legal and DoE policy requirements and the Minimum Standards for School Registration (including the Child Safe Standards as detailed in MO1359). Previously, schools were required to write their own policies which was often a difficult task to get right, particularly given the often complex legal framework that underpins policy. The templates on the School Policy Templates Portal are updated when legal and DoE policy requirements change.
64. The DoE launched PAL in mid-2020 to ensure that government schools could easily locate all DoE policies that apply to them, in one single library on a public website.
65. Since Term 2, 2022, the DoE has implemented a new model for assessing schools' compliance against the Child Safe Standards on a cyclical (or out-of-cycle) basis as described in response to question 18 above, which was designed to enhance the support for schools and increase the quality and consistency of compliance assessments. This involved establishing a

dedicated team in-house (rather than through externally contracted reviewers) who assess roughly 20-25% of all government schools each year. This model has enabled both a more rigorous approach to compliance assessments and also greater support for schools to help them understand their obligations, particularly in relation to child safety. A number of principals have provided feedback that the new assessment process has helped them to better understand and implement the requirements of the Child Safe Standards under MO1359.

66. As set out in response to question 14 above, the DoE established SHRU at the start of Term 1, 2023. This was another area where there was work to be done to join the dots between central and regional areas of the DoE and to ensure a consistent approach to proactively supporting victim-survivors and schools when child sexual abuse allegations arise. SHRU was designed to ensure there was centralised expertise and oversight from end-to-end that brought all the relevant advice and support together, without duplicating it.

Qn. 23 How does the Department ensure Relevant Policies and Practices comply with best-practice?

67. In April 2023, soon after establishment, the SHRU team met with Sexual Assault Services Victoria (the peak body for sexual assault in Victoria) (**SASVic**) to introduce the work we were embarking on and establish channels for ongoing consultation with experts at the local CASAs (who are SASVic members) on individual cases. The purpose of this consultation was to seek expert advice to guide SHRU's practices.
68. Since then, SHRU has had secondary consultations with CEOs and other staff at local CASAs to seek advice on a case-by-case basis about our approach to engaging with victim-survivors and their families as well as the wording of proposed communications acknowledging the abuse following sentencing hearings.
69. SHRU is currently developing detailed guidelines which will be informed by our research and reading, learnings so far and future consultations with relevant organisations and stakeholders. Our work to date has been very operationally focused on responding in real time to issues arising in schools,

matters progressing through the criminal justice system and establishing protocols for working across areas of the DoE to share information and clarify roles and responsibilities internally. The next phase of our work is to build on that foundational work, informed by consultations, to develop our guidelines which will regularly be reviewed and updated to ensure that we are evolving to provide the best possible response and support we can as an institution.

Qn. 24 How does the Department ensure lived experience perspectives are included in the design, implementation and evaluation of Relevant Policies and Practices?

70. Since establishing SHRU, where possible, we have listened directly to victim-survivors of recent abuse and their parents about their experiences, where they are ready and willing to share with us or where they have conveyed this to principals or others in the DoE, to inform our approach to supporting families in recent cases. SHRU has only recently begun to hear from victim-survivors of abuse that occurred prior to 31 December 1999 who have made contact through the Report Abuse phone line or email but in those instances we are certainly using learnings from the lived experiences conveyed to us by those victim-survivors to inform our work and to develop proposals for where future investment might need to be made by the DoE.
71. We have participated in training provided by the DFFH on restorative engagement practices and specifically Direct Personal Responses through the National Redress Scheme which has been very helpful in contributing to our thinking about future work we could do in relation to healing. As part of that training, we were privileged to hear the powerful account of one victim-survivor's journey towards healing through their (now adult) child who attended to talk to us and share their family's experience with us in person.
72. Our work to date has also been very much guided indirectly through our 'reading in' of survivor accounts documented through the Royal Commission and other publications, and also informed through reading materials produced by the National Redress Scheme, particularly in relation to working with victim-survivors and also on the topic of acknowledgements and apologies. We will also be guided by the evidence of victim-survivors to this Inquiry,

including those who have publicly shared their recommendations about apologies and acknowledgements.

73. As noted in paragraph 61 we have also been fortunate to have a manager of SHRU with considerable experience in working with children and young people who are victim-survivors of abuse and complex trauma to inform the establishment work of SHRU.
74. The learnings and insights that we are gaining through our work in SHRU are being fed back into all the work we do in the OPSEC Division and more broadly, policy and prevention work across the DoE including through training and awareness-raising work with school principals, policy review work in the WHED and directly into our school compliance work through SCU who work on a daily basis with schools on their child safety compliance, implementation and improvement.

Signature:



Printed name:

Elly Gay

Date:

3 November 2023