

Laws to prevent organisations covering up child abuse pass through WA Parliament



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- Significant child safety laws preventing organisations from covering up child abuse pass through WA Parliament
- The Reportable Conduct Scheme compels organisations to report allegations of, and convictions for, child abuse
- An independent watchdog will examine how organisations handle complaints of child abuse by their staff
- Laws implement key recommendations of the landmark Royal Commission into Institutional Responses to Child Sexual Abuse

Significant laws that prevent Western Australian organisations from covering up child abuse have passed through State Parliament.

The Parliamentary Commissioner Amendment (Reportable Conduct) Bill 2021 delivers on the McGowan Government's commitment to implement recommendations from the Royal Commission into Institutional Responses to Child Sexual Abuse.

The legislation compels heads of organisations to report allegations of child abuse by their employees, volunteers and contractors.

It also ensures an independent watchdog will have oversight of how organisations handle complaints of child abuse by their staff and give them the power to investigate.

The Reportable Conduct Scheme will cover an estimated 4,000 government and non-government organisations where children are being cared for, or supervised by, someone other than their parent or guardian. Organisations covered by the scheme include schools, religious institutions, childcare centres, hospitals, disability services, detention centres and residential care facilities.

The Ombudsman will take on the role of independent examiner, ensuring organisations investigate allegations properly, and if not satisfied, conduct an investigation themselves. If organisations do not do the right thing, penalties will apply.

The changes aim to foster cultural change in organisations to prevent child abuse, encourage and support people to speak up about concerning behaviours, and improve systems for dealing with complaints and reports of abuse.

Anyone who speaks up in good faith will be protected from liability for giving information and victimisation when they do. In essence, children will be heard, believed and supported. Reporters will be protected.

The scheme will not replace an organisation's existing complaints handling and disciplinary processes. Organisations will be able to build on their existing procedures and reporting requirements to integrate reportable conduct requirements.

The progression of this Bill forms part of the McGowan Government's broad program of work to safeguard children, protect victims and heal survivors, including the recently passed Children and Community Services Amendment Act 2021, which extended mandatory reporting requirements to ministers of religion to report child sexual abuse.

Further information about the Parliamentary Commissioner Amendment (Reportable Conduct) Bill 2021 can be viewed below:

<https://www.ombudsman.wa.gov.au/Documents/Reportable-Conduct-Scheme-Information-Sheet.pdf>

<https://www.parliament.wa.gov.au/parliament/bills.nsf/BillProgressPopup?openForm&ParentUNID=D135C68719D3ECDB48258862001E3385>

Comments attributed to Child Protection Minister Simone McGurk:

"Ensuring the safety and wellbeing of children is at the heart of these important reforms, which will compel heads of organisations to report allegations of child abuse by their employees.

"For too long, perpetrators have been able to hide behind organisations who have either turned a blind eye to abuse or actively protected them.

"About 4,000 organisations will be covered by the Reportable Conduct legislation, protecting children in a range of settings including schools, religious institutions, childcare centres, hospitals, detention centres and residential care facilities.

"This legislation is a key part of the McGowan Government's ongoing commitment to protect children and hold those who prey on them to account, and builds on legislation introduced last year that requires ministers of religion to report information gained in confession.

"I would like to acknowledge the victim-survivors who shared their experiences during the Royal Commission into Institutional Responses to Child Sexual Abuse, whose brave testimony prompted these significant reforms."

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