

School of Occupational Therapy and Social Work

Child-safe organisations: A wise investment?

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Declaration

To the best of my knowledge and belief this thesis contains no material previously published by any other person except where due acknowledgment has been made.

This thesis contains no material which has been accepted for the award of any other degree or diploma in any university.

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Date: 28 April 2010

ABSTRACT

Child-safe organisations: A wise investment?

This thesis explores how in the last two decades a ‘child-safe organisations movement’ has emerged in Australia. The thesis title does not signal that the question posed therein is answered in this project, or even that it is answerable. The title is an invitation to the reader to hold the question in their mind as they read the thesis.

This thesis addresses two research questions: What is a child-safe organisation? How can an organisation’s child-safe status be effectively represented to stakeholders? The outcomes of this project include a child-safe organisations framework and its critique. These are offered to those involved in organisations providing services to children as stimuli for reflection and loose scripts for enactment.

The child-safe organisations framework and its critique were developed within interpretivist theoretical traditions and assumptions. Qualitative research methods consistent with these traditions were utilised to derive data from various sources including organisations’ stakeholders and purposively selected professionals (social workers, lawyers, administrators and insurers) to develop the framework.

The research questions’ context is established by identifying the emergence of an Australian child-safe organisations movement. Impetus for the movement’s emergence came from revelations in the mid-1980s about child abuse in children’s institutions and then from recommendations of the Royal Commission into the New South Wales Police Service, which made findings about paedophilia. The thesis argues the movement’s advice can be typologised as good management, child protection, children’s rights and injury reduction.

The thesis’ relevance and topicality has become more evident throughout the period of the project. In 2009 the Council of Australian Governments announced a specific strategy within a broad national framework to develop a nationally consistent approach to working with children checks and child safe organisations across jurisdictions (Protecting children is everyone's business: National framework for protecting Australia's children 2009-2020, 2009).

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ABSTRACT.....	I
ACKNOWLEDGEMENTS.....	II
CHAPTER 1: INTRODUCTION.....	1
Background discussion.....	2
A starting point.....	5
Organisation-related child abuse.....	10
Child-safe organisations.....	12
An area in need of further research.....	13
Research questions	14
Research objectives	15
Theoretical framework	16
Research design and methodology	19
Research limitations	21
Significance of the research	21
Organisation of the thesis	23
CHAPTER 2: BACKGROUND TO THE STUDY OF CHILD-SAFE ORGANISATIONS.....	25
Introduction	25
The United Nations Convention on the Rights of the Child	26
Conceiving and designing services	28
Camp Kurli Murri.....	29
The Federal Government’s immigration detention of children.....	33
A new awareness about organisation-related child abuse	33
Courts’ transcripts	38
Inquiries’ findings	39
An alternative view	39
Problematisation of all children’s organisations	40
Governor General Peter Hollingworth	43
Financial implications	44
The child-safe organisations movement	45
The Wood Royal Commission	46
Federal and state governments	48
Non-government community based organisations	51
The courts.....	52

The child-safe organisations movement’s discourse	55
Risk anxiety and fear.....	55
Language and socially constructed meaning.....	57
Words and Phrases	60
Making organisations child-safe	71
Internet based sources of Advice	71
Strategies recommended to make organisations safe.....	72
Perspectives framing child-safe organisations.....	77
Good management.....	78
Children’s rights – a generalist approach.....	83
Child protection – a specialist approach	84
Injury reduction – a practical approach.....	87
Conclusion.....	88
CHAPTER 3: METHODOLOGY.....	90
Introduction	90
Approach.....	96
Research Participants	103
Obtaining organisations support for the research.....	103
Participating organisations and individuals.....	106
Data gathering methods.....	106
Emergent design flexibility	107
Interviews	109
Group discussion and workshops	110
Open ended questionnaires.....	111
Analysis of extant documentation	112
Participant observation	113
Research log	114
Auto-ethnographic record	117
Data acquired prior to the project.....	121
Data Analysis	121
Validity of the data	124
Conclusion.....	127

CHAPTER 4: DATA ANALYSIS.....	128
Introduction.....	128
Data analysis process.....	128
Interview analysis.....	128
Individuals' Models.....	137
Iteration	145
Constant comparison.....	146
Emergent themes	150
Emergent sub-themes	151
A child-safe organisations framework.....	154
A child-safe organisation:	154
A metaphor – Child-safe organisation as a swimming hole or a beach	156
Conclusion.....	159
CHAPTER 5: DISCUSSION.....	161
Introduction.....	161
East coast forums	163
The child-safe organisations framework's utility.....	166
Consideration of the framework's themes	167
Theme 1: Keeps children's best interests at the heart of its endeavor – respects, nurtures and includes children.....	167
Theme 2: Respects and includes parents.....	173
Theme 3: Selects carefully, supervises, develops and monitors staff	179
Theme 4: Is well led.....	197
Theme 5: Manages risk	202
Theme 6: Responds accountably to signals of concern and complaints	212
Conclusion.....	220
CHAPTER 6: CONCLUSION	222
Introduction.....	222
Overview and summary	222
Methodology	227
The researcher's journey	230
Recommendations for future research	237
First line of inquiry.....	238
Second line of inquiry	238
Third line of inquiry	239

Last word	241
REFERENCES.....	244
LEGISLATION.....	268
LEGAL AUTHORITIES	268
ATTACHMENTS INDEX	270

CHAPTER 1: INTRODUCTION

Children's service organisations are a strong and positive part of my family's heritage. In the 1930s my father left his family's Western Australian wheatbelt farm to attend the Northam District High School which is about 100 kilometres from Perth. He was the youngest of seven children and the only one who left the family home to attend school. The pictures and recorded memories I have of him as a child are from the school's annuals. He is pictured as a member of sporting teams and as one of the prefects. In the tradition of the day his peers comments are recorded about him, as his are about them. My father's death preceded my birth and because I do not have personal experience of him, his school's mementoes are truly treasures to me. In 1927 at the age of eighteen months my mother was placed in a Catholic convent at Bunbury, also in Western Australia. My mother still recounts her experiences from her days in the care of the Sisters of Mercy with obvious love for them, as parent figures. Of one nun she says 'every girl believed she was Sister Rose's favourite. But I knew I was'. My parents' experience as children of being cared for by extra-familial adults in organisational environments was, as far as I can tell, very positive for them.

Perhaps because of my parents' positive experiences I formed a fundamental belief that committed, skilled and caring people could work toward healing 'troubled and damaged' children. This led me as a beginning social worker to opt to work in children's service organisations. In time, as a direct service practitioner and later as an administrator, I played various roles in working in and administering residential child care and juvenile justice institutions and systems. In these roles I had first hand experience of some of the ways a particular institution's or system's quality of service and care can be eroded by systemic and individual failures and ignorance, lack of resources and incidents of abuse.

With this background, in the later stage of my career, I opted to return to study to try and contribute to our profession's understanding of what makes an organisation safe for children. The scope of the research questions framing this project was purposely targeted at more than residential child care and juvenile justice organisations. Over my career I had come to understand the concept of a child-safe organisation was relevant to all organisations that provide services to children. I came at the question with a practitioner's

background, having worked for over thirty years as a social worker for service delivery organisations before commencing this research. In research terminology I came at the question partially as an insider.

BACKGROUND DISCUSSION

In the early 1980s, in response to the realisation that child abuse occurred in residential child care institutions, Thomas (1982) proposed various administrative methods to protect children from abuse when they were in care:

- Sound screening techniques to rule out job applicants with questionable credentials or work histories;
- Effective measures for assuring the confidentiality of a child's records and the use of information in them by care-giving staff and other officials;
- Promulgation of the facility's rules, codes of conduct and rights and responsibilities to all staff, residential children, and families;
- Operations of a human rights committee to review and authorise all treatment approaches;
- Cooperation with a third party representing the child's interest (personal advocate, guardian, etc.) while in placement and assurance of mechanisms enabling the child to contact their representative in confidence whenever necessary. (ibid, 38)

Twenty years later the National Council of Single Mothers and their Children Incorporated submitted to an Australian Federal Government's House of Representatives' inquiry: 'Crime in the community: Victims, offenders, and fear of crime', among things that could be done to address the problem of child sexual abuse was to 'progress national standards for "child safe" accreditation for all workers and organisations involved with children' (Walshe 2002, 7). The Australian Federal Police Association's submission to the same inquiry advised 'the main areas of activity within the area of child protection relate to ... the establishment of child-safe organisations' (Sharman 2002, 123). In 2009 the Council of Australian Governments released its national child protection framework (Protecting children is everyone's business: National framework for protecting Australia's children 2009-2020, 2009). One strategy identified in the

national framework is to ‘develop a nationally consistent approach to working with children checks and child safe organisations across jurisdictions’ (ibid, 18).

That there is promised in Australia a nationally consistent approach to child-safe organisations adds to the topicality of this research project. The title of the thesis: ‘Child-safe organisations: A wise investment?’ aims to challenge the thinking that the concept ‘child-safe organisations’ is simple and unambiguous. The thesis does not claim to resolve the question of whether the investment is wise; it is left open for the reader to consider as the thesis is read. This research project sets out through systematic qualitative research inquiry to develop an understanding of what the concept child-safe organisations means to a group of participants involved with children’s service organisations, to represent their understanding and to critique the concept and its representation. The research project aims to contribute knowledge to those involved with children’s service organisations about the complexities of attempting to make organisational life for children safe.

Today, in Australia, the fear that organisations providing services to children will be targeted and infiltrated by predatory, paedophilic and abusive staff or that these organisations will neglect their duty of care to children is no longer associated solely with vulnerable or disadvantaged children or particular types of organisations or services. All children are considered to be at risk (Irenyi et al. 2006, 20; Briggs 2005) and concerns about children’s safety in organisations have been raised by politicians (e.g. Australian Senate Community Affairs References Committee 2003), government agencies (e.g. *Working with children check* n.d.), advocacy groups (e.g. Bravehearts n.d.), academics (e.g. Hawkins and Briggs 1997) and in the popular press (e.g. Pedley 2002; McKenny 2007).

Understanding how in Australia children in organisations have been problematised involves (a) identifying and unpacking critical events and influences that led to that outcome, (b) exploring the reciprocity between the historical constructions of childhood and protecting children, and (c) locating these aspects within the Australian culture, which reflects international, national and local experience, values, knowledge and characteristics. A brief description provided shortly aims, in part, to capture some of these events and influences and to demonstrate momentum in this area since World War 2 toward the coalescence of a loosely defined social movement committed to child-safe organisations.

Selecting events and influences and claiming they are the dynamic of social change is inevitably contentious for many reasons, including:

- An author's ignorance of significant events and influences.
- An author's limited awareness of professional, personal and cultural bias, and values and assumptions which leads to discounting some events and influences, and emphasising others.
- Limitations of the different logics of history (see Sewell 2005, ch 5). For example, if an events driven view of history is adopted the time span (any time span) is too short and prior critical events which might be necessary for a better understanding of what is happening now are not included.
- The politics of representation.
- The problem of representation.

This contentiousness reflects in small part some of the complexity in undertaking research. Research, particularly research into the *social*, is personally, culturally, linguistically, spatially and temporally located and constrained. Research questions emanate from a researcher's life and interests. Pre-understandings of the research object are shaped by professional and personal values, experiences and assumptions, only some of which are conscious to or fully comprehended by the researcher. While a researcher may attempt to clarify epistemological, ontological and methodological assumptions and choices, in the final analysis, a researcher's capacity to do so is limited. Alvesson and Sköldbberg (2000, 151 - 152) amplify an important aspect of one of the limitations, language: 'Language is considered to be ambivalent, evasive, metaphorical and constitutive, rather than unequivocal, literal and depictive...this implies a problematisation of traditional virtues such as objectivity, the mirroring of reality, clarity and rationality'.

However, representing the dynamic which led to the context and momentum for what is termed in the thesis the *child safe organisations movement* is important because it contributes to a broader narrative about child-safe organisations, which potentially shapes future action. The following reflection about the development of the Australian child safe organisations movement, for all the reasons above, is necessarily idiosyncratic. However, it is offered in the belief 'that all research knowledge is shaped by the types of stories

inquirers tell about their topics' (Kincheloe 2005, 336) and with an invitation to those who are differently positioned to supplement, re-order, re-thematise and enrich it.

A STARTING POINT

Today, it is a matter of public record that in the past many children who lived in children's homes and similar institutions experienced what is now judged to be maltreatment, abuse and exploitation, and other children and adults observed it, perpetrated it or were told about it. At an earlier period in our history it is possible abuse and exploitation in child-care institutions might have been regarded by its victims and those secondary to it as not abusive or exploitative, but as normal, unstoppable, inevitable, warranted, authorised, necessary, not harmful or acceptable. For observers and children who were not being abused or exploited, or at least not directly, it might have been easier to join in with the abusive practices or keep quiet about them, rather than oppose them. In any event at different times and in different places in Australia there were probably few if any effective ways of raising concerns about the abuse and exploitation and having it acted upon.

Many victims of child abuse and exploitation and those secondary to it may have formed a view of the seriousness of the abuse and exploitation at the time of the abuse. For others, however, a reconsideration of the experiences, possibly in the light of different standards, new knowledge or raised consciousness, led them to conclude they also had been victims of abuse and exploitation or perpetrators of it or implicated in it.

From the late 1980s powerful testimony from people who as children had experienced different forms of abuse and exploitation in ironically named 'care' environments began to become available to the professions and the community. A number of those who heard testimony from former victims of abuse and exploitation became champions for them and for institutional reform. Champions included a former Judge of the High Court of Australia, the late Sir Ronald Wilson, AC, KBE, CMG, who conducted an inquiry into the forced removal and subsequent treatment of Aboriginal children; an English social worker from the United Kingdom's Child Migrant Trust, Margaret Humphreys, OAM, who advocated on behalf of former British child migrants sent to Australia, Canada and Africa; and, an Australian politician, Senator Andrew Murray, a former child migrant, who explained in his valedictory speech:

Some of you know my work on institutionalised children and my own personal discoveries as a result, and they have changed me forever. ... As a result of my ... work on children harmed in care, I have been scarred by their stories and uplifted by their humanity. (Murray 2008)

The tenacity and persistence of Murray, Humphreys and others in pursuing justice for victims of institutional abuse was acknowledged by Australia's Prime Minister when he apologised in the Great Hall of Parliament House to victims of past abusive institutional practices (Rudd 2009).

A generational awareness about the extent of family based child sexual abuse brought about largely by feminist researchers and activists was already in train in Australia when the 1994 Wood Royal Commission into the New South Wales Police Service (the Wood Royal Commission) inquired extensively into paedophilia (Wood 1997). The Wood Royal Commission's use of listening devices and video surveillance, codenames to protect witnesses, related suicides and release of materials to television, ensured sustained media and community interest in its findings about the systematic and organised sexual abuse of children. Its impact and origins were described by Hawkins and Briggs (1997, 44):

In 1995, institutional abuse took on a new meaning. The New South Wales Government established a Royal Commission into the State's Police Service following widespread allegations of corruption which included police protection of paedophile rings involved in the supply of pre-pubescent boys to provide sex for businessmen, politicians, TV personalities, lord mayors, lawyers, members of the judiciary and their ilk.

Deidre Grusovin, a former New South Wales Government minister, set out her hopes for the Wood Royal Commission's inquiry into paedophilia in an address to that State's Parliament on 23 October 1996:

There is a dirty mess in New South Wales and it is time to clear it up. The Royal Commission ... was the first royal commission to look into paedophilia in this State and, indeed, in Australia. That has happened at a time when there is a worldwide focus on this dark and sinister part of society. I believe the Royal Commission is

our best chance to expose the true extent of paedophiles, their networks and the damage done to their victims. (Grusovin 1996, 5270)

By the time of the Wood Royal Commission in the middle of the 1990s it was accepted in many quarters that child abuse and exploitation had occurred in church run children's homes, foster care and state institutions. The Wood Royal Commission further legitimated this view and concluded not only were there substantial incidences of sexual abuse by the clergy and others associated with the church but that 'investigations or prosecutions of these incidences had been suppressed, discontinued, or failed in circumstances suggestive of either protection or failure on the part of the official agencies involved to exercise their powers impartially' (Wood 1997, 991).

While many refused to accept the allegations of past abuse in church homes, some churches had by the 1990s accepted abuse and exploitation had occurred and later apologised for it, although in Murray's words, quoted in the Prime Minister's apology, 'some are better apologies than others' (Rudd 2009, 5). In addition, a number of church personnel were later named in parliamentary inquiries as abusive. Reports of instances of organisation-located sexual abuse have become commonplace since the Wood Royal Commission. Reports have appeared about sexual abuse in sport, the Scouts, student exchange schemes, magistrates' courts, politics, children's choirs, juvenile detention centres, hospitals and schools. One of the Wood Royal Commission's recommendations was a legislatively based system of screening to keep paedophiles, when assessed as a danger to children, from working with them. The Wood Royal Commission placed before the community and its decision-makers authoritative mainstream state commissioned legally framed knowledge that all organisations dealing with children were susceptible to infiltration by paedophiles. Coincidentally, on the day Australia's Prime Minister apologised to victims of past institutional abuse (Rudd 2009), another politician, Senator Steven Fielding, who grew up within his biological family, revealed he was sexually abused as a child by a scout master (Munro 2009).

Throughout the latter part of the twentieth century social work has predominantly delineated its professional 'child protection' role to preventing and responding to the abuse of children in families, broadly defined to include foster care, group home care and residential child care, and family support. This familistic framing was effectively

institutionalised by the Australian governments' child welfare agencies in the mid 1980s when national child abuse data collection sets were created that effectively only counted and reported on broadly defined intra-familial child abuse (see Bromfield and Irenyi 2009, 6).

The placement of family or substitute family systems at the centre of social work's child protection was supported by a widespread professional belief that overwhelmingly child abuse occurs within the family. The professional acceptance of this belief, which became and remains something of a child protection mantra, has been at the expense of social work's consideration of its role in preventing child abuse and exploitation in extra-familial settings, for example in sport, leisure and recreation organisations, the legal system and juvenile justice, education, business and the general community.

Social work's framing of child protection as a family orientated therapeutic endeavor is consistent with the psychiatric and medical discourses which dominated social work's child protection work in the post war period, particularly following the description of the 'battered baby syndrome' by Kempe (1962) in the early 1960s. Social work's child protection work has also been increasingly required to respond to an emergent and powerful legal discourse about child abuse and child protection. Anglin (2002, 238) views this restrictively:

The narrow notion of the child welfare constructed by the law ... shapes the child welfare discourses, and thus severely limits the nature of policies and services within welfare departments ... legal discourse has the dominant hand as debates take place within the courts – the domain of the law.

However, strategies have evolved within social work to achieve child protection outcomes consistent with both the psychiatric/medical and legal discourses. For example, a social worker engaging with families in a hospital or clinical setting to achieve therapeutic and safety outcomes for a child is associated more clearly with the traditional medical/psychiatric child protection discourse. Another social worker is operating more clearly within the legal discourse when they are researching the law and the courts' interpretation of it to determine how best to advocate to federal authorities on a child's behalf for the independent rate of youth allowance, enabling him or her to live independently of an abusive parent. Other social workers utilise strategies which span the

discourses, for example when they are advocating a child's right to have his or her wishes heard and representing those wishes before authorities on diverse matters such as rights to medical treatment including termination of pregnancy, termination of parental rights and transfer of guardianship or adoption. Ultimately, the legal discourse has contributed to a focus on the child's rights in relation to their family, other organisational entities and society.

While it would be foolish to intimate social work has held a singular representation of childhood or children, social work's representation of children following the description of the 'battered baby syndrome' was galvanised with children being viewed primarily as vulnerable and in need of care and protection by either the family or the state. However, particularly from the late 1980s, a different view of children emerged – as rights' holders. This view was furthered by the legal discourse about children and their rights, particularly when they faced criminal charges. In Australia these events were influenced by a 1967 American Supreme Court decision known as *in re Gault* which determined that juveniles facing criminal charges had rights afforded to adults in similar circumstances (see Reppucci 1999). In 1982 in the footsteps of these developments abroad the Western Australian Government commissioned Professor Eric Edwards to inquire into the State's treatment of young offenders. The report recommended a change from a welfare orientated justice system, based on a rehabilitative ideal and a 'child saving' philosophy, to one more dependent on justice and the courts. Two fundamental changes were proposed:

- There should be a clear separation in the system between children who are offenders and those who are not;
- The courts should determine at least in the first instance, whether a child who has committed an offence, should be in custody. (Anderson 2003)

In Australia the rights focused approach to child protection derives additional authority from the United Nations Convention on the Rights of the Child (UNCROC), to which Australia became a signatory in 1991. Today, for some, child protection encompasses not only protecting children from maltreatment and abuse but also ensuring their broader rights are promoted and respected. However, there is some tension between these human rights and child protection perspectives, with rights minded advocates suggesting the child protection perspective infantilises children and keeps them powerless; and, child protection

advocates suggesting the rights' perspective is not focused strongly enough on preventing child abuse.

In Australia from these antecedents there has now emerged an ambitious multi-disciplinary and inter-sectoral child protection project that might be titled variously, including as 'child-safe organisations' and 'safeguarding children in organisations'. The phrase 'child protection project' in this sense is broad and means protecting children from a broad range of organisational based threats, not only narrowly defined child abuse. This child protection project, taken as a whole, aims to promote practices in organisations that respond to a complex of threat possibilities. Child welfare advocacy groups, businesses, not for profit welfare agencies, churches and government instrumentalities participate in the project by developing and dispensing advice and services to enable organisations to aspire to or achieve child-safe status. These groups promote that all organisations providing services to children need to develop 'child-safe' strategies to prevent and respond to organisation-related child abuse.

This thesis is about this child-safe organisation project. It asks what is a child-safe organisation and how can its child-safe status be represented effectively to relevant stakeholders?

ORGANISATION-RELATED CHILD ABUSE

While there is no one accepted definition of organisation-related child abuse, Irenyi et al. (2006, 1) proposes a broad definition of the locations and sources of organisational maltreatment:

Maltreatment that occurs in the context of an organisation in the public, community or private sector in residential or non-residential settings (for example, in a school, child care centre or sporting club). The perpetrator may work either directly with children (for example, a teacher) or in an ancillary role (for example, a cleaner), or may be another child or young person connected to the organisation in some way. The abuse may occur physically at the organisation or perpetrators may obtain access to children through the organisation but the abuse happen elsewhere.

The professional literature recognises there is a lack of knowledge about the prevalence of organisation-related child abuse (Beyer, Higgins, and Bromfield 2005; Wolfe et al. 2003; Gallagher 2000; Bromfield and Higgins 2004; Higgins and Bromfield 2005). This lack of knowledge is not surprising because traditionally child abuse research (with exceptions, see Briggs 1995; Patterson, Tremper, and Rypkema 1995; Finkelhor, Williams, and Burns 1988) is framed primarily within families. Irenyi et al. (2006, 20) outlines the consequence of this narrow research focus as ‘an incomplete understanding of abuse within organisational settings. This has meant holistic strategies that take into account organisational culture and situational crime prevention in addition to administrative procedures, such as screening, have only recently developed’.

However, over the last decade researchers from various disciplines, including social work, law, psychology and sports science, in Australia (for example Leahy n.d.; Petraitis and O'Connor 1999; Hawkins and Briggs 1997; Varney 1999; Hall 2000; Wangmann 2004; Beyer, Higgins, and Bromfield 2005), the United Kingdom (Brackenridge 2003; Gallagher 2000; Thomas 2002) and North America (Finkelhor 2007; Sullivan and Beech 2002; Wolfe et al. 2003; Leclerc, Proulx, and McKibben 2005) have turned their attention toward various aspects of organisation-related child abuse and its prevention.

Notwithstanding increased interest in and academic attention to organisation-located and extra-familial child abuse, in the absence of accepted definitions and data collection, varying estimates of the size of the problem exist: ‘Estimates of this phenomenon are difficult to come by and vary widely, depending on the definition of “institution,” the type of child maltreatment (e.g., sexual, physical, emotional abuse and neglect) and the source of data’ (Wolfe et al. 2003, 179). Gallagher (2000, 797) described the problem of institutional child sexual abuse as ‘small but significant’. Later he concluded, ‘institutional abuse, in respect of “numbers” alone should be seen as a significant problem’ (ibid, 812). Leahy (n.d.) examined the sexual abuse of young people in Australian sport and concluded:

From a group of 370 elite and club, male and female athletes, 31% of female athletes and 21.3% of male athletes reported that they had experienced sexual abuse at some point in their lives. It was also found that almost half, 46.4%, of the elite group reporting sexual abuse, had been sexually abused by sports personnel. For the club group, this figure was 25.6%. These data indicate that for athletes who report

being sexually abused, and who are involved in competitive sport at the elite level, the odds are almost even that someone associated with that environment will have abused them.

Briggs (2005, 1) disturbs any notion that those perpetrating child sexual abuse are easily categorised:

Furthermore this isn't a problem restricted to low socio economic and criminal populations as many would like to believe; it crosses all social, educational and religious boundaries. No-one can be trusted on the basis of their position in society or their family relationship. In recent times, we've seen police and magistrates, school principals, TV personalities, MPs, priests and monks convicted of sex offences against children. In addition, professionals employed with children have been reported for collecting thousands of pornographic images, some involving the rape of babies and toddlers.

Celia Brackenridge (2006), an English academic who has written extensively on child abuse in sport identifies reluctance by those responsible for sport to examine sports-related abuse. She postulates an ontological explanation for their averted gaze, based on views of sport as pure and children as innocent:

The presumed 'purity' of sport plus the presumed 'innocence' of children and young people means that both as sport practitioners and as sport scientists we have averted our gaze from the violations associated with child abuse. Why? Because to acknowledge such violations would require us, at best, to reconstitute sport and, at worst, to abandon it. (Brackenridge 2006, 13)

CHILD-SAFE ORGANISATIONS

Creating a child-safe organisation is arguably achieved by implementing a network of strategies. According to a paper commissioned by Australia's Federal Department of Families, Housing, Community Services and Indigenous Affairs and presented to the Community Services Ministers' Advisory Council a child-safe environment is focused on preventing abuse or maltreatment and identifying, managing and eliminating risk:

A child-safe environment is one where there is staff and volunteer awareness and strategies in place to keep children safe from any type of abuse or maltreatment. A

child-safe organisation will have identified and scoped the risk factors present in the physical and interpersonal environment and taken steps to eliminate or safely manage them. A child-safe environment will be one that has a careful and thorough staff selection process, child friendly policies, clear guidelines and management systems in place, including strategies to reduce opportunities and cues for offending and will enable early detection, reporting and investigation of allegations. (Beyer, Higgins, and Bromfield 2005, 5)

Maltreatment is defined ‘as non-accidental behaviour towards a child, which is outside the norms of conduct and entails a substantial risk of causing physical or psychological harm’ (ibid, vi). A child-safe environment from this perspective therefore is one where all risk pertaining to non-accidental child abuse or child maltreatment is foreseeable, quantifiable and able to be safely managed or eliminated.

These aspirations are consistent with the general aims of child protection. In Australia advice, some of which will be detailed in later chapters, is provided to organisations’ administrators by, among others, state, territory and federal governments’ agencies, academics, churches, insurers and organisational consultants about how to implement strategies to create and maintain ‘child-safe’ organisations.

AN AREA IN NEED OF FURTHER RESEARCH

While it appears that ‘child-safe’ organisations is an acceptable catch-cry for a child protection endeavor it is also evident that what makes an organisation child-safe has not yet been well researched: ‘Risk assessments in the selection of staff and volunteers, research into abuse in organisations generally, and research into how risk of abuse may be reduced or eliminated in organisations is scarce’ (Beyer, Higgins, and Bromfield 2005, 4).

As well, there are concerns expressed in the literature about adverse outcomes arising from pursuing ‘child-safe’ strategies. Concerns expressed include the inflation and trivialization of bullying (Furedi 2002, 81), fear and confusion replacing a responding to the needs of children (Piper and Smith 2003, 879), hysterical policing (Jones 2002, 8) and restricting growth and hindering experimentation (Herrington and Nicholls 2007, 129). Tensions between those proposing ways to make organisations safe and those who fear the consequences of such means are not new. In the United States in the mid 1980s Lehrman

and Pace (1985, 1) attacked child-care regulation from the perspectives of efficacy, cost and supply: ‘The intent of these regulations is to ensure minimum health and safety standards for the children and to guarantee responsible care by the day-care provider. Unfortunately, many requirements do little to achieve these aims, while a major effect of regulation has been to raise the cost of day-care services, driving providers underground and limiting the number who can benefit’.

When hosting a Royal Society for the Encouragement of Arts, Manufactures and Commerce (RSA) Risk Commission lecture on risk and childhood (Risk and childhood 2007) the chair of the panel commenced her introduction by asking the audience whether in pursuit of child-safety we are ‘protecting’ or ‘torturing’ children. Tim Gill, the keynote speaker, argues childhood is becoming undermined by risk aversion (Gill 2007), that we need to think about childhood in a different way and that ‘our growing anxiety about harm *to* children, and harm *by* children, is taking us 180 degrees away from the kind of childhood that best nurtures children and that best serves the interests of the rest of us’ (Birkett 2007).

It is within this broad context – where the increased community, political and professional commitment to making organisations ‘child-safe’ sits alongside concerns about the unanticipated negative consequences for children from such an endeavor – that the research questions were formulated.

RESEARCH QUESTIONS

The primary research question is:

What is a child-safe organisation?

This research aims to consider this question from the perspectives of different stakeholders. It is assumed the question may be answered differently for different stakeholders because different stakeholders have different expectations of what is child-safe and consequently they will generate different criteria to assess an organisation’s child-safe status. This leads to the subsequent research question, which is:

How can an organisation’s ‘child-safe’ status be effectively represented to relevant stakeholders?

In this research the phrase ‘relevant stakeholder’ limits the possible group of stakeholders to those who have participated in this research. While the research aspires to be relevant to all those involved in children’s organisations (the broader group of stakeholders), this research aims to develop an effective representation of an organisation’s child safe status for those who participated in the research.

This question assumes:

- The word ‘status’ within the phrase ‘child-safe status’ reflects a meaning of the word ‘status’ provided in various dictionaries as a ‘state of affairs’ (e.g. Chambers Dictionary, 1994) at a particular time.
- It is possible to form an opinion about an organisation’s status as more or less child-safe in the terms of the criteria held by stakeholders, to create a representation of that status and provide it back to relevant stakeholders.

For a fuller exploration of the research questions refer to chapter 3 of the thesis, particularly pages 92 – 95.

At the outset of the research I had a pre-understanding that ‘child-safe organisations’ were uncontested as a legitimate child protection – child welfare endeavor. I assumed there might be some controversy about the financial cost to demonstrated benefit of pursuing to the limits some of the strategies suggested as achieving a ‘child-safe’ organisation outcome and a concern about unintended consequences. However, I did not consider the general desirability of such a pursuit would be seriously challenged. Consequently I envisaged the research would be primarily directed toward representing child-safe organisations. However, the research process has demonstrated that regardless of cost the concept ‘child-safe’ and some of the strategies promoted as underpinning a ‘child-safe organisation’ outcome are not universally accepted as beneficial child protection and child welfare concepts and strategies. Alvesson and Skoldberg’s (2000, 144) observation that research ‘should promote critical reflection and emancipation from frozen ideas and ideational patterns...the process of research must include self reflection’ is applicable to me in this case.

RESEARCH OBJECTIVES

The research objectives developed to respond to the research questions are:

- i. Explore the child-safe organisation discourse.
- ii. Identify the framing underlying the strategies promoted as the means of building child-safe organisations.
- iii. Identify the requisite features of a ‘child-safe’ organisation from the perspectives of relevant stakeholders, including relevant professional groupings (social work, administration, law, and insurance).
- iv. Develop a framework that will provide a stimulus for organisations to assist them represent themselves as ‘child-safe’ to their stakeholders, while striving to make explicit limitations.

THEORETICAL FRAMEWORK

This research aims to create a pathway to satisfy what I hold to be a moral imperative for those responsible for organisations – to reflect on and demonstrate organisational safety and concern for children and vulnerable people. That there is a declared moral imperative is consistent with the view expressed by Kincheloe and McLaren (2005, 305): ‘Critical researchers often regard their work as a first step toward forms of political action that can redress the injustices found in the field site or constructed in the very act of research itself’.

Kincheloe (2001, 2005) likens a social researcher to a ‘bricoleur’, which is a French word for handyman. However, Kincheloe’s (ibid) usage of the term implies far more than a ‘handyman’. In Australian terms it is more akin to a craftsman of skill and ingenuity, perhaps in the tradition of Maslow’s self-actualised person (see Hergenbahn 1997, 518 - 523) or a Renaissance man or woman. Kincheloe’s (2001; 2005, 325) description of a bricoleur: ‘We actively construct our research methods from the tools at hand rather than passively receiving the “correct,” universally applicable methodologies’, provides a useful rubric for both social work research and practice. In Kincheloe’s terms a research bricoleur requires not only a mastery of multiple methods of inquiry but also of the ‘diverse theoretical and philosophical notions of the various elements encountered in the research act’ (2001, 682). In the absence of this expertise ‘entities are often removed from the

contexts that shape them, the processes of which they are a part, and the relationships and connections that structure their being-in the world'(ibid, 688 - 689).

The social theorist and philosopher Zygmunt Bauman also advocates broad mastery and reflexivity if research is to further 'emancipatory' interests:

Technical and practical imperatives may well be met without people being conscious of their imperatives. This does not apply to emancipatory interests. It may exist only in conscious form; it becomes reality once it has been identified, recognised and admitted. In this sense it may be said emancipatory knowledge generates not only assertions about reality but the very reality of which assertions are made. (Beilharz 2001, 158)

In 1970 Paulo Freire (1993, 37) described a method of bringing reality into being: 'First the oppressed unveil the world of oppression and through praxis commit themselves to its transformation'. With this in mind, this project's bricolage contains elements from broadly defined critical theory (Patton 2002, 130 - 131; How 2003; Alvesson and Sköldbberg 2000, ch 4). Critical theory is included in the project's armory because of its commitment to social justice and emancipatory outcomes. That is, the belief that a socially just and emancipatory outcome will follow from a lessened power imbalance between those involved in owning, profiting from and administering children's service organisations and those receiving services from them, which can be achieved by generating accessible knowledge about what constitutes a child-safe organisation.

The axioms associated with a naturalist research paradigm set out by Lincoln and Guba (1985, 37) reflect my research ontology: 'Realities are multiple, constructed, and holistic; knower and known are interactive, inseparable; only time and context-bound statements ... are possible; all entities are in a state of mutual simultaneous shaping ...; and inquiry is value bound'. Consequently, 'different people may construct different meaning from the same phenomenon' (Crotty 2003, 9).

Kaspersen's (2000, 28) description of Giddens' double hermeneutic is relevant to this research:

Within social science we can speak of a double hermeneutic, as the researcher observes and interprets a reality which is already interpreted by the laypersons who

themselves constitute the researcher's object ... In this way concepts and theories, i.e. interpretations, circulate back and forth between the social scientist and the target group.

Human knowledge is forever locked within the limits of human capacity, understanding, and pre-existing knowledge. While human knowledge is limited, humans' actions to create the sort of society within which they wish to live cannot be deferred. Therefore a community's need to move to action is always ahead of its knowledge. As each action creates new knowledge possibilities there is a perpetual lag from action to knowledge. To this time in history this appears true of the 'hard' sciences as well as the social sciences.

I consider social groups and communities establish both ephemeral and long-standing normative and legal standards for its members, which, all things being equal, advantage pre-existing power and privilege cliques. That there exists this tendency for a society to reproduce in the interests of those who have power and privilege is at the expense of children and other vulnerable groups who generally have neither power nor privilege. The role of social work from this view is to support and advocate alongside these less powerful groups. The objects of this research – childhood, children's organisation, child-safe and child-friendly organisations and environments, child abuse and child protection – are shaped by human agency (and vice versa), which is influenced by time, place, power and culture and then subject to processes whereby normative and legal standards are developed and sometimes enforced. This emancipatory research aims to contribute to this shaping and, to paraphrase Bauman (Beilharz 2001), make assertions about their reality.

My actions in the world are shaped by strongly held and felt emotional and spiritual intuitions and beliefs, and a belief that other people have spiritual and emotional natures and needs. This is not to imply a view that there is a correct expression of these aspects of existence. However, my view is that as far as being human and being social are concerned there are valid suprarational perspectives. From my perspective the spiritual and emotional dimensions to our existence are nurtured by a caring community and caring for the community, meditation, ritual and generosity. Consequently those who practice philanthropy and work toward a more just community feel spiritually and emotionally rewarded. Caring about and responding sensitively to others in the community and especially those who are experiencing special need or vulnerability, for example children,

the impoverished, the frail, refugees, the bereaved and those with intellectual disability are examples of philanthropy which are ultimately satisfying, rewarding and sustaining for the individual who acts, and beneficial for the recipient and the community.

My test for the value of ‘child-safe organisation’ or at least the concepts behind the phrase is ultimately practical: Whether adherence to practices derived from the concept improve children’s lives and whether there is anything about those practices which might prove to be an obstacle to that improvement (see Baggini and Fosl 2003, 192). I believe a more just community – which is better for children – can emerge through the agency of reflective and reflexive individuals and groups who are concerned about children’s participation in the community, and justice. For human agency to be enacted in organisations to make them more child-safe, providing all stakeholders with safe spaces and time for exploration and refinement of the concepts and their expression needs to become incorporated in each organisation’s operating cycles and reporting frameworks.

RESEARCH DESIGN AND METHODOLOGY

Given the theoretical framework and the nature of the research question a qualitative research design was chosen as enabling me to study this ‘phenomenon or situation in detail, holistically and in its context, finding out about the interpretations it has for the people involved, and about their meanings and purposes, or trying to see what processes are involved’ (Punch 2005, 240).

Early in the project’s formulation it was envisaged the research design would be built around participant observation, participant interviews, data analysis and interpretation. The literature anticipated to inform this endeavor therefore was about observation (e.g. Bogdewic 1992), interviews (e.g. Kvale 1996, 2007), interview analysis and interpretation (e.g. Miles and Huberman 1994). As the research project progressed its design changed. The design was influenced through supervision (Crawford 2006) and reading texts. Alvesson and Skoldberg (2000) and Kincheloe (2001, 2005) were particularly influential. They promoted a reflexive methodology; a multi layered approach to qualitative research. They held a research object must be examined from different methodological perspectives. Alvesson and Skoldberg were critical of generating research findings solely from data-orientated research methodology. Consequently, while observation, interviews, analysis

and interpretation remain a substantial part of this project, other ways of understanding the research object were utilised.

For the sake of clarity the research's design is presented as six steps. However, its application was more like building a bird's nest (a metaphor borrowed from my supervisor); actions consistent with the steps below being interwoven. For example, the list implies interviews were undertaken as a later step. However, a number of interviews were undertaken as the first step, to make sure the research questions and interview formats were going to be viable and to obtain a general understanding of the way interviewee's interpreted the phrase 'child-safe organisation'. The steps are listed:

1. Identify organisations and individuals associated with promoting child-safe organisations. Develop and document an expressible understanding of how 'child-safe organisations' came to be a feature of the Australian child-welfare landscape in the 2000s. Monitor current events and literature to include significant events apropos the research which might occur throughout the period of the project.
2. Study the phrase 'child-safe' organisations. Research the role language, metaphor and other literary devices play in people's construction and understanding of the social world. Research the different ways a novel phrase acquires meaning. Apply this knowledge to the words that constitute the phrase 'child-safe organisation'.
3. Identify, review and thematically analyse a range of secondary source documents (Merriam 1998, ch 7). Identify strategies commonly promoted as creating child-safe organisations and describe these strategies. Utilising thematic analysis, search for underpinning frames. Create a typology of these frames.
4. Observe, participate and interview. Transcribe and analyse. Develop a child-safe organisations framework from the data derived from interviews.
5. Calling on all the information acquired throughout the project, critique the framework.
6. Reiterate the project and update it.

The overarching research method can be described as both a collective case study method, where ‘the case is of secondary interest, it plays a supportive role, and facilitates our understanding of something else’ (Stake 2005, 445), and as a generic or basic qualitative study (Merriam 1998, 11). Within the broad frames of a collective case study and a basic qualitative study different methods were used to conduct the research. Consistent with the research design the methods chosen were:

- Semi-structured in-depth interviews;
- Open ended questionnaires;
- Group discussions and workshops;
- Analysis of extant documentation (including organisations’ policies, court judgments, insurers’ advice, Australian governments’ Hansards, Australian governments’ and government funded agencies’ website advice and ‘child-safe’ packages);
- Participant observation;
- A researcher’s log.

At the outset I commenced developing a personal narrative to position myself professionally and personally. The purpose of this was to make personal experience an integral part of the research, to contribute to the analysis of the professional discourse(s) – to think critically, historically and biographically (Denzin 2002, 350) and to consider seriously the effect the researcher will have on the research (Patton 2002, 568).

RESEARCH LIMITATIONS

There are two major limitations to the research. The first limitation is that children are not included among the stakeholder groups. This decision to not include children respondents was made because of foreseeable ethical and project management hurdles. A child focused approach (see Mason and Fattore 2005; Mudaly and Goddard 2006; Daly 2009) to understanding child-safe organisations is recommended later as the subject of a separate research project (see page 238 of this thesis). The second limitation is that participating organisations delivered services primarily to adolescent children. Other organisation types, for example those providing services to pre-adolescent children or to mixed age groups or

special client groups, for example children with disability, were not considered in this research.

SIGNIFICANCE OF THE RESEARCH

The research project is seen to be significant for three major reasons. First, the project aims to bring about significant societal change to benefit children. If the changes envisaged are implemented, organisations providing services to children will:

- Have a deep appreciation of what it means to be ‘child-safe’;
- Provide a representation to children, parents and other stakeholders about how it is ‘child-safe’.

From my perspective these pursuits are at the heart of preventative social work, where social worker’s work to ‘maximise the capacity of people using services – enabling individuals as far as possible to become “expert clients” or informed clients’ (Scottish Executive 2006, chapter 4).

Second, this research targets an aspect of child abuse prevention which is currently receiving funding and attention from government notwithstanding it is widely agreed that knowledge about it is lacking and further research is needed. While, *prima facie*, investment in preventing organisational maltreatment is promising there are various threats, for example:

- The anticipated abuse prevention outcome might not be realised;
- There might be a perverse outcome – where the increased expectations of organisations delivering services and accompanying liabilities result in fewer services for children.

The research is timely because it contributes to a discussion at the beginning of a trend to invest state and professional resources in preventing organisational maltreatment.

The third significant aspect of this research is it has potential to add to the call for further social work research and academic focus on the prevention of the organisational maltreatment of children as a strategy within social work’s child protection work. It is contended child abuse ought not to be constructed within the profession as occurring solely

or predominantly within families, as the product of dysfunctional family dynamics. Irenyi et al. (2006, 20) says:

Organisational maltreatment is outside of the area of expertise of most child welfare professionals who most often focus on intra-familial abuse. In many cases when such professionals respond to extra-familial abuse, it is at the individual level of victims or perpetrators rather than at the level of the environments in which they offend.

ORGANISATION OF THE THESIS

The thesis is organised into six chapters. This chapter, *the introduction*, makes a case that child-safe organisations are relevant to social work's child protection project and are worthwhile objects of study, albeit that they are under studied. The chapter lays out the author's understanding of events in Australia resulting in the concept of child-safe organisations being one which is topical for governments, relevant professions, such as social work, administration and law, and for the stakeholders of organisations which deliver services to children. The chapter is structured according to a conventional set of headings which foreshadow the project's research questions and objectives, its theoretical frameworks, design and methods, and its limitations and significance.

Chapter 2, *the background to the study*, expands on parts of the introduction. It considers how some organisations compromise the safety of children because of an ill-conceived purpose or one which is antithetical to children's welfare, flawed design or lack of resources. The Western Australian Government's 1990s boot camp initiative, Camp Kurli Murri, and the Federal Government's immigration detention of refugee children are provided as exemplars where children's safety was compromised at the outset of a venture. Chapter 2 sketches the emergence of widespread Australian consciousness about child abuse in organisational settings starting with allegations of abuse in church children's homes, and then given momentum by the Wood Royal Commission's report into paedophilia (Wood 1997). The chapter proposes that a social movement comprised of organisations promoting child-safe organisations emerged from this consciousness. In the thesis the movement is termed the *child-safe organisations movement*. The child-safe organisations movement's discourse is considered through an analysis of the words and

phrases which underpin it, the strategies proposed to make organisations child-safe and their framing.

Chapter 3, *methodology*, elaborates the research project's methodology, which was foreshadowed in the introductory chapter. Relevant research literature is cited and utilised to provide a methodological foundation for the research project. The chapter provides background to the way the research project's participants were identified and selected. The chapter sets out the methods utilised to collect data to answer the research's objectives and questions.

Chapter 4, *data analysis*, provides a detailed description of the process by which the data were analysed. It uses the input of those interviewed and concludes by presenting a part of the product generated through this research, the child-safe organisations framework.

Chapter 5, *discussion*, discusses the child-safe organisations framework. The discussion is initially about the framework as a whole. It then focuses on each of the themes derived from the primary source data. The purpose of the discussion is not solely to amplify the framework, but also to critique it. The reason for taking a critical approach to the framework is because I argue that the framework is only useful if those who use it understand its limitations.

Chapter 6, *conclusion*, provides an overview and summary of the project, and reflects on my learning throughout the research project, as a beginning researcher and as a social worker. The chapter then makes recommendations for future research. The main message taken from the research project concludes the thesis: Those responsible for children's service organisations who wish their organisation to be adjudged as child-safe must adopt a 'warts and all' understanding of the hazards endangering children in organisations, including the danger of making them safe. They must then provide the time, space and resources to effectively engage stakeholders in a process of reflection and action.

CHAPTER 2: BACKGROUND TO THE STUDY OF CHILD-SAFE ORGANISATIONS

INTRODUCTION

This research poses the questions: What is a child-safe organisation? How can an organisation's child-safe status be effectively represented to relevant stakeholders? In this chapter these questions are approached by considering how the Australian community's increased awareness that children's organisations are not (always) safe for children has led to the creation of a social movement which aims to define and promote child-safe organisations. It is claimed this child-safe organisations movement is neither formally structured nor homogenous – though parts appear to be. Rather, it is suggested it is bound by two broad assumptions, namely a) that there are risks of harm to children in organisations and b) these risks can be lessened if certain strategies, processes and actions are adopted. It is also argued that while these broad assumptions bind the movement, there are differences within the movement which may confuse organisation stakeholders wishing to adopt the child-safe organisations movement's recommended practices. Research and opinion which challenges the wisdom and benefit of promoting child-safe organisations are also considered.

While understanding what makes organisations safe for children is under-researched and in need of more research (Beyer, Higgins, and Bromfield 2005; Gallagher 2000; Wolfe et al. 2003), in Australia, Beyer, Higgins and Bromfield (2005) from the Australian Institute of Family Studies were commissioned on behalf of the Australian Governments' Community Services Ministers' Advisory Council's Child Safe Organisations Working Group to inform the creation of a national framework for creating safe environments for children. Their review, 'Understanding organisational risk factors for child maltreatment: A review of literature', provides a valuable point of reference for someone working in this area of child welfare. The Ministers' subsequent release of the 'A national framework: Creating safe environments for children – Organisations, employees and volunteers' adopts as a principle 'the rights, interests and safety of children are the focus of the framework'. Given children have a recognised right to be safe it is relevant to the research to consider why it was apparently necessary to use the word 'safety' as well as the word 'rights'.

Keeping children safe by preventing and responding to child abuse or child maltreatment (terms used interchangeably) is the child protection movement's traditional cause and priority focus. Promoting a range of children's rights, including a child's right to be safe, express opinions and be heard on matters which affect them, is the child's rights' cause.

Beyer, Higgins and Bromfield's (2005) review was tasked with examining organisations' risk factors for child maltreatment. So, it appears their task was commissioned from a child protection perspective, that is, from the perspective of preventing and responding to child abuse or child maltreatment. However, their examination of the subject of child-safe environments from the child maltreatment perspective resulted in the promotion of a focus framed by a broad child rights context. The review states:

Part of young people's rights under the United Nations Convention on the Rights of the Child (1989) is the right to express an opinion and to have that opinion taken into account in any matters or procedures affecting them (Article 12) (9) (Bessant 2004). This right should be incorporated into statements of rights and obligations and likewise incorporated into organisational practice. Young people must be given opportunities to give opinions and suggestions as part of the organisational processes and to have them considered in a serious manner. Part of this process is enabling children to report abuse without fear and with an expectation that they will be protected. (Beyer, Higgins, and Bromfield 2005, 93)

THE UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD

The United Nations Convention of the Rights of the Child (UNCROC) entered into force in Australia on 16 January 1991 and is an important part of the history of the child-safe organisations movement in Australia. It is quoted often by organisations, including state and territory governments, when promoting the child-safe organisations cause. Article 12 of the UNCROC states in its entirety:

12.1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

12.2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law. (United Nations General Assembly 1989, 7)

Beyer, Higgins and Bromfield (2005) propose a child's right to 'express an opinion and to have that opinion taken into account in any matters or procedures affecting them' should be incorporated into an organisation's statement of rights and obligations as 'young people must be given the opportunities to give opinions and suggestions as part of the organisational process and have them considered in a serious manner'. However, it can be argued this expression stretches the meaning of Article 12. Article 12 qualifies the child's right to expressing views about decisions which affect him or her and gives 'due weight' to the child's views, based on a judgment about their age and maturity. That the right is moderated by these judgments, concerning the sorts of decisions that affect a child and a child's age and maturity, is not always spelled out by those promoting child-safe organisations. More frequently it is written that an imperative for an organisation wishing to be judged as child-safe is that children are empowered and their opinions are heard and taken seriously.

Article 19 of the UNCROC also provides a potential rubric for child-safe organisations, it states:

19. 1. States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

19. 2. Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement. (United Nations General Assembly 1989, 9)

Beyer, Higgins and Bromfield (2005) associate a child's right to report child abuse with the child's right to speak out and for their opinions to be heard. The right to report is not overtly associated with the obligations imposed on a State to protect children and to develop protective measures as prescribed in Article 19.

With respect to child-safe organisations it seems if the UNCROC is taken as a starting point, a child-safe organisation can be framed through either a child rights (Article 12) or a child protection (Article 19) lens, or both. It is likely the relevance of the UNCROC's articles 12 and 19 to a particular organisation is determined by the age and maturity of the child, the type of matter under review and the organisation's culture. In coming to understand what a child-safe organisation is, or might be, this thesis is concerned with these issues and in understanding how an organisation can be effectively represented as child-safe to stakeholders.

CONCEIVING AND DESIGNING SERVICES

While this thesis is concerned primarily with what happens in children's organisations and children's services, prior to an organisation or service becoming operational critical decisions are made about its mission, purpose and values, the programs it will provide, its physical layout and design, its management and professional structures, and the level of resources which are to be allocated to it. These decisions can determine from the outset whether a service has the potential to deliver services more or less safely. The chapter now proceeds with a consideration of decisions to establish services which from the outset unnecessarily compromised children's safety and well-being.

Organisation-related child abuse can arise out of an organisation's poor design, inadequate resources or inappropriate methods of service delivery. Also, there is a likelihood that when the state 'frames' a child or group of children as hostile or uncontrollable, purposively designed services will override children's rights and be institutionally abusive. Gil (1982) states institutional child abuse occurs when a system is 'detrimental to a child's health, safety, or emotional and physical well-being or in any way exploits or violates a child's basic rights'.

For example, Quinn's (2004, 4) examination of New South Wales' children's institutional system led him to conclude: 'Throughout most of the twentieth century an underlying

attitude to children committed to institutions was that they belonged to a criminal class and for most part would remain part of that class. This attitude led to excessive regimentation, harsh discipline and illegal punishments'. An inquiry in the 1930s into the running of the New South Wales Government's Yanco Boys' Industrial School catalogued some of these punishments: 'One boy had been punished for absconding by being forced to run nine miles around the oval. He had also been made to engage in bare-knuckle boxing with five inmates who were permitted to punish him' (Kociumbas 1997, 171).

When contemporary standards are applied to earlier actions, examples of institution located abuse, such as outlined above by Kociumbas (*ibid*), are often easily recognised. However, in Australia there are also examples of governments' planned children's services being condemned at conception by the day's child welfare advocates and then, when operationalised, judged as abusive when measured against the era's child welfare standards. Two examples detailed below are Western Australia's Camp Kurli Murri and the Federal Government's immigration detention of children system.

CAMP KURLI MURRI

In Western Australia, Camp Kurli Murri is an example of a potentially abusive State conceived and designed system of care. The State's government department responsible for child welfare has long held the institutionalisation and detention of children should be a last resort (Anderson 2003). In this respect Western Australia's position is the same as the other Australian states and territories and is consistent with Australia's international obligations under Article 37(b) and (c) of the UNCROC, which states:

37. (b) The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time;

37. (c) Every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age. In particular, every child deprived of liberty shall be separated from adults unless it is considered in the child's best interest not to do so and shall have the right to maintain contact with his or her family through

correspondence and visits, save in exceptional circumstances. (United Nations General Assembly 1989, 16)

Australia qualified its commitment to Article 37 (c) of the UNCROC in the following terms:

The obligation to separate children from adults in prison is accepted only to the extent that such imprisonment is considered by the responsible authorities to be feasible and consistent with the obligation that children be able to maintain contact with their families, having regard to the geography and demography of Australia (Department of Foreign Affairs and Trade 1991, footnote 4).

In effect Australia's qualification to article 37 (c) of the UNCROC relied on arguably a more important right – the child's right to contact with their family – overriding the right for them to be separated from adult prisoners.

The policy position that detention or imprisonment should be only an option of last resort is not only philosophical, based on a child's human rights, it is supported by a body of evidence that the institutionalisation of children fails to benefit them and causes unintended negative consequences (Bateman, 2001). With respect to Aboriginal children, the "Bringing them home" report (Australia. Human Rights and Equal Opportunity Commission 1997) recommended:

That the national standards legislation provide that removal of Indigenous children from their families and communities by the juvenile justice system, including for the purposes of arrest, remand in custody or sentence, is to be a last resort. An Indigenous child is not to be removed from his or her family and community unless the danger to the community as a whole outweighs the desirability of retaining the child in his or her family and community.

This recommendation, which restated then existing State policy, was in part based on the findings of the earlier Royal Commission into Aboriginal Deaths in Custody (*Indigenous law resources: Royal commission into Aboriginal deaths in custody* 1998). The Royal Commission's recommendation was informed by evidence adduced from Dr Paul Wilson from the Australian Institute of Criminology:

Partly as a result of the failure of rehabilitation, sentencing policies have reacted against 'treatment' and emphasised instead, firm and severe punishment. The

problem here is that, like other approaches, policies based on punishment have not lowered recidivism or youth offending rates. Also, severe punishment policies are highly expensive and singularly out of favour with most experts who regard institutionalisation of youthful offenders as dehumanising and perhaps, criminogenic. (Johnston 1991, para 14.3.64)

However, notwithstanding then extant knowledge, in 1995 the Western Australian Government established Camp Kurli Murri at Laverton nearly 1,000 kilometres from Perth for non-violent offenders aged between 16 to 21 years who had not previously been incarcerated. Camp Kurli Murri, which ceased operations in 1997, was described in an Australian Law Reform Commission report as a United States style ‘work camp’ for juvenile offenders. Atkinson (1995, 2) sets out how such regimes:

Capitalise on the transformative power of stress (shock) to inculcate behavioural and attitudinal change. In general, prisoners experience stress at the start of a period of incarceration. That stress is exacerbated in the structured, authoritarian environment of boot camps. In the early days of boot camp detention uncertainty prevails and previous behavioural responses are found to be inadequate for gaining control of the new situation. It is a watershed time when defences are down and when, it is argued, the conditions for change are optimised.

The language used by the then government minister responsible for Camp Kurli Murri in a media release is consistent with Atkinson’s ‘boot camp’ assessment. Hall (1994, 1) quotes the release:

The creation of Military style camps would act as a punishment for criminal behaviour and also instil a sense of self discipline and control in young offenders... The mix of strong discipline and hard work could just be what's needed to turn some of these offenders around and divert them from re-offending.

That Camp Kurli Murri was established for children and young adults who had not previously been incarcerated and who had not committed violent offences meant in all probability that for such children incarceration was not a last resort, thereby placing it in conflict with the UNCROC and Western Australia’s child welfare policy. Ironically, keeping in mind Australia’s qualified support for Article 37(c) of the UNCROC, Camp

Kurli Murri placed some children from the Perth metropolitan area in a remote location, incarcerated alongside adults. Such placement made it more difficult for these children to maintain contact with their families.

In 1996 His Honour Kingsley Newman reviewed Camp Kurli Murri and recommended its closure, his conclusions about the Camp included:

- The location is too remote to allow any contact with family or significant others;
- The location of the camp places Aboriginals from the metropolitan area “outside their territory”. This has cultural implications;
- No objectives have been formulated for the camp resulting in staff developing inconsistent management styles and a lack of cohesion;
- Effective leadership is missing;
- There is no structure to measure performance;
- Staff have insufficient training and do not have adequate professional help to teach any quality treatment program;
- Remedial education is not provided;
- Some offenders have been sent to the work camp in spite of the fact they were assessed as being psychologically unsuitable. (Newman 1996, 125 - 130)

Newman’s criticisms were not solely about the day to day operations of Camp Kurli Murri. They were criticisms of the very design of the Camp in terms of its conceptualisation, resource allocation, organisational structure and service delivery capability. That Camp Kurli Murri could come to fruition is testimony to the low relative priority given to child welfare when it came to the State’s response to ‘troublesome’ children coupled with its electoral need to be seen to be responding in a sufficiently ‘tough’ manner to such children (Buttrum 1998, 65). Those who designed Camp Kurli Murri were driven by their need to deliver to Western Australia’s politicians a children’s detention service which satisfied a political commitment made to the community to ‘get tough’ with young offenders. In doing so those who commissioned and designed the service turned a deaf ear to the concerns voiced by child welfare advocates, or at least discounted that voice when it was pitted against a child control agenda.

THE FEDERAL GOVERNMENT'S IMMIGRATION DETENTION OF CHILDREN

The Federal Government's immigration detention for children system was reviewed by the Australian Human Rights Commission in 2001. The 'A last resort? National inquiry into children in immigration detention' (Australia. Human Rights and Equal Opportunity Commission 2004) report found, among other things, the Commonwealth's detention system failed to ensure children were treated with humanity and that the failure to remove children from detention on repeated recommendations from mental health professionals amounted to cruel, inhumane and degrading treatment.

WHOSE RESPONSIBILITY?

While the negative judgments passed on Camp Kurli Murri and on the Federal Government's immigration detention of children are well documented, it is difficult to assign responsibility to any individual. Forde (1999, 29) comments on this sort of dilemma: 'It is essential that consideration is given to all the players who are "cooperating" – whether consciously or unconsciously – in creating a high-risk environment for children. At the same time it is important to recognise the 'convenience' of placing the blame so widely that no one is left responsible'. What is clear is that an organisations' safety can be predetermined, before service delivery commences, by the way those responsible 'frame' the children it aims to serve, and allocate resources.

A NEW AWARENESS ABOUT ORGANISATION-RELATED CHILD ABUSE

In Western Australia allegations of wide-spread organisation-related child abuse in children's organisations were made on the weekend of 15 and 16 August 1987 when a newspaper, the now defunct *Western Mail*, ran a feature about past abuses of child migrants from the United Kingdom and Malta in Christian Brothers' children's homes. Ultimately such disclosures led to the establishment of government inquiries in Australia, the United Kingdom and Malta into the treatment of child migrants and in Australia more broadly into the treatment of children in institutional care.

These and other Australian federal and state inquiries and commissions have unequivocally informed the Australian community many children's missions, children's homes, juvenile justice facilities (known as training, remand, and detention centres, and industrial schools), and other institutions which had been part of the fabric of child welfare service delivery in Australia in earlier eras were abusive to children. There are many such inquiries, including:

- The Federal Government's: Royal Commission on Aboriginal deaths in custody (*Indigenous law resources: Royal commission into Aboriginal deaths in custody* 1998); Bringing them home: Report of the national inquiry into the separation of Aboriginal and Torres Strait Islander children from their families (Australia. Human Rights and Equal Opportunity Commission 1997); A last resort? National inquiry into children in immigration detention (Australia. Human Rights and Equal Opportunity Commission 1997); Lost innocents: Righting the record' (Australia. Senate Community Affairs References Committee 2001); and Forgotten Australians: A report on Australians who experienced institutional or out-of-home care as children (Australia. Senate Community Affairs Committee 2004).
- The Wood Royal Commission into the New South Wales Police Service (the Wood Royal Commission) – The paedophile inquiry (Wood 1997).
- Report of the commission of inquiry into the abuse of children in Queensland institutions (Forde 1999).
- The South Australian 'Children in state care: Commission of inquiry allegations of sexual abuse and death from criminal misconduct' (Mullighan 2008).

A Christian Brother, Doctor Barry Coldrey, has particular insights into child abuse by religious orders. He was commissioned by the Western Australian Congregation of Christian Brothers to write a history of its involvement in institutional care for children. His book, 'The scheme: The Christian Brothers and child care in Western Australia' (Coldrey 1993) details child abuse by the Christian Brothers. Relevantly Coldrey's submission to the Australian Senate's inquiry into children in institutional care suggested it pursue:

The placement by the churches of known molesters as chaplains in the homes to get them out of the way (with the hope that the staff, or ‘the Sisters’ or ‘the Brothers’ will keep an eye on him);

The general question as to why there was so much abuse in some of or most of the traditional homes for children when most of the staff commenced by thinking of themselves as dedicated and caring, and many of the institutions proclaimed a Christian ethos?

The reasons why the more dedicated staff (according to their talents and the lights of the time) proved quite incapable of exposing or putting a stop to the abusive behaviour of some of their colleagues. (Coldrey 2003, 2-3)

The Christian Brothers in Western Australia are associated with an internationally notorious exemplar of organisation-related child abuse at Bindoon Boys Town after World War 2, when it was under the stewardship of Brother Francis Paul Keaney. The highest expectation of such establishments around the time seems to be captured in the 1938 film *Boys Town*. *Boys Town* told a tale of the triumph of Christian benevolence, wisdom and compassion. Adults exercising wisdom, firmness, charity, guidance, nurturance and unconditional love in a rural environment save children from a corrupted urban life and bring into flower the innate nobility of children – and a delinquent, played by Mickey Rooney, is redeemed. Father Edward Flanagan’s *Boys Town* is portrayed as a better alternative for boys from Omaha’s ‘streets’ than its industrial schools and prisons.

Irish-born Keaney appears to have been publically identified as Western Australia’s own Father Flanagan. On 1 June 1953 Keaney was awarded an Order of the British Empire for his services to children. In 1983 the following biographical entry about Keaney was entered into the on-line edition of the Australian Dictionary of Biography:

To Keaney there were no bad boys; his success with the troublesome ones was widely recognised; often they came to him from the courts. He trusted them whatever their record: doors were left unlocked, responsibility was delegated. The peculiarities of a strict, hard-working father endeared him to some. So did his highly picturesque sayings, impatient outbursts and humour. (Shortill 1983)

However, throughout the latter part of the 1980s, following the *Western Mail's* exposé, the brutality of Keaney's Bindoon Boys Town was revealed. In 1992 the miniseries 'The Leaving of Liverpool' was shown on television in Australia. The film detailed the fictional experiences of two British child migrants, Bert and Lily, who were sent to Australia in the early 1950s. In the film Bert was placed in the care of the Christian Brothers and the brutality and depravity meted out by them during the fictional Father O'Neil's administration is graphically portrayed. Based on what has been written about the histories of Bindoon and Keaney (see Welsh and Blyth 1990), the fictional Father O'Neil is close to Keaney's character. In Father O'Neil's demented actions there appears to be a desire at some level to achieve an obscure beneficial outcome for the children. Butler's (2002, 172) observation on power is germane:

Individuals in positions of authority can devise schemes and strategies within the boundaries of particular institutions which, however misguided or malicious, nonetheless have a plausibility and even a logic to those with a motive to pursue them.

First-hand accounts were published and continue to be published about both the gross and subtle abuses of child migrants and Australian children in institutional care including: in 1990, 'The Bindoon file: Boys town Bindoon 1947 – 1954' by Lionel Welsh, a former child migrant (Welsh and Blyth 1990); in 1998, 'Out of darkness: Growing up with the Christian Brothers' by Ivor Knight a former ward of the state who was in the care of the Brothers from the age of 5 in 1938 (Knight 1998); in 2003, Patricia Hughes' 'Daughters of Nazareth' about her experiences with Catholic nuns in an institution called Nazareth House (Hughes 2003); in 2007, Ryszard Szablicki's 'Orphanage boy: Through the eyes of innocence' which details his life in the care of Catholic nuns and brothers and includes allegations of a nun's paedophilia (Szablicki 2007); and, again in 2007, 'The forgotten children: Fairbridge farm school and its betrayal of Australia's child migrants' by David Hill, the former Chairman and then Managing Director of the Australian Broadcasting Commission, who was in the care of Fairbridge at Molong in New South Wales in 1959 (Hill 2007). Other authors who had not shared the experience of institutional 'care' advocated on behalf of victims and contributed an additional dimension of analysis. As well as Coldrey's (1992, 1993) works other examples include: Margaret Humphrey's

‘Empty cradles’ (1995), Alan Gill’s ‘Orphans of the empire: The shocking story of child migration to Australia’ (1997) and Bruce Blyth’s ‘In the shadow of the cross’ (1997).

Serving and former religious assessed by the Federal Government’s committees of inquiry to be ‘child abusers’ were named in the Australian Parliament. The Senate Community Affairs References Committee report (2001, 117) on child migration recorded:

The Committee considers that in the knowledge that has now come to light of Brother Keaney being a particularly brutal person in his treatment of boys under his care and that in relation to his building program, young children were exploited and subjected to unnecessary risk of accident due to unsafe work equipment and practices, the OBE should be cancelled and his appointment annulled.

Keaney’s biographical entry referred to earlier was updated from its original entry to read: ‘Conversely, some former inmates remember him as a brutal disciplinarian with an ungovernable temper, who neglected their education, exploited their labour and turned a blind eye to sexual abuse of them by other members of staff’ (Shortill 1983).

Keaney and others at Bindoon were never charged with criminal offences though a number of those named were alive when allegations about their abusive behaviours were aired in the press in the late 1980s and subsequently. The Wood Royal Commission offered an explanation for the failure to charge and prosecute alleged perpetrators of crimes against children in similar circumstances, at least as far as New South Wales was concerned:

in very many cases, investigations or prosecutions of these incidences had been suppressed, discontinued, or failed in circumstances suggestive of either protection or failure on the part of the official agencies involved to exercise their powers impartially; (Wood 1997, 991)

However, in 1994 in the Western Australian Supreme Court of Appeal (*Gerard William Dick v the Queen* BC9402026 Supreme Court of Western Australia Court of Criminal Appeal) Gerard Dick, who had previously been placed as a Christian Brother at Bindoon Boys Town in Keaney’s era, lost an appeal against the length of his term of imprisonment for assaulting a boy under the age of 14 years between 1960 and 1965 at another Christian Brothers’ Boys’ Home’, Castledare.

Despite the small number of criminal cases, awareness about past institutional abuse and inadequate responses were raised as various 'official' documents became available through the internet to the professional community, other victims and the community generally. This documentation included victims' submissions to governments' inquiries (e.g. McGregor 2003), courts' transcripts and the various inquiries' findings.

COURTS' TRANSCRIPTS

In *Carter v Corporation of the Sisters of Mercy of the Dioceses of Rockhampton & Ors* [2001] QXA 335 at 44 and 45, Judge Atkinson sitting on the full bench of the Queensland Court of Appeal provided a detailed and harrowing description of Ms Carter's alleged 1961 sexual assault as a 7 year old girl in the Neerkol Children's Home in Queensland:

At the time of first sexual assault, Ms Carter says she was playing with another girl around the area of the men's living quarters. They were playing with matches and were trying to light a cigarette. Mr Baker saw them and walked over. The girl with whom Ms Carter was playing ran away and Ms Carter was left alone with Mr Baker. He asked her to go with him, which she did thinking he was taking her to the Mother Superior. Instead he took her down under the steps of the working quarters. He sat her on the dirt and told her he was going to teach her a lesson. He moved her legs apart and pulled her underpants to one side and fondled her genitals. The applicant was frightened and cried throughout.

Other instances of abuse are alleged to have followed. Mr Baker also used to make Ms Carter meet him in his room. She complied as she was afraid to disobey him and felt that there was nothing she could do to stop him. During these visits, the level of abuse is alleged to have escalated, with instances of ejaculation and forced oral sex and occasions when he sexually assaulted her with an empty soft drink bottle. Ms Carter was, she alleges, only seven years old the first time she had sexual intercourse with Baker. It caused pain and bleeding. From this time on, B continued to have sexual intercourse with Ms Carter at least once a week, with the frequency increasing to a daily occurrence by the time Ms Carter left the orphanage.

INQUIRIES' FINDINGS

It is not possible to better describe the reported systematic depravity experienced by some children than that provided by the Senate inquiry into child migration:

The accounts of sexual abuse and assault at these four institutions are horrendous, supporting and amplifying the UK Committee's description of 'quite exceptional depravity'. The stories from the ex-residents of Bindoon, Castledare, Clontarf, and Tardun provide an account of systemic criminal sexual assault and predatory behaviour by a large number of the Brothers over a considerable period of time. Evidence was given of boys being abused in many ways for the sexual gratification of the Brothers, of boys being terrified in bed at night as Brothers stalked the dormitories to come and take children to their rooms, of boys as 'pets' of the Brothers being repeatedly sodomised, and of boys being pressured into bestial acts. (Australia. Senate Community Affairs References Committee 2001, 4.20)

These many accounts of institutional abuse documented widely in autobiographies, newspapers, films, submissions to inquiries and court records made it evident to those concerned about children's welfare and interested in preventing child abuse that when child-care organisations were infiltrated by abusive individuals or managed by abusive and neglectful individuals, persistent and extreme forms of organisation-related child abuse flourish. This knowledge became coupled with a subsequent realisation: When faced with evidence of organisation-located abuse many organisations, including governments, acted to limit their legal and financial liabilities. In Carter's case (*Carter v Corporation of the Sisters of Mercy of the Dioceses of Rockhampton & Ors* [2001] QXA 335), cited above, Mathews (2004, 37) summed up the why the application failed: 'In *Carter*, the government pleaded the expiry of the limitation period as a defence, and the plaintiff was denied a civil trial'.

AN ALTERNATIVE VIEW

There is an alternative view which challenges whether the systematic abuse of children occurred in residential child care and, if it did, its extent. Smith (2008) a social worker experienced in managing residential care in the United Kingdom argues social work leaves

itself open to a future allegation of naivety by accepting conclusions about systemic abuse based on poor processes and says the profession has effectively become consumed in a modern day witch-hunt. Smith (ibid) says social work has ‘failed to adopt a suitably critical stance on the subject’ and he raises the possibility that suicides by alleged victims of abuse might follow their difficulty in maintaining false narratives.

Notwithstanding Smith’s view, it is this thesis’ proposition that the Australian community’s acceptance of past widespread child abuse in children’s institutions following government inquiries, victims’ testimonies, court cases and organisations’ apologies has contributed to a current community attitude: all children’s organisations should be overtly committed to children’s safety.

PROBLEMATISATION OF ALL CHILDREN’S ORGANISATIONS

Today the concern about extra-familial organisation-located child abuse is not confined to a particular sort of organisation. In December 2003 when the Australian Senate’s ‘Children in institutional care’ inquiry held hearings in Perth, Senator Andrew Murray summed up this attitude when he spoke to Western Australian Government representatives and asked them about their systems to protect children:

The committee is of the view that people who prey on vulnerable children – paedophiles and others – are in every walk of life. It is just accepted that, as I would put it, from gravediggers to judges you are going to get one paedophile in every 1,000. The committee has had allegations of conspiracies and cover-ups in this state by high-up people and so on. My view is that out of every 1,000 judges and out of every 1,000 gravediggers you are going to find a paedophile or two. You cannot stop that. (Australia. Senate Community Affairs References Committee 2003, 22)

Murray’s views are supported by many child protection experts today. ‘International research shows that child sexual offences cross all races, professions, religions and socio-economic boundaries and no-one can be trusted on the basis of their position in the community or relationship to the child’ (Briggs and Potter 2004, 347). The contention that abusive individuals are present in various occupations is supported by a number of examples:

- In 1995 in the United Kingdom the conviction of a former Olympic swimming coach, Paul Hickson, for the abuse of teenage swimmers over a 20 year time-frame created an epiphanic moment which led to a broader awareness of the problem of child abuse in sport (Brackenridge 2004).
- In Australia, Peter Liddy, a South Australian magistrate since 1974 and chairman of the police disciplinary tribunal utilised his social status as a magistrate and his role as coach at a surf life saving club to sexually abuse young boys. ‘It was reported that victims’ parents trusted a Magistrate, Peter Liddy, because of his professional status’ (Briggs and Potter, 2004). In 2001 Liddy was sentenced to 25-years imprisonment.
- Bernard Tynas, a shopping centre manager from Perth’s Northern suburbs was a member of the service club, APEX, which in partnership with Princess Margaret Hospital for Children for 19 years provided a camping holiday for seriously ill children. The holiday known as ‘Operation Snowman’, was supervised by hospital staff and APEX volunteers. Tynas was the ‘Snowman’ and in charge of the 2002 and 2003 camps when he abused a number of the children. He was subsequently extradited to New South Wales, convicted and sentenced. Tynas was responsible for APEX’s volunteer screening procedures. Bruce Kelman, APEX’s Western Australian president, said Tynas ‘put a phenomenal amount of work in the project’ (Taylor 2004).

INDIVIDUAL OR SYSTEM FAILURES?

If we presume organisational child abuse stems from unsuitable people working in them: ‘The pathological outsider infiltrating an otherwise healthy system, the focus of prevention will follow; keeping the ‘outsider’ out’ (Hall 2000, 160). Hall (ibid) suggests an alternative perspective; a dysfunctional organisation forges dysfunctional behaviour. However, she argues that it is easier and more profitable to frame abuse around an individual perpetrator: It is easier to think a ‘bad apple’ has come into a system and perpetrated abuse than to consider whether the system itself has created an environment where abuse is possible or even fostered:

We can see how framing the abuser as outsider, somehow ‘slipping through the cracks’, fooling the gatekeepers with diabolical duplicity, is a very workable model,

from the institutional perspective... it leads to a very specific – and limited – kind of legal liability, in which the duped institution may appear as outraged innocent, alongside the violated child. We can also see the clear limits this conceptualization places on the knowable and how it creates its own professional rule: abusers are deviants, or outsiders; insiders, qualified professionals, are not abusers, and ‘signs’ become difficult to read. But what if, as I have suggested, certain institutional norms are conducive to abuse? What if the institution is more *crucible* than honey pot? (Hall 2000; see Wangmann 2004 for a discussion of Hall in the context of the Australian legal system)

The social work and related professions’ demeanors toward child abuse in families and organisations has developed over the past several decades amid expanded knowledge and changed attitudes. While longstanding concerns exist about the exaggeration and misinterpretation of child abuse statistics (see Scott 1995), today, the sexual abuse of children is not considered exceptional. Reputable sources quote that between one in three and one in five females and between one in five and one in ten males are sexually abused as children (Queensland Government: Department of Child Safety n.d., 6). The extent of changed professional knowledge and beliefs about the prevalence of child sexual abuse is evident when it is recalled that as late as 1975 a textbook repeated a statistic derived from a 1955 study by Weinberg that in the Western world incest victims numbered 1 in 1 million children (quoted in Olafson, Corwin, and Summit 1993, 15; Russell 2000, 140). Consequently, prior to the late 1970s, child sexual abuse was often not the frame within which data about children’s behaviour was interpreted. Consider for example Rutter’s (1975, 297 - 298) description of his treatment of an 11 year old girl’s encopresis:

Father regularly examined Gloria’s pants for signs of soiling and he supervised her bathing, sometimes washing her bodily himself...the father-daughter relationship revolved around bathing and checking for soiling ... the preoccupation with cleanliness and the abnormal parent-child interaction continued, so that the physical treatment was combined with counseling the parents and psychotherapy with the girl over the next three months. ...It was suggested that father should no longer bath her.

Today, based on my experience working in child welfare departments and confirmed with a former state employed child protection social worker (K. Archbold, personal communication 23 September 2009), if a father's relationship with his 11 year-old daughter was described to one of Australia's child protection authorities as revolving around him regularly bathing her and checking her for soiling and cleanliness, a child sexual abuse inquiry would probably be raised and investigated, at least to the point of obtaining further information.

GOVERNOR GENERAL PETER HOLLINGWORTH

That institutional child abuse was perpetrated not only on obviously vulnerable children, such as those who were orphans in care or children in detention, was already in focus when in February 2002 the then Governor General of Australia, and former Anglican Archbishop, Peter Hollingworth, appeared on the Australian Broadcasting Commission's television show, *Australian Story*. On *Australian Story* Hollingworth provided his understanding of a sexual relationship from the 1960s between a Bishop of the Anglican Church and a teenage girl who at the time was in the Bishop's and the Bishop's wife's care at an educational hostel:

I think there was a headline over the weekend in 'The Sydney Morning Herald' that said, "G-G spares sex-abuse bishop". Now, that is a headline grabber, isn't it? The great tragedy about this situation is that the genesis of it was 40 years ago and it occurred between a young priest and a teenage girl who was under the age of consent. I believe she was more than 14. And I also understand that many years later in adult life, their relationship resumed and it was partly a pastoral relationship and it was partly something more. My belief is that this was not sex abuse. There was no suggestion of rape or anything like that. Quite the contrary, my information is that it was, rather, the other way around. And I don't want to say any more than that.

Hollingworth's comment on *Australian Story* was analysed by many child protection advocates and generally condemned for its intimation that the sexual relationship between the Bishop and the child was not child sexual abuse and that the abuse was not the adult Bishop's responsibility. The *Sydney Morning Herald* reported one church minister saying

that Hollingworth's refusal to resign as Governor General was exacerbating the pain and suffering of child abuse victims (Roberts 2003). For the remainder of his tenure as Governor General, former Archbishop Hollingworth, at the time easily Australia's most prominent church representative was under intense media and public scrutiny and criticism about his attitudes toward and understanding of paedophilia and the effects of child abuse.

FINANCIAL IMPLICATIONS

In tandem with community and political recognition of the problem of organisation-based child sexual abuse those responsible for the governance of organisations and organisation systems were provided with evidence of possible financial ramifications if they did not prevent various forms of organisation-located child abuse and neglect – not only child sexual abuse:

- The 14 year old girl referred to by Archbishop Hollingworth, Beth Heinrich, whose abuse commenced in 1954 and occurred at a Church hostel, settled her claim for \$100,000 (Rowbotham 2006, 11).
- On 16 June 2000 it was reported on the Australian Broadcasting Commission's "7.30 Report", the Victorian Supreme Court awarded a woman \$495,000 because of her primary school's failure to act on suspicions that as a child she was being sexually abused.
- In 2001 in Queensland a Court awarded a sexual abuse victim \$834,000, \$400,000 of which was by way of exemplary damages against the school where the abuse occurred (Ramsey 2003).
- In the same year in a New South Wales Court a doctor, Paul Hogan, was awarded over \$2.5 million by a jury for the damage he sustained as the result of a 'strapping' while attending a Catholic school in 1984, later dealt with on appeal (*Trustees of the Roman Catholic Church v Hogan* [2001] NSWCA 381).
- On 21 June 2003 the ABC program 'A.M.' reported a Victorian Court had awarded a young woman, Lisa Eskinazi, nearly \$75,000 as a result of bullying she suffered when a year 8 student at Sandringham Secondary College in the mid-1990s.
- In 2007 the New South Wales Supreme Court awarded 21-year-old Benjamin Cox, who was bullied in his early years of primary school, \$1,000,000 (*Cox v State of New South Wales* [2007] NSWSC 471).

On 24 October 2006 it was reported in the *Australian* newspaper the Adelaide Anglican diocese was servicing a \$9,000,000 loan that was needed to finance payouts to the alleged victims of paedophile church workers associated with Robert Brandenburg (Rowbotham 2006, 11). Phillip Gerber, Sydney Anglican diocese director for professional standards had earlier told the *Weekend Australian* he estimated the nationwide compensation bill for the Anglican Church would be as much as \$60,000,000 (Shadbolt and Porter 2004).

The community's continuing awareness of all forms of child abuse, particularly child sexual abuse, was supported and arguably shaped by various media reports of 'scandals' and occasional in-depth examinations of child abuse. Increasingly it had become accepted all children are at risk of abuse because of childhood vulnerability and relative powerlessness (Gallagher 2000; Briggs 2005; Irenyi et al. 2006). Their appreciation of children's vulnerability stands in contrast to the romanticised picture of the tough, enduring, street and bush wise Australian child, captured in some Australian literature and cartoons, such as Ginger Meggs (see Kociumbas 2002).

THE CHILD-SAFE ORGANISATIONS MOVEMENT

The following section of this chapter sets out the development of what is termed in this thesis the Australian child-safe organisations movement. Bessant and Watts (2007, 495) define social movement as any collective organisation of people promoting some kind of social change. Bessant and Watts (2007, 463) question the extent to which people belonging to a social movement share a single unifying vision or function with divergent views about the ends and means to be adopted.

In this thesis it is not contended the Australian child-safe organisations movement is a formal membership based movement; rather, it is conceived of as a loose conglomeration of individuals and organisations affiliated by their commitment to child-safe organisations and involving, among others, Australian governments' agencies, the courts and not for profit social service and community action organisations.

This Australian movement, promoting 'child-safe organisations' gathered significant momentum following the 1994 Wood Royal Commission which focused in part on paedophilia. While prior to the Wood Royal Commission there had concern about child abuse in particular types of organisations, such as children's homes and institutions,

widespread concern about other organisations as sites for child abuse and as potential targets for child abuse prevention activity was not highly evident. For example, in 2000 when the Australian Institute of Family Studies audited child abuse prevention programs, programs were categorised: community education; personal safety or protective behaviours; family support; child-focused; child and family centre; offender; and, special populations programs (Tomison 2000). A focus on preventing organisation-located abuse in this audit was not evident.

THE WOOD ROYAL COMMISSION

The Wood Royal Commission led to a number of legislative and administrative child protection initiatives which are still playing out in Australian state and federal jurisdictions. In 1997 the Wood Royal Commission recommended a New South Wales Children's Commission and proposed such a Commission could prevent some unsuitable people working with children if it had 'statutory authority to issue an unacceptable risk certificate automatically in cases in which a person is:

- Convicted of a criminal charge involving child sexual abuse; or
- Found guilty of a breach of discipline involving child sexual abuse; and
- Otherwise, where satisfied, after due inquiry, that the person poses an unacceptable risk as outlined' (Wood 1997, 1245).

The Wood Royal Commission clarified its meaning about unacceptable risk and the power it was suggesting the Children's Commissioner have in relation to those who presented such a risk:

The concept of 'unacceptable risk' is a family law concept developed in relation to residence and contact issues by the High Court in *M v M*, where it was said:

The courts have endeavored, in their efforts to protect the child's paramount interests to achieve a balance between the risk of detriment to the child from sexual abuse and the possibility of benefit to the child from parental access. To achieve a proper balance, the test is best expressed by saying that a court will not grant custody or access to a parent if that custody or access would expose the child to an unacceptable risk of sexual abuse.

The Royal Commission considers the same approach to be appropriate in dealing with the question whether particular persons are, by reason of prior convictions for sexual offences, **or by reason of suspicion reasonably entertained that they have been involved in the sexual abuse of children** (emphasis added), unfit to work in any position or to provide services, as an employee or volunteer, or in any other capacity, which would involve them having children in their care or under their supervision. (Wood 1997, 1243)

Subsequently all Australian state and territory community services ministers agreed to implement safety screening of persons employed in a paid or voluntary capacity in services for children. New South Wales in 1998, Queensland in 2000, Western Australia in 2004, Victoria in 2005 and the Northern Territory in 2007 have now enacted criminal record checking legislation (see Berlyn et al. 2009), though, in characteristic Australian fashion, while each has a similar intention each has different procedures and requirements (Budiselik, Crawford, and Squelch 2009, 341). With respect to preventing child sexual abuse in organisations none of the jurisdictions operates a screening process as comprehensively as suggested by the Wood Royal Commission.

For example, the purpose of the Western Australian *Working with Children (Criminal Record Screening) 2004 Act* (WA) which was proclaimed on 1 February 2006 is to provide for procedures for checking criminal records of people who work with children and to prevent people who have been charged or convicted of certain offences from carrying out child-related work. In her second reading speech the Minister explained the aim of the legislation:

To protect children from harm by: deterring people from applying to work with children if they have criminal records that indicate they may harm children; preventing people with such criminal records who do apply from gaining positions of trust in certain paid and unpaid employment; establishing consistent standards for criminal record screening for working with children and the ethical use of such information; and contributing to awareness that keeping children safe is a whole-of-community responsibility. (McHale 2004, 6946)

However, the Western Australian legislation does not address how to prevent people with non-criminal records for child abuse, including sexual abuse, from working with children.

That is in the Wood Royal Commission's terms the Western Australian legislation does not deal with those who pose an 'unacceptable risk', unless they have a criminal record (Budiselik, Crawford, and Squelch 2009).

FEDERAL AND STATE GOVERNMENTS

Since the Wood Royal Commission, as well as administering criminal record checking legislation, federal and state governments' agencies have been actively promoting child-safe organisations. For example:

- The Federal Department of Families, Housing, Community Services and Indigenous Affairs commissioned the National Child Protection Clearing House at the Australian Institute of Family Studies on behalf of the Community Services Ministers' Advisory Council Child Safe Organisations Working Group to 'inform a national framework for creating safe environments for children that focuses on organisations, employees and volunteers' (Beyer, Higgins, and Bromfield 2005).
- The Australian Sports Commission works with state and territory sport and recreation departments to provide its 'Harassment-free' sports program as its key initiative to address child abuse and other forms of inappropriate behaviour (Australian Sports Commission 2006).
- The Ministerial Council on Education, Employment, Training and Youth Affairs and the Federal Department of Education, Science and Training has developed the 'National safe schools framework' to address issues of bullying, violence, harassment and child abuse and neglect (Student Learning and Support Services Taskforce 2003).
- The Council of Australian Governments (COAG) has promised to 'deliver a nationally consistent approach to working with children checks and child-safe organisations' (Protecting children is everyone's business: National framework for protecting Australia's children 2009-2020, 2009, 18)
- Since 2004 the New South Wales Commission for Children and Youth conducts workshops and provides resources to assist organisations become child-safe and child-friendly (NSW Commission for Children and Young People 2003 - 2004, 27; 2004 - 2005, 4; 2005 - 2006, 15; 2006-2007, 45; 2007-2008, 62).

- The Western Australian Department for Child Protection provides a policy template for organisations to become child-safe (Department for Child Protection n.d.).
- The Child Safety Commissioner in Victoria provides a resource pack entitled ‘Creating safe environments for children’, based on the publication of the Australian Community and Disability Services Minister’s Conference in 2005 (Geary 2006).

LEGISLATION

CHILD-SAFE ENVIRONMENTS

In South Australia a statutory approach has been taken to the creation and maintenance of child-safe environments. In March 2003 the report ‘A state plan: To protect and advance the interests of children’ was provided to the South Australian Government by Robyn Layton QC, later Judge Layton. One recommendation of the report, in a chapter entitled ‘Employers, workers and volunteers – Creating child safe environments’, was:

Recommendation 132

That all agencies who employ persons who work with or have access to children either in paid or a volunteer capacity should develop appropriate child protection policies and guidelines. All agencies funded by State Government agencies will be required to develop child protection policies and guidelines as a prerequisite to receiving Government funding

Reason

Government has responsibility to ensure that funded agencies uphold appropriate work place practices. Whilst many agencies have in place appropriate mechanisms, many do not have adequate safeguards to protect children. The development of policies and procedures are critical to ensuring agencies have the most professional standards and could be viewed in the same way as Occupation Health and Safety Guidelines, that is, as essential requirements for ensuring a safe and productive workplace. (Layton 2003, 17.15)

Layton’s report (ibid) provided the basis for the South Australian Government’s decision to amend its child protection legislation and introduce a statutory enforcement approach to the

creation and maintenance of child safe environments in specified organisations. In 2005 the South Australian child protection legislation was amended in a way which created an enforceable obligation for prescribed organisations to create a child safe environment. Section 8C of the *Children's Protection Act 1993* (SA) states:

8C—Obligations of certain organisations

(1) An organisation to which this section applies must, as soon as practicable following the formation of the organisation, or, in the case of an organisation in existence when this section comes into operation, as soon as possible following the prescribed date, establish appropriate policies and procedures for ensuring—

(a) that appropriate reports of abuse or neglect are made under Part 4; and

(b) that child safe environments are established and maintained within the organisation.

Maximum penalty: \$10 000.

The South Australian Department for Families and Communities defines organisation to include any collective group with a governance structure and the provision specifies those 'organisations that: provide health, welfare, education, sporting or recreational, religious or spiritual, child care or residential services wholly or partly for children; and are government departments, agencies or instrumentalities or local government or non-government organisations' (*Child safe environments: Frequently asked questions* n.d.).

OCCUPATIONAL HEALTH WELFARE AND SAFETY

Layton's (2003, 17.15) observation about occupational health and safety guidelines might have implied governments' agencies responsible for occupational health and safety did not already consider child-safe organisations to be within their purview. However, that does not appear to be the case, in Western Australia at least. The Western Australian Department for Consumer and Employment Protection's (DOCEP) code of practice for 'The safety and health of children and young people in workplaces: Information for employers, managers, supervisors, parents and young people' which was approved in 1999 is directly concerned with the safety of children 'who are part of the work process, such as children in a school, patients in a children's hospital' (Worksafe Western Australia Commission 1999).

The Australian Community Services Ministers' Advisory Council Child Safe Organisations Working Group was provided with a broad definition of who 'works with children':

Organisational abuse is abuse by an adult who works with children and who is **employed in a paid or voluntary capacity** (*emphasis added*); in the public, community or private sector; in residential or non-residential settings; and **may work either directly with children or be in an ancillary role. The definition applies to all adults who share the same basic relationship with children – that is they are involved with them in some kind of 'work' capacity** (*emphasis added*) (Gallagher 2000). The broadness of the definition of organisational abuse is necessary at this point in time because little is known about the subject and enables subsequent refinement of what those issues are once further data are collected (Gallagher 2000). (Beyer, Higgins, and Bromfield 2005, vi)

NON-GOVERNMENT COMMUNITY BASED ORGANISATIONS

Non-government community based social action groups are also part of the Australian child-safe organisations movement. For example in 1997 at the time of the Wood Royal Commission's prominence a national child abuse prevention advocacy and lobby group named 'Bravehearts' was founded by Hetty Johnston from Queensland. Bravehearts describes its role: 'To forge a "movement for change" in how paedophilia is dealt with by the criminal justice sector, government and the community at large and to provide survivors with a voice' (*Bravehearts practitioner workshop supporting children and young people affected by sexual assault*, n.d.) Today, Bravehearts has national prominence and in 2006 Johnston was described in the New South Wales Parliament by a government minister as Australia's 'pre-eminent child rights campaigner'. Bravehearts' 'Fairplay' program is described as providing 'training and awareness workshops on risk management for staff and volunteers in organisations that have contact with children' (Bravehearts n.d.).

In 2001 the child-safe organisations movement was given additional momentum when the Melbourne based not for profit organisation, 'End Child Prostitution, Child Pornography, and the Trafficking of Children for Sexual Purposes' (ECPAT) broadened its focus and was renamed Child Wise. Child Wise provides a program called 'Choose with Care' which

aims to ‘assist organisations establish a safe environment for children and young people in their care. It aims to deter, minimise and remove opportunities for abuse to occur in children’s organisations, programs and services’ (*Child wise: Child safe organisations and communities* 2006). Bernadette McMennamin, a social worker and executive officer of Child Wise, states the Choose with Care program was conceived in 1992 from her personal realisation of how easily child sex offenders could gain access to children through organisations (McMennamin 2001, 3). Child Wise was contracted by the New South Wales Commission for Children and Young People in 2003 to assist the Commission develop its child-safe child-friendly organisations program (NSW Commission for Children and Young People 2003 - 2004, 77). Child Wise receives funding from various state and Federal Government departments to deliver its program, which now is no longer concerned solely with preventing child sexual abuse.

THE COURTS

The Australian courts have played a role in attempting to delineate what organisations are required to do to be responsible and to avoid additional legal liability in the event that a child for whom they have a duty of care is harmed. In February 2003, the High Court of Australia considered on appeal from the Supreme Court of New South Wales questions about when a school could be held liable for the sexual abuse of students (*New South Wales v Lepore* [2003] HCA 4). It decided ‘State education authorities will not generally be held liable for the sexual abuse of pupils by teachers unless there can be shown to be a fault on the part of authorities’ (Public information officer High Court of Australia 2003). While the decision was probably welcomed by state education authorities the question of what ‘constitutes a fault on the part of authorities’ is likely to be tested thoroughly in future cases. In his judgment Judge McHugh observed:

They (education authorities) are not totally helpless to prevent teachers from assaulting or sexually assaulting pupils. Education authorities can:

- institute systems that will weed out or give early warning signs of potential offenders;
- deter misconduct by having classes inspected without warning;

- prohibit teachers from seeing a pupil without the presence of another teacher, particularly during recesses;
- encourage teachers and pupils to complain to the school authorities and parents about any signs of aberrant or unusual behaviour on the part of a teacher.

No doubt there are other methods open to education authorities to combat the problem of teachers who, for their own gratification, use their power and position to exploit children. (*New South Wales v Lepore* [2003] HCA 4 at 164)

The Court's advice to school administrators if they wished to avoid failing in their duty to children had been described in the 1977 High Court decision, *Geyer v Down* [1977] HCA 64 at 6. Schools were advised to not assume relationships with children if they were unable to perform the associated duties:

It is for schoolmasters and for those who employ them, whether government or private institutions, to provide facilities whereby the schoolmasterly duty can adequately be discharged during the period for which it is assumed. The schoolmaster's ability or inability to discharge it will determine neither the existence of the duty nor of its temporal ambit but only whether or not the duty has been adequately performed. The temporal ambit of the duty will, therefore, depend not at all upon the schoolmaster's ability, however derived, effectively to perform the duty but, rather, upon whether the particular circumstances of the occasion in question reveal that the relationship of schoolmaster and pupil was or was not then in existence. If it was, the duty will apply. It will be for the schoolmaster and those standing behind him to cut their coats according to the cloth, not assuming the relationship when unable to perform the duty which goes with it.

In *Cox v State of New South Wales* [2007] NSWSC 471, Benjamin Cox, an eighteen-year-old boy was awarded a million dollars by the New South Wales Supreme Court further to bullying he received at the hands of another student in his early primary school years and which resulted in psychological impairment. In *Cox* (ibid) the Court generally applied the principle contained in *Geyer v Down*, quoted above. Cox's mother told the Court that when she sought advice from education department personnel in the school and the district office about her son's victimisation and among other things she was told 'that bullying builds

character and that he thought it was a good thing that Ben got bullied' and 'you lose some kids and keep some'.

The advice in *Geyer v Down* [1977] HCA 64 at 6 extends to other service delivery organisations. In *Lepore v NSW* [2003] HCA 4 at 36 Chief Justice Gleeson said:

In cases where the care of children, or other vulnerable people, is involved, it is difficult to see what kind of relationship would not give rise to a non-delegable duty of care. It is clearly not limited to the relationship between school authority and pupil. A day-care centre for children whose parents work outside the home would be another obvious example.

THE RISK OF NOT TAKING RISK

While in an ideal world organisations would be sufficiently resourced for their mission and recognise the wisdom of the High Court's direction to 'not assume the relationship when unable to perform the duty which goes with it', which was provided in the context of a state responsibility to provide education, there is tension when it is applied more broadly to those organisations aiming to alleviate social distress and need. Verity (2005, 31) poses the question, 'what of the risk of not taking risks?':

Community organisations deal with risks and take risks in the pursuit of goals of social justice, meeting human needs and supporting stronger communities. A focus on risk as defined by the insurance industry is from a definition of 'what may go wrong' in the future. There is another aspect to risk and that is what might be the costs of not acting now. What of the risks to civil society of not responding to injustice and inequity, or of not engaging in community participation? ... What of the future health and social costs if people stop participating, because they are burdened by risk management or the efforts to find the money to pay for insurance?

Verity's (ibid) analysis implies community organisations co-exist with risk which cannot be resolved simply with the precautionary approach implicit in the *Geyer* decision, unless organisations are prepared to let another risk emerge, the risk of depriving people of needed services. The overuse by organisations of a limited number of under resourced foster carers prepared to provide care for children who otherwise might be abused is an example that can be played out to demonstrate the pros and cons of these arguments.

This section of the thesis has detailed how following the Wood Royal Commission an Australian social movement emerged aimed at promoting child-safe organisations. While there is evidence of concern about organisation-related child harm and child abuse prior to the Wood Royal Commission this thesis considers that the Wood Royal Commission brought a greater awareness of the widespread nature of the problem of organisational child sexual abuse and directly involved government and its agencies in responding. This in turn increased the capacity of other organisations and professions to focus on child-safe organisations. The following sections consider further the nature of this social movement and its impact on organisations which provide services to children.

THE CHILD-SAFE ORGANISATIONS MOVEMENT'S DISCOURSE

Two assumptions arguably shared by those connecting to the child-safe organisations movement are 1) there are risks of harm to children present in organisations which provide services to children and 2) these risks are able to be lessened if organisations adopt child-safe strategies. A misunderstanding of the assumptions would be organisations are unsafe unless they adopt child-safe strategies; or, organisations are safe if child-safe strategies are adopted. Though, a restatement of the child-safe organisations movement's position might reasonably be, organisations unnecessarily place children at risk of harm unless they adopt or have child-safe strategies in place. This section of the chapter proceeds to consider aspects of the movement's discourse

RISK ANXIETY AND FEAR

In contrast to those promoting child-safe organisations others, for example, Furedi (2002), Gill (2007), Piper, Powell and Smith (2006), and Herrington and Nicholls (2007), urge caution and argue those promoting child-safe organisations create new risks which pose an even greater threat to children. For example, Piper, Powell and Smith (2006, 151) conclude with respect to the non-touching of children as a child-safe organisation strategy, the practice is more dependent on fears of accusation and litigation than any concern for a child.

Scott, Jackson et al (1998, 691) say risk anxiety may contribute to the on-going social construction of childhood:

At a wider – cultural – level, risk anxiety may play a part in constituting the idea of childhood, in that concern for children’s safety is of a different order from concerns about adult safety. Risks to children are represented as inherently more grave than risks to adults: it is almost beyond debate that we should ‘protect’ children, that any potential risk to them should be taken very seriously.

It follows that a possible consequence of this construction of children and childhood is the emergence of a risk averse approach by adults to children’s lives where:

Little or no consideration is given to the possible side-effects of measures that will lead to further restrictions and limitations on children’s lives. Underpinning and connecting all these topics is an assumption of children’s vulnerability (or in the case of antisocial behaviour, their villainy) combined with a lack of interest in how to foster their resilience and sense of responsibility. (Gill 2007, 60)

Bundy, et al (2009, 35) do not write of risk aversion, they use the phrase ‘surplus safety’ and say ‘surplus safety is working to eliminate the benefits associated with exciting, challenging and stimulating play’. In proposing a conscious and reflective opposition to the child-safe movement, Gill (2007, 74) observes:

There are significant forces pushing parents, professionals and voluntary and community agencies towards risk aversion. Where people succeed in resisting these forces it is because they have an explicit philosophy, ethos or set of values about the role of risk, experiential learning and autonomy in children’s lives.

Proponents of this perspective, which casts doubt on the wisdom of pursuing a child-safe organisations’ agenda, also appear to share at least two assumptions, namely, risks of harm to children in organisations are frequently exaggerated and the totality of the strategies proposed by those promoting child-safe organisations is ultimately counter-productive.

Ulrich Beck’s (1992) analysis of risk or at least of the fear of looming and unmanageable risk as a fundamental determinant of today’s society provides a frame for analysis of the child-safe organisations discourse. Beck (ibid) proposes we are living in a ‘risk society’ dominated by a culture of fear. In today’s society technological capability delivers products with consequences beyond technology’s control, for example climate change or nuclear weaponry. As well, the proliferation of contradictory ‘expert’ opinion about problems which underpin

society's fear erodes the knowledge monopolies once held by science, including the social sciences, and other experts. In this world the anticipation of risk, rather than risk itself, is the fundamental driver which shapes fear.

Furedi (2007) examines the impact of fear in contemporary society, and in doing so contrasts present and past attitudes toward it by considering a phrase in the United States' President Roosevelt's 1933 inauguration speech: 'the only thing we have to fear is fear itself – nameless, unreasoning, unjustified terror which paralyses needed efforts to convert retreat into advance'. Furedi's (ibid, 8) offers the analysis: 'Roosevelt was trying to assure the public that it is both possible and necessary to minimise the impact of fear. His was a positive vision of a future where fear would be put in its place by a society that believed in itself'. Furedi (ibid) concluded, ironically, 'today, politicians are far more likely to advise the public to fear everything, including fear itself'.

On one hand it can be argued those who promote child-safe organisations are 'over-reacting' to the fear of risk and on the other hand it can be argued those who oppose the movement are under evaluating the threats posed to children in organisations. In a 2007 interview Beck (*Ulrich Beck and Bruno Latour: Listen to how to think about science* 2007) said this choice, 'to take the anticipation of risk seriously and perhaps create hysteria and panic and then nothing happens or not to take it seriously and catastrophe happens – is what makes risk so interesting'.

LANGUAGE AND SOCIALLY CONSTRUCTED MEANING

From the perspectives of social psychology and linguistics how people construct and ascribe meaning is fundamental to constructivist orientated qualitative inquiry, and language, in all its forms, is a fundamental component of meaning construction. The literature selected for review to assist in understanding the way meaning is made is primarily drawn from the fields of linguistics and social psychology, and it is examined to develop an understanding of how people assign meaning to phrases, such as 'child-safe'.

FRAMES

Many linguists argue an individual's pre-linguistic conceptual schemas process language – and these conceptual schemas once developed determine what the individual thinks and

hears. Conceptual schemas are known variously and to an extent interchangeably as conceptual structures, image schemata, idealised cognitive models, frames (see Bundgaard 2006, 503) and goggles (Clair and Preston 1990, 379).

Postulating and researching schema or frame function has been a thread of post World War 2 social and cognitive psychology. For example, Kelly's (1955) theory of personal constructs, a theory of personality, is based on understanding a person in terms of their core 'constructs' and the way they construe the world. Kelly's (1955, 46) basic postulation is 'a person's processes are psychologically channelized by the ways in which he anticipates events'. Kelly (1955, 95) elaborates his theory by developing complementary corollaries, including the sociality corollary, which states: 'To the extent that one person construes the construction processes of another, he may play a role in the social process involving the other person'. In Kelly's terms, to understand and communicate with a person requires an understanding of their unique construct set or the frames through which they see the world.

Lakoff (2005, xv) uses the word 'frame' to describe 'mental structures that shape the way we see the world, plan and act'. Lakoff (2005, 3) argues every word evokes a frame, the words defined within a frame evoke that frame, that negating a frame, evokes it and evoking a frame reinforces it. He is quoted and paraphrased frequently for a comment 'frames trump facts'. On this point, O'Neill (2007, 66) writes:

Frames point to the power of metaphorical preunderstandings and emotionally laden forestructures, so often more compelling than any "factual" evidence that challenges them.

Davies (2004, 5), writing from a post structuralist perspective also identifies frames as relevant to understanding text:

Ways of making sense are not only not transparent, *they are not innocent*. What subjects describe of what they see and what they think may be taken as evidence of the ways in which the world outside themselves has forcefully shaped them.

BLENDING

A mental process termed conceptual integration, also known as blending (Turner and Fauconnier 1995; Zawada 2007; Bundgaard 2006; Komlosi and Knipf 2005), has been proposed as a cognitive mechanism to account for creativity in thought and language. When blending occurs structure from two or more mental input spaces (frames) is projected to a separate “blended” space, which inherits the partial structure from the inputs and has emergent structure of its own’ (Turner and Fauconnier, 1995). Zawada (2007) explains the process of blending as occurring in three distinct though near simultaneous phases – similar to the operation of a computer – which are given the self-descriptive names of the activation phase, the matching the elements in mental spaces phase and the running-the-blend phase. According to this thinking the meaning packed into the words child and safe are important but not the sole determinants of the meaning of ‘child-safe’.

While the views expressed by Kelly (1955), Lakoff and Johnson (1980), Lakoff (1996, 2005) and Davies (2004) are significantly different, each complements the constructivist and pragmatic epistemological and ontological positions adopted in this research. Firkins and Candlin (2006, 277) in examining the framing of the child at risk note the diversity of professions which have utilised the concept of ‘frames’ and that consequently there is ‘no single unified theory of frame on which to rely, making it necessary from an analyst’s perspective to note the similarities and differences between each approach and to draw on general aspects of the construct, pragmatically, to address the problem under consideration’.

Relevantly, linguists Turner and Fauconnier (1995) and Zawada (2007) demonstrated aspects of ‘blending’ by examining the phrases ‘child-safe’, ‘the child is safe’ and ‘the beach is safe’. For example Zawada (2007, 155) considers the word ‘safe’ in the phrases the child is safe and the beach is safe, and states:

Safe does not assign a fixed property ... but instead prompts us to activate scenarios of danger appropriate for the relevant noun phrases and the context. Safe activates an abstract frame of danger (or harm) with roles like victim, location, instrument and result, amongst others’.

Budgaard (2006, 522) states:

Compounds like ... ‘child-safe’, and many others can take on inverse significations. What they actually come to mean depends crucially on the phenomenological settings, i.e., natural context and speakers’ intention. However the frame-schematic structure of these words delimits rather strictly the range of possible construals and is thus a constant interpretive guide.

Prior to considering the phrase child-safe organisation the words child, safe and organisation are briefly considered as independent entities.

WORDS AND PHRASES

CHILD

Social scientists and social workers are generally informed by their professional literature that the view, conscious or unconscious, an individual, group or society has of a child or any other subject, including vulnerable subjects (e.g. people with intellectual disability, the mentally ill, refugees and particular ethnic groups), shapes individual and collective behaviour toward the subject (for example see D’Cruz 2004, 5). Eugenics driven pre-war Germany stands as one of the recent eras most notorious examples, where particular ethnic groups and people with intellectual disability were considered sub human (*untermenschen*) and were subject to systematic discrimination, exploitation and murder.

CHILDREN AS VILLAINS

In Western Australia, Jackson (1992, 86), the inaugural President of the Western Australian Children’s Court, described the beliefs he encountered about children, social workers and the Court during the early part of his tenure:

It has been firmly entrenched in the public consciousness of Western Australians that young people commit vast amounts of crime. The impression has been reinforced constantly that an under-resourced police force is fighting valiantly to do the right thing but is constantly being undermined by welfare wimps and social workers and a weak-wristed Children's Court, which either do not understand the problems, or, out of some misguided sympathy with juveniles, refuse to deal with them, or both.

The general argument that children are viewed as either vulnerable or villains and therefore warranting paternalistic care or societal control is well explored in the literature (for example Gill 2007; Case 2006). Broad alternatives to viewing children as either vulnerable, and in need of care and protection by family or society, or villains include viewing them as rights-bearing citizens and resilient.

CHILDREN AS RIGHTS BEARING VULNERABLE CITIZENS

Around the time of Judge Jackson's observations, in 1991 the UNCROC (United Nations General Assembly 1989) came into force in Australia. The Federal Government, by its ratification of the UNCROC, committed all Australian governments, rhetorically at least, to viewing the child as both a rights bearing and vulnerable citizen, and not as villains. The Federal Government's commitment to the UNCROC does not bind the states and territories, however, 'ratification of the UNCROC is important to the domestic legal context' (Butler and Mathews 2007, 15). For example, the South Australian Government department responsible for implementing its child-safe organisations legislation provides on its website a frequently asked questions section (*Child safe environments: Frequently asked questions* n.d.). It responds to a question, 'why do we need to comply?' by invoking article 19 of the UNCROC:

The United Nations Convention on the Rights on the Child emphasises that: Organisations shall take all appropriate legislative, administrative, social and educational measures to protect children from all forms of abuse, neglect or negligent treatment, while in their care.

Organisations have a duty of care to children with whom they work and with whom their agents, contractors and subcontractors work.

The Australian state and territory Community and Disabilities Services Ministers' conference's July 2005 national framework statement about child-safe organisations also references the UNCROC (Community and Disability Services Ministers' Conference 2005).

THE PERIOD OF CHILDHOOD

The UNCROC preamble affirms that childhood is a period of life to 18 years of age when people are entitled to special care, assistance and protection.

Article 12 of the UNCROC states:

1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.
2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

Article 12(1) (above) of the UNCROC is reflected in a prior legal principle whereby children are judged as being or not being ‘Gillick Competent’. At the heart of whether a child is ‘Gillick Competent’ is acceptance that there is no fixed age at which a child becomes competent to make decisions, rather it depends on the child and the nature of the decision to be made. To be fully ‘Gillick Competent’ the child must understand not only the nature of the decision but also the consequences of making (or not making) the decision (Donaldson 2004, 2). In Australia whether a child is ‘Gillick Competent’ is usually contested in a court of law on matters such as, ‘is a child capable of consenting to medical treatment?’. Such legal contests have occurred when the child’s best interests are arguably not served by parental decisions, for example in the case of Jehovah Witness parents refusing on behalf of their critically ill child a blood transfusion or when parents are seeking to sterilise a child for non-medical reasons. An often quoted phrase from a case ruled on by a British judge, Lord Denning, captures the core issue involved:

The legal right of a parent to the custody of a child ends at the 18th birthday: and even up till then, it is a dwindling right which the courts will hesitate to enforce against the wishes of the child, and the more so the older he is. It starts with a right of control and ends with little more than advice. (White, Harbour, and Williams 2004, 59)

FAMILISM

Article 3(2) of UNCROC states:

States Parties undertake to ensure the child such protection and care as is necessary for his or her well-being, **taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her** (emphasis added), and, to this end, shall take all appropriate legislative and administrative measures.

Article 3(2) (above) of the UNCROC locates the child as part of a family (not necessarily biological) and evokes a frame of family and, for some, familism. Familism can be construed as a limitation for children where ‘childhood is fused with the institution of the family such that children and their needs cannot be defined independently of the family (Tomison 2002, 10). For example, the Australian Government’s proposed prevention focus within its national child protection framework mentions family or parent in each strategy:

- Better use of early intervention family support services
- Enhancing Centrelink’s role to identify and refer vulnerable families
- Targeted action on parenting and alcohol misuse
- Promotion of good parenting
- Support for families to protect children on-line (Macklin 2008)

In *Secretary, Department of Health and Community Services v. J.W.B. and S.M.B.* [1992] HCA 15 at 13 Justice Brennan stated ‘by asserting that the child's "best interests" are "the first and paramount consideration", the law is freed from the degrading doctrines of earlier times which gave priority to parental or, more particularly, paternal rights to which the interests of the child were subordinated’. However, Mason and Steadman (1997, 4) argue paternalism is evident when judges assert the right to reject children’s wishes and thereby deny their competencies in making decisions, on the basis of a particular adult’s construction of what is best for the individual child’s welfare.

CHILD /CHILDREN

Is it noteworthy that the phrase ‘child-safe’ utilises the singular ‘child’ and not its plural ‘children’? The phrase ‘children-safe’ is as grammatically acceptable as ‘child-safe’ and is used rarely. It is suggested here the choice of the singular ‘child’ in the phrase ‘child-safe’ follows Australian state and territory child welfare and Family Court legislation where there is a general imperative that decisions are made in a child’s best interests. For example, the South Australian *Children’s Protection Act 1993* provides:

4.(3) In the exercise of powers under this Act, the above principles and the child's wellbeing and best interests are to be the paramount considerations.

Within this child welfare meaning is the view that a child's best interests, once discerned, guide the State's decision makers, and the child's needs are not placed second to another's needs or a group's needs. Carmody J of the Family Court in *Murphy & Murphy, Family Court of Australia* [2007] FAMCA 795 at 16 explains: 'The law does not have any fixed concept of what is in the best interests of any individual child. It does not presume, for instance, there is that there is only one way of bringing up children. The paramountcy principle is an adaptable one which moulds itself to the unique circumstances of every case'. In legislatively based child welfare if the best interests of a 'client' child are able to be distinguished and considered separately from others' interests the principle of a 'child's best interests' works well. However, because organisations provide services to more than one child and presumably the organisation does not have a particular child as a 'client'; any one child's interests apropos other children's interests come into play.

While section 8 of the South Australian *Children's Protection Act 1993* imposes an obligation on prescribed organisations to provide a child-safe environment the administering department's website description of a child-safe organisation reads

A child safe organisation:

- ... The safety and wellbeing of children is (sic) a (sic) paramount consideration when developing activities, policies and management practices (*Government of South Australia: Department of Families and Communities: Child safe environments 2009*)

The accessible child-safe organisation discourse does not usually wrestle with particular dilemmas or scenarios that emerge from time to time where children's interests are in conflict or appear to be in conflict. The notorious case of Eve Van Grafhorst illustrates the point. In 1985, when she was 3 years old and around the time of Australia's coming to terms with Acquired Immune Deficiency Syndrome (AIDS), Eve, infected with AIDS, was enrolled at a child-care centre in New South Wales. The case received publicity at the time because of the reaction by other children's parents to Eve's attendance at the centre. Eve was allowed to attend child care provided she wore a visor (to prevent Eve biting someone.

Eve did not have history of biting). Eve became a social outcast: ‘She was made to leave her pre-school, her family was forced to move from its home, and finally, in the face of continued discrimination the family left Australia’(South Australia. Social Development Committee 2005, 2). The question of whose safety does a child-safe organisation address comes into focus when children’s interests compete.

With respect to child abuse the issue of one child’s safety in relation to other children or another child is not merely a theoretical concern. Irenyi et al’s (2006, 1) definition of sources of harm clearly identifies children as potential perpetrators of abuse: ‘The perpetrator may work either directly with children (for example, a teacher) or in an ancillary role (for example, a cleaner), or may be another child or young person connected to the organisation in some way’. While many child-safe organisations promoters identify the sole or predominant form of harm capable of being inflicted on a child by another child or group of children is harassment or bullying, a substantial proportion of child abuse, including sexual abuse of children, is perpetrated by children. For example, Australian and international estimates of sexual abuse of children perpetrated by other children and youth range from 20 % (Davis and Leitenberg as cited in James 1996, 3), 25 - 33% (Green and Masson 2002, 150) and 40% and 39% for victims less than 6 years of age and 11 years of age (Snyder as cited in Oliver 2007, 683).

SAFE

In English, safe’s etymology dates from the thirteenth century French. In the Chambers Dictionary (1994) ‘safe’ as an adjective means ‘free from danger’, ‘free from risk’, ‘sure’, reliable, cautious and ‘trustworthy’. As a noun the word ‘safe’ has several meanings including a strong room where valuables are stored. Phrases commonly associated with the term ‘safe’ include the phrase ‘safe-breaker’ to refer to someone who has broken into a safe; ‘safe-guard’ to refer to protecting someone or something from various forms of violation; ‘safe-house’ to refer to protecting someone from external danger by housing them in a secure location; ‘safe-conduct’ to refer to providing a permit to enable a person or possession to pass through an area without interference; safe-product (e.g. cot, walker) a device or a good designed to prevent injury; ‘safe-sex’ to refer to behaving safely sexually; and Coolgardie safe to refer to safe storage of foods. Most definitions of safe, in the free from harm sense, do not entertain that if one’s person or property is ‘safe’ they can also be ‘not safe’.

ORGANISATION

The Chambers Dictionary (1994) defines organisation as ‘the act of organising or the state of being organised; an organised system, body or society’. On the face of it the word organisation can be among other things the act of organising or an organisational entity. In the phrase child-safe organisation it is presumed the latter meaning of the word is the one intended; the aim of the child-safe organisations movement is to create child-safe organisational entities.

METAPHORS TO DESCRIBE ORGANISATIONS

Metaphors and other figurative literary devices, for example, simile, metonym and synecdoche, are used frequently as a short-hand way to understand organisations. Cornelissen et al. (2008) say:

Metaphors guide our perceptions and interpretations of reality and help us formulate our visions and goals. In doing these things, metaphors facilitate and further our understanding of the world. Similarly, when we attempt to understand organisations (as scholars or as people working within them), we often use metaphors to make organisations compact, intelligible and understood.

Different metaphors are chosen as means of explaining and understanding various organisations, or different aspects of the same organisation and organisational behaviour. The on-going use of a metaphor as a description of an organisation implies a likeness or correspondence between an organisation, or part of it, and the properties or qualities, or some of them, of the metaphorical image or description. For example, beliefs that organisations are capable of cleverness, remembering and forgetting, learning and having resolve, being cultured, aggressive, passive, responsible, paranoid (Cohen and Cohen 1993) and irresponsible, and being strengthened and made safe follows the selection of various metaphorical likenesses. Among the metaphors identified by Cornelissen et al. (2005, 1559) used to describe organisations are machines, animate beings, cultures, systems, families, architecture and space. Different disciplines have preferred metaphors (Vakkayil 2008).

It is not the case that because a particular metaphor is useful in exploring one or several aspects of an organisation’s function that it is necessarily useful in exploring other aspects. For example, for the purposes of developing an organisation’s document retrieval system,

likening the organisation to a landscape might be useful ‘the body of documents is taken and represented by valleys and mountains based on the statistical frequency of the key words: the more relevant a document, the higher the mountain that represents it...’ (Mari Carmen Marcos 2005). However, the same metaphor might not be useful within the same organisation to further understanding of its human resource management. Human resource management might be more easily explained metaphorically in farming terms, likened to sowing, tending and reaping crops. In the same way that our behaviour toward children is influenced when we frame them variously as vulnerable, rights bearers, millstones or humanity’s future, the metaphors chosen to frame organisations shape actions toward them. More than one metaphor might be of use in examining a single aspect of an organisation’s functioning. For example, Amernic et al. (2007) examined for a period General Electric’s chief executive officer’s letters to stockholders and identified there were five root metaphors of leadership invoked – pedagogue, physician, architect, commander, and saint. Vakkayil (2008, 8) suggests that there are benefits to being purposely provocative and in shaping new metaphors to break the stranglehold of dominant metaphors. Later in the thesis an organisational metaphor is proposed for the work of the child-safe organisations movement (see pages 157 - 159 of this thesis).

THE PHRASES CHILD-SAFE AND CHILD-SAFE ORGANISATIONS

For those not privy to the language (parole), assumptions and nuances of those involved in the child-safe organisations movement the meanings of the phrases ‘child-safe’ and ‘child-safe organisations’ are not immediately apparent and definitions are not found in dictionaries (e.g. Chambers, 1994), dictionaries of phrases or other standard language reference books. An October 2008 search of the two billion word Oxford English Language Corpus (UKWaC British English web corpus) shows the words ‘child’ and ‘safe’ were co-located in the forms of ‘child-safe’, ‘child safe’ and ‘childsafes’ on 45 occasions, 664 occasions and 8 occasions respectively, and that there was one instance of one of those phrases being followed by the word ‘organisation’, referenced to a 2006 article promoting training in Child Wise’s ‘Choose With Care’ program (McMenamin, Fitzgerald, and Flanagan 2004) as part of the Avon and Somerset police department’s child protection training day. The phrase child-safe is used in preference to the phrases children-safe or kid-safe. A search of the Corpus was also conducted on the words ‘children’ and ‘kid’ when they were coupled with the word ‘safe’. Children safe appeared on 314 occasions, children-

safe on zero occasions and childrensafes on one occasion. There was not a recorded instance of the words children and safe being followed by the word organisation. The words ‘kid’ and ‘safe’ were co-located as kid-safe on nine occasions, kid safe on 45 occasions and kidsafe on one occasion. There was not an instance of ‘kid’ and ‘safe’ in any form being followed by the word organisation. A number of the kid-safe references referred specifically to internet child-safety.

Within some Australian governments’ agencies the phrase child-safe organisation is entrenched – in the sense that it is used frequently and formulaically. For example, the 1,710 word document entitled ‘Creating safe environments for children – Organisations, employees and volunteers national framework for community services’ (Community and Disability Services Ministers’ Conference 2005) contains the phrase ‘child-safe’ 18 times, 7 of which are followed by the word organisation. The phrases also appear in professional literature, patent applications, advertising materials and Australian parliaments’ Hansards.

The meaning of the phrase ‘child-safe’ cannot be deduced simply by combining the meaning of the individual words. For example, at a glance ‘child-safe’, ‘child safe’ or ‘childsafes’ could be nounal or adjectival and it has several possible meanings, for example: a child’s storage box; a child is safe generally; a child is safe from something; something is safe from a child; or, combinations of these things. Its plural forms might be child-safes or children-safe.

The phrase ‘child-safe organisations’, and similar phrases, such as ‘safeguarding children in organisations’, have been used in Australia since the Wood Royal Commission, as emblems for a child welfare mission – to make organisations safe for children. However, from at least the 1960s the phrase ‘child-safe’ had been used as a root phrase. In 1964 the United States patent application for a child-safe lock read:

Relieves parents and other guardians of young children of the necessity to maintain a constant watch lest such children escape, by operating the regular door knob latch, and come to harm. (Schuette 1967)

In subsequent patent applications and advertisements the meaning of the phrase ‘child-safe’ is frequently not elaborated. Its meaning stands in context of the product or service it describes. A range of child-safe products and services is accessible on the internet, for example, a child

safe: cream dispenser (Eaddy, Marshall, and Marshall 2004); cutlery set holder (Zallo 1996); playground safety surface (*Child safe products* n.d.); gun – ‘for those who want the fun of toy guns but don't want them mistaken for real guns’ (*Where role playing adventures begin* n.d.); packaging (*Child safe packaging group* n.d.); and, holiday (*Chilidsafeholiday.com: Stress free holidays for responsible parents* n.d.).

The Australian courts have been called on to resolve legal disputation about child-safe phraseology and in doing so have considered the differences between the phrases child-safe and child-proof (*Rinbridge Marketing Pty Ltd v Rinbridge Pty Ltd* [2000] FCA 851) and child resistant (*D & D Technologies Pty Ltd v Easy-Fit Fencing Components Pty Ltd* FCA 179). Notwithstanding these disputes, the phrase ‘child-safe product’ generally indicates several features, including: a product is safe for a child; a child will not be injured if they use the product; or, something is protected from the child by the product. While the age of children ‘kept safe’ is generally not specified in product descriptions, the appeal is invariably targeted toward the parents or those responsible for younger children or infants. Advertising a product as ‘child-safe’ clearly adds to the desirability of the product for the target market, usually caregivers, and it can lead to nonsensical claims, such as keeping kids safe during crashes’ (*Keeping kids safe during crashes* n.d.). In Australia and in similar countries many parents and individuals are orientated to the word ‘safe’ in this context from their child’s infancy. For example ‘baby-safe’ products are typically described in a manner similar to that on the commercial website ‘babysafehome.com’:

At Baby Safe Home, we offer everything that you need to make your home baby safe. From In-Home Consultations with our trained childproofing consultants to Specialized Safety Products and Professional Same Day Installation, we can help design the solution that is right for you! (*Baby safe home: Same day baby proofing service!* n.d.)

A general feature of a ‘child-safe’ product is a promise of alleviation of parental ‘worry’ about the child’s safety or the parent’s supervisory work-load if the product is purchased or used. Within this text, from one perspective, a clear moral imperative emerges – responsible parents utilise child-safe products to keep their children safe.

DOES THE PHRASE CHILD-SAFE ORGANISATION MEAN AN ORGANISATION IS SAFE?

If there is child abuse or other harm to a child at a ‘child-safe’ organisation was the organisation accurately described as ‘child-safe’ in the first place? Literally the answer appears to be ‘no’, if the meaning of ‘safe’ as defined in the dictionary (e.g. Chambers 1994) is imported directly into the phrase ‘child-safe’ because it is inconsistent for a child to be unsafe (i.e. be abused or otherwise harmed) when they are safe. However, it seems unlikely most who advocate the creation of child-safe organisations through the adoption of policies would envisage an organisation is ever absolutely ‘safe’ for children. It is more likely an organisation is awarded ‘safe’ status in the eyes of those who promote child-safe organisations, when it is ‘committed to protecting children in its care’ from harm (see Child Wise 2008). Indeed, a feature of a ‘child-safe’ organisation promoted by many within the movement is that staff and others know how to act on suspicions of suspected or actual abuse. That is, according to promoters, an organisation’s status as ‘child safe’ depends on instances of when it is not safe being brought forward quickly. From the outset then, the epithet ‘child-safe’ can be confusing because a) it fails to capture the movement’s belief that organisations need to aspire to being child-safe and b) it contradicts an understanding – derived from the promotion of child-safe products – that something safe cannot be also ‘not safe’.

The Australian Council for Children and Youth Organisations selected a gerund to replace ‘safe’ to represent their ‘child-safe’ program, entitled ‘safeguarding children in organisations’ (Sylvan and Franco 2008). Katherine Sylvan, Chief Executive Officer of the Australian Council for Children and Youth Organisations, explained the choice of the program’s title: “safeguarding children” ... denotes actively protecting children is ongoing – It’s not a static term it’s part of an ongoing quest. It doesn’t imply organisations are actually “child-safe” at any point’ (K. Sylvan, personal communication 4 September 2008).

While people might develop meaning for phrases, such as child-safe, in a consistent manner it is evident there are clearly idiosyncratic outcomes open to those who hear the phrase and similar phrases, at least until meanings become entrenched. Entrenchment of a phrase is considered to come about through a process of frequent usage and reinforcement of associated concepts that recur and extinguishment of those that do not (Wray and Perkins 2000). For example, within the child-safe organisations movement the phrase child-safe organisation is not now open to being interpreted as the organisation is safe from

a child. Its meaning is generally that children (n.b. the plural of child) are in an organisational environment that has been designed to be mindful of child safety in its everyday operations.

MAKING ORGANISATIONS CHILD-SAFE

INTERNET BASED SOURCES OF ADVICE

The purpose of this section of the chapter is to identify strategies commonly recommended by the child-safe organisations movement as keeping organisations child-safe. Relevant internet sites offering advice about child-safe organisations easily accessed by Australian children's service organisations include:

STATE GOVERNMENTS

- Victoria – The child safety commissioner's website (*Child safety commissioner: Core functions* 2008)
- Western Australia – the Western Australian Department for Child Protection working with children website (*Working with children check* n.d.)
- New South Wales – the commissioner for children and young people's website (*NSW commission for children and young people: Working with children: Child safe child friendly* n.d.)
- Queensland – the commissioner for children and young people and child guardian website (*Commissioner for children and young people and child guardian* n.d.)
- South Australia – the South Australian Department of Families site (*Government of South Australia: Department of Families and Communities: Child safe environments* 2009)

FEDERAL GOVERNMENT

- The Australian Sports Commission website (Australian Sports Commission 2009)
- National Safer Schools Framework (Student Learning and Support Services Taskforce 2003)

CHURCH

- The Scripture Union of Australia's child safe: safe people/safe programs website (*Child safe: Safe people/safe programs* 2009)
- The Anglican diocese of Brisbane website promoting safety for children in parishes and in church activities (*Anglican Church of Australia: Diocese of Brisbane: Protection policy for children and young people - parishes and planning and safety procedures for children's activities* 2007)
- The Anglican diocese of Sheffield in the United Kingdom website (*The diocese of Sheffield: Children and young people: Safeguarding in the diocese of Sheffield* 2007)

NOT FOR PROFIT ORGANISATIONS

- The Our Community website (*Our community.com.au: Building stronger communities through stronger organisations* n.d.)
- Child Wise (*Child wise* 2006)
- Australian Council of Children's and Youth Organisations (*ACCYO: Safeguarding children* 2007)
- ChildHope (*Child hope: Child protection resources* 2009)

STRATEGIES RECOMMENDED TO MAKE ORGANISATIONS SAFE

MANAGING RISK

Many of the sites reviewed promote the application of the standard risk management steps and provide advice consistent with that provided by the Western Australian Department for Child Protection site (*Working with children check* n.d.), namely, 'risk management methods should routinely be used when developing new programs/activities, or to evaluate existing programs on an annual basis'.

INVESTMENTS IN PEOPLE

Many sites regard people working in the organisation as the key to protecting children. Underlying is a belief that if an organisation is well led and its people are properly informed,

educated and trained they will not harm children or if harm occurs they will act responsibly and report it. Some sites propose that children need to be trained to protect themselves.

The strategies around investing in people are usually expressed along the lines:

- Providing information, raising awareness and educating staff, volunteers, parents and children about sources of harm;
- Staff training, recognising signs of child abuse;
- Staff assessment;
- Providing supervision, guidance and support to staff;
- Child training, for example, protective behaviours training.

The Western Australian Department for Child Protection site (*Working with children check* n.d.) states:

Training and supervision are essential to the implementation and maintenance of child safe practices of any organisation. Regular supervision contributes to an environment where employees and volunteers are encouraged to speak up about concerns and where interaction with children can be monitored and supported. Relevant topics for staff training include:

- Child development
- Definitions and indicators of child abuse
- Responding to children
- Risk management awareness
- The Child Protection Policy
- Reporting procedures – details on who to report to, what to report and how it will be responded to
- Clear supervision/accountability mechanisms

POLICY DOCUMENTS

Developing and documenting child protection policies and codes of conduct are recommended by various promoters as an essential component of the child-safe organisation strategy. Child Wise's Choose with Care program (*Child wise* 2006) advises a child protection policy should include:

- Your organisation’s commitment to child protection
- Definitions of child abuse
- How to raise and report concerns
- Responsibilities to report
- Management responsibilities
 - How your organisation will support: Children who have experienced abuse; Staff who have allegations made against them; Parents who have raised complaints or whose children have been abused; Other participants and workers affected by the situation.

The South Australian Department of Families’ site (*Government of South Australia: Department of Families and Communities: Child safe environments 2009*) informs organisations their obligation to develop policy in particular policy domains can be found in the *Child Protection Act 1993*:

Child-safe organisations require a policy framework that addresses specific requirements outlined in the *Children’s Protection Act 1993*. These include:

- the organisation’s commitment to the safety and protection of children;
- how volunteers and employees recognise and respond to suspicions of child abuse and neglect;
- standards of care for ensuring the safety of children including standards for addressing bullying by children within the organisation;
- codes of conduct for employees and volunteers within the organisation; and,
- standards of care for employees and volunteers within the organisation that reflect the organisation’s duty of care to children.

The Western Australian Department for Child Protection site (*Working with children check n.d.*) provides advice about the role of a code of conduct:

Codes of Conduct should also be developed to clearly outline the “dos” and “don’ts” of behaviour and relationships with children and their families. Below are suggestions of information to include:

- Appropriate boundaries eg. No out of hours contact, rules on physical contact/touching;
- Expected behaviour eg. safe/ respectful interactions with children; and,
- Acceptable discipline practices.

COMPREHENSIVE RECRUITMENT PROCESSES

All sites visited emphasise to some degree the importance of selecting people who are safe to work with children. The Victorian Child Safety Commissioner's site emphasises the staff selection process needs to be proportionate to the vulnerability of the children: 'The organisation needs to invest time and resources when recruiting staff or volunteers who will work closely with children, particularly if the children are vulnerable or have special needs' (*Child safety commissioner: Core functions* 2008).

Most of the sites reviewed do not distinguish the levels of vulnerability at different stages of childhood and recommend an exhaustive process for anyone wishing to work with children. The Western Australian Department for Child Protection site suggests the child safe message needs to be placed in the vacant position advertisement by making reference to the organisation's child protection policy and code of conduct. With respect to interviewing it states:

Form a skilled interview panel that has time to plan and prepare, ensuring panel members are clear on what the position requires of the applicant. • Make use of behavioural based open ended questions in the interview that can assist in determining a person's motivation for working with children. This style of questioning assists with gaining insight into the applicant's values, attitudes and understanding of professional boundaries and accountability. • Some useful questions may include: *"Tell me about why you want to work with children? Describe a time when you had to manage a child whose behaviour you found challenging? Tell me about a time when you had to comfort a distressed child/or were particularly fond of a child?"*

Watch for red flags or warning signs which may include; erratic employment history, the applicant seems 'too good to be true', does not value or 'need' supervision and is evasive or inconsistent in his/her answers. Remain aware of

how the applicant responds to questions with regard to his/her words and body language. Take notice of your own thoughts and feelings when interacting with the applicant and ask for more information when not satisfied with responses given. (*Working with children check* n.d.)

RECORD SCREENING

While the legislation governing pre-employment screening of individuals wishing to work with children varies between Australian jurisdictions (Berlyn et al. 2009), there is usually advice to organisations to obtain whatever information can be properly obtained about a person's criminal record and other relevant history, usually as part of the recruitment process. The Western Australian Department for Child Protection site states: People who wish to harm children will target organisations that are unaware of the risks and negative impacts of child abuse and neglect and who conduct little or no screening.

ORGANISATION STRUCTURE

Some suggest there needs to be appointed a specialist children's safety officer or at least a specialist child-safety role assigned to an officer. For example the Australian Sports Commission site (Australian Sports Commission 2009) promotes the appointment of a contact officer and the Western Australian Department for Child Protection site (*Working with children check* n.d.) a child safety officer.

ORGANISATION ACCREDITATION

The Australian Council of Children's and Youth Organisations safeguarding children program received funding from the Federal Department of Families, Community Services and Indigenous Affairs to pilot the accreditation of organisations:

Organisations that proceed with the implementation of the Safeguarding Children Program can also participate in an accreditation process to recognise their efforts in providing a safer environment for children and young people. The accreditation process involves an independent audit, conducted by someone external to the organisation, to determine the organisation's compliance with the standards.

Accreditation is for a period of three years with annual self-assessments required. (Sylvan and Franco 2008, 9)

SITUATIONAL CRIME CONTROL

Modifying the social environment is promoted as a means to protect children from abuse. Irenyi et al. (2006) explain:

A situational crime prevention approach is about creating *safe environments* rather than creating *safe individuals*. This approach has been successful in reducing a range of criminal behaviour such as physical and sexual assaults of adults, car thefts, robbery and shop stealing and may be equally applicable to reduction of abuse and assaults of children in organisational settings. To implement this principle, the criminal event or environment (rather than the offender or the victim) becomes the unit of analysis (Wortley & Smallbone, 2006).

PERSPECTIVES FRAMING CHILD-SAFE ORGANISATIONS

Having identified the strategies promoted by the child-safe organisations movement, the lenses or frames (see Firkins and Candlin 2006) employed by the movement and through which the strategies may have emerged are considered. To aid this task a typology comprising four lenses, frames or perspectives is proposed:

- Good management
- Children's rights
- Child protection
- Injury reduction

This typology is a tool which simplifies a complex concept and provides a convenient structure to assist in the exploration of the approaches adopted by organisations promoting child-safe organisations. It is not contended any particular organisation fits neatly into one of the four classifications that comprise the typology. Neither is it contended there is a single good management, children's rights, child protection or injury reduction perspective. For example, with respect to debates about rights, Smith and Whyte (2008, 26) argue a 'rounded picture of rights, encouraging the use of extra judicial solutions and specifically of socio-

educational approaches' consistent with the Scottish enlightenment thinkers can be contrasted with the narrower concerns of a Kantian derived Anglo-American tradition.

As well, alternative typologies will lead to different insights, for example, organisations promoting child-safe organisations might be classified according to the sectors they target (for example, sport, recreation, education, accommodation, church), their origins (for example, government, secular not-for-profit organisations, church not-for-profit organisations, insurers and consultants), on the basis of the way they 'frame' children (resilient, vulnerable, rights bearers) or the sorts of harm they are attempting to ameliorate. Other typologies might be developed based on the harms inflicted on children, for example intentionality (e.g. premeditated/unintentional harm) or the degree of harm inflicted (see Southall, Samuels, and Golden 2003).

GOOD MANAGEMENT

Through the good management lens being child-safe is part of responsible organisation management because such an approach aims to have the organisation comply with its legal obligations, protect it from potential legal suits and yield benefits, including:

- A safe environment for children and adults.
- An enhanced reputation with all stakeholders.
- Reduced insurance premiums.

The dominant strategy within the good management perspective to achieve a child-safe organisation outcome is risk management. In applying risk management those responsible for the organisation, relevant parts of it or for risk management specifically, cyclically, in consultation with staff and stakeholders, identify and rate hazards or risks against the severity of impact and probability of occurrence and then develop, document and implement strategies to mitigate the hazard or risk. A hazard or risk can be poor work practices, poorly trained staff, defective equipment, inadequate policies and protocols, lack of compliance with legislation, poor morale, inadequate physical boundaries, a lack of expertise or knowledge, inadequate risk management or anything else expressed as a risk or hazard.

GENERIC RISK MANAGEMENT TOOLS

Those responsible for assessing an organisation's risks have readily available generic risk assessment tools and formats which can be used to consider child-safety. For example, the Queensland Government's Department of Communities provides information about insurance and risk management for sport and recreation organisations (*Risk management* n.d.). This information references the Australian/New Zealand standard for Risk Management (Standards Australia/Standards New Zealand 2004) and identifies the risk management process 'as a 5-step process of: 1. identifying the risks; 2. analysing the risks; 3. evaluating the risks; 4. treating the risks; and 5. monitoring and reviewing the risks and implemented risk management plan'. The ourcommunity.com.au website provides advice to community organisations from an insurer's perspective and details comprehensive information and management tools for community organisations to manage their risk (*Our community.com.au: Building stronger communities through stronger organisations: Help sheet* n.d.).

Some organisations committed to emphasising and promoting organisation child-safety refine generic risk management tools so they prompt consideration of particular risks faced by children. The ourcommunity.com.au website has particular risk protocols for activities involving children and families and youth (*Our community.com.au: Building stronger communities through stronger organisations: Risk management checklists* n.d.).

A risk management approach is promoted by Australian governments' agencies responsible for administering organisation health, safety and welfare legislation. For example, the Western Australian Department for Consumer and Employment Protection's (DOCEP) code of practice 'The safety and health of children and young people in workplaces: Information for employers, managers, supervisors, parents and young people' (Worksafe Western Australia Commission 1999) sets out the steps for the safety of children and young people in workplaces as hazard identification, assessment, mitigation and monitoring and review.

CRITICISMS OF RISK MANAGEMENT TOOLS

While it appears risk management tools are an artefact of responsible management there are criticisms of them. Cox and Flin's (1998) article: 'Safety culture: Philosopher's stone or man of straw' state a concern they assert is voiced within the academic community: 'a naive belief

in the concept (*i.e. risk management*) has far outstripped the evidence for its social utility' (ibid, 190). Ericson (2006, 353) identifies ten uncertainties about the tools of risk management. Two of the uncertainties particularly relevant to child-safe organisations, are risk selection and reactive risk.

The difficulty of risk selection is highlighted in the Victorian Government's 'Department for Human Services Small Resident Facility Fire and Emergency Response Procedures Template' (*Small residential facility fire and emergency response procedures manual: Template user guide: Hazard assessment 2006*) which requires managers to consider the risks set out in the template and select those which are applicable to the small residential facility for which they have responsibility. The 45 item list includes a range of potential contingencies ranging from a failure of a utility (telephone) and sewage spills to civil disturbance, letter bombs and building invasions. Each item needs to be considered and either included or eliminated in the facility's risk plan and there is scope to add more facility specific risks. Additional advice is provided in the protocol:

A house could be located near the intersection of two major roads along which petrol tankers travel. The event could be an accident resulting in an overturned petrol tanker spilling its load of fuel, or the petrol tanker crashing into the House. The threat would be Motor Vehicle Accident damaging the House or External Fuel Spill. (*Small residential facility fire and emergency response procedures manual: Template user guide: Hazard assessment 2006, 3*)

In a consultative forum it is not difficult for anxious people to identify a wide array of potential low probability threats and hazards that if actualised would have devastating consequences, for example meteorite showers, objects falling from planes, rising sea levels or the interspecies transfer of viruses. Verity's (2005, 31) observation, cited earlier, about organisations being 'burdened by risk management' is apposite. Gill (2007, 60) argues the consequence of being overly orientated to risk, when it is applied without considering its impact on children's freedom to explore, experience and manage risk, is ultimately antithetical to their needs:

Policy and practice are often focused on the goal of reducing adverse outcomes, when there is a manifest need to take into account the benefits of allowing children more freedom to explore, discover, take a degree of responsibility and experience risks for

themselves. Rare, tragic adverse outcomes have a disproportionate influence, with scant regard to evidence and little or no debate about how to draw the line between these and more common, less serious experiences. Safety initiatives tend to take the form of quick fixes, technical or bureaucratic procedures that work against the exercise of judgement.

As far as reactive risk is concerned Ericson (2006, 350) says ‘every effort to refine it (risk) is also an exposure to its vulnerabilities that can be acted upon to create more risk’. In the Full Commission of the Industrial Relations Commission of New South Wales’ *Jason Wilson and Department of Education and Training* [2000] NSWIR Comm 20 at 81 aspects of vulnerability were evident when it determined on appeal that procedural defects in the Education Department’s investigation of a case where a teacher was found by the Department to have had an inappropriate relationship with a student might of themselves vitiate a decision to dismiss the teacher:

The investigating officer's decision not to follow the Departmental guidelines for the proper conduct of the investigation; the use of two Departments conflicting disciplinary guidelines to investigate the matter; the reliance on interviews conducted with a minor without the parents present and without their consent; the reliance on interviews conducted outside the Departmental guidelines and the refusal to consider the parents recorded views are all matters which establish to our satisfaction a lack of procedural fairness. We consider the Commissioner was in error in concluding that, even if there existed procedural unfairness, it was insufficient to render the dismissal harsh, unreasonable or unjust. We make this finding in the light of our conclusion that there was no proper basis, on the evidence before the Commissioner, to have found that the applicant engaged in the improper conduct alleged against him. **However, the nature of the procedural defects may have been sufficient in this case to vitiate, of themselves, the decision to dismiss the employee** (emphasis added).

LOSS– GAIN BALANCE

In the early 1980s Brearley (1982, 156), a social worker, provided a summary of what he considered to be the main aspects of risk analysis and management under the headings: risk analysis; risk analysis framework; risk avoidance; risk taking; and loss management. He amplified risk taking:

- loss – gain balance
- choice
- responsibility
- change no change

The notion of loss – gain balance is also evident in the Australian and New Zealand Standard for Risk Management (Standards Australia/Standards New Zealand 2004) document which underpins most references to risk management in Australia. A sequence is stated:

Evaluate the risks

Decide what risks are acceptable considering costs and benefits

However, as risk assessment and risk management steps are summarised often there is little emphasis given, when it comes to children, to considering the risk of not taking the risk. For example the NSW Commission for Children and Young People uses the risk assessment format:

Activity – List each activity you provide for kids

Risks – What could go wrong (mark on a scale of 1–3 to describe level of risk)

Ranking – Use scale of High/Medium/Low to describe level of risk

How to reduce risk –Changes to reduce, modify or avoid risk

Priority – Use a numerical scale (1 being the highest) to decide what you will do first

The Western Australian Department for Child Protection similarly advises:

Risk management is a conscious series of steps used to identify potential risks to a child's safety and well being or determining an employee/volunteer's capacity to perform the job effectively. Strategies can then be developed to reduce the risk of harm occurring to children.

Risk management methods should routinely be used when developing new programs/activities, or to evaluate existing programs on an annual basis. (*Child safe and friendly organisations: Introductory factsheet* n.d., 4)

This emphasis on eliminating or reducing risk without clearly asking the question: 'What do children stand to lose if we do not take this risk?' can ultimately result in risk averse policies where activities enjoyed by generations of Australian children are no longer contemplated.

For example, supervisors might be loathe to allow children to swim in a river or ocean, play rough and tumble games, climb trees or ‘double dink’ on push-bikes.

CHILDREN’S RIGHTS – A GENERALIST APPROACH

Within the typology a children’s rights’ perspectives is based on promoting and protecting the full range of children’s rights including children’s rights to be empowered, heard and participate in matters that concern them and the right to be safe. From the children’s rights child-safe organisation perspective the full range of children’s rights have long been ignored, given low priority or easily pushed aside. From this perspective children’s organisations are safe when rights are respected and in evidence.

The child rights’ perspective subsumes child protection. Those approaching child-safe organisations from the children’s rights’ perspective are concerned about a) preventing child abuse and b) promoting and protecting the broader children’s rights’ agenda. Fundamental to the rights’ perspective is a belief that if the full range of children’s rights are respected, that is if children participate fully in matters that affect them and they are not discriminated against, many things that otherwise might threaten children’s well-being are attenuated. A concern of the children’s rights’ perspective is the child protection perspective’s sole focus on the child’s right to not be abused because it creates a consequential risk: other rights are overlooked. This difference can be a source of tension. Carmody J’s judgment in *Murphy & Murphy, Family Court of Australia* [2007] FAMCA 795 at 144 - 209 considers whether children should be able to give their evidence directly to the Family Court and be subject to cross examination. The judgment outlines the argument that the Court’s tradition in not accepting children’s direct evidence is based in part on the understanding court processes are capable of being harmful to children. Consequently, the Court has relied on others providing to it a child’s evidence or wishes. Carmody J balances this child protection argument that taking evidence from children exposes them to potential harm by outlining children’s international rights and considering whether preventing children from giving direct evidence reflects the overwhelming dominance of adult preconceptions about children’s limited abilities.

That the child is often ‘constructed’ as part of a family, rather than as a distinct rights carrying individual, is arguably problematic for Australia’s child protection system. A perverse outcome of this framing of children is that data related to child maltreatment or child

abuse in non familial environments are compromised because such abuse is open to being classified as parental neglect, the logic being that the parent has failed to protect their child (see Bromfield and Higgins, 2003). Child abuse data also exclude cases where the abuse was perpetrated outside the family and the parent is protective of the child. These cases are generally considered to be a police not a child protection matter (Bromfield and Irenyi 2009, 6)

The UNCROC (United Nations General Assembly 1989) which came into force in Australia in 1991 provides an authoritative reference point for organisations which promote child-safety from a children's rights perspective. The New South Wales Commission for Children and Young People promotes children's rights alongside child protection and captures both perspectives by using the expanded phrase 'child-safe and child-friendly' prior to the word organisation. The Commission defines child safe as 'taking steps to keep children safe from physical, sexual or emotional abuse' and child-friendly as – 'means kids are valued, respected and included so they feel confident they will be listened to' (*NSW commission for children and young people: Working with children: Child safe child friendly* n.d.).

Families SA (*Child safe environments: Frequently asked questions* n.d., 2) describes a child-safe organisation as one which not only manages child protection issues but also 'values and embraces the opinions and views of children'. John (2005) says the most challenging aspect of the UNCROC has been the honouring and facilitation of participation by children.

CHILD PROTECTION – A SPECIALIST APPROACH

From the child protection perspective a child is one of society's most vulnerable citizens and one who will be damaged by those who would abuse them, exploit them or overlook their needs, unless there are protective measures in place. From this perspective a child's right to be safe and to not experience abuse is the right of paramount importance – because the consequence of not keeping children safe from abuse and maltreatment is horrific.

Notwithstanding agreement that there is a lack of data about the prevalence of non-familial abuse, a fundamental and long-standing belief is that most child abuse occurs in the family home. For example, the Department of Human Services Victoria advises 'child abuse usually takes place in the home with someone that the child knows rather than with strangers' (*Student information kit - child protection* 2009).

While all forms of intentionally inflicted child harm are within the purview of child protection organisations, their primary orientation is toward the prevention of physical, sexual, emotional abuse and neglect of children, usually within families. Some child protection organisations are concerned solely with one form of abuse and they provide specialist advice and services in preventing that particular manifestation of abuse. For example 'Prevent child abuse Australia' explain: 'While there are many organisations that deal with child abuse there are none that focus on the primary prevention of child sexual abuse i.e. preventing child sexual abuse before it occurs' (*Prevent child abuse Australia: A new, simple, effective approach to keep children safer from sexual abuse* n.d.).

While the belief that most child abuse occurs within the family is prevalent, it is open to challenge in the absence of agreed definitions and data collection methods to establish the prevalence of child abuse in other environments, including organisations. Most knowledge obtained about child abuse and child protection has arisen from research into intra-familial child abuse.

A fact sheet prepared for the 2008 Child Protection Week by the Australian Institute of Family Studies (Holzer, 2008) which provides information under the heading 'making organisations child-safe', illustrates primary child protection concerns:

Making Organisations child safe

"Organisational maltreatment" refers to maltreatment in an organisational setting (e.g., in a school, child care centre or sporting club). Effectively protecting children in an organisational setting requires the use of a variety of strategies, including:

Screening: Employment pre-screening is an important means of preventing known perpetrators from working with children. Screening typically involves a police records check of previous charges for crimes against children, sexual or physical assaults of adults and other relevant charges.

Policies and procedures: Organisations need a clear structure for responding to allegations of child abuse perpetrated by members of the organisation and a framework for responding to and supporting children and families affected by abuse.

The physical environment: The environment in which children interact with employees and volunteers needs to be child-safe in order to reduce opportunities for

situational maltreatment (e.g., good visibility and opportunities for supervision) (Irenyi et al. 2006).

To those promoting children's protection it seems there are definite things each organisation must do for its community of stakeholders before it is considered to have addressed the risk of child abuse. With respect to staff this includes them being:

- Trained in the organisation's child protection policy and procedures;
- Aware of the 'known' prevalence of child abuse;
- Appreciative that no child/family/organisation is immune from the risk of child abuse;
- Able to identify the symptoms of abuse, identify sexual grooming and other inappropriate adult behaviour;
- Aware youth as well as adults perpetrate child abuse;
- Cognisant of abuse's consequences;
- Appreciative that confidentiality cannot be promised to a child who 'discloses' abuse;
- Aware of their legal responsibilities to report suspected abuse to relevant authorities.

Organisations promoting the child protection perspective do not hold an organisation can eliminate child abuse. The aim is to equip organisations to implement a raft of measures designed to reduce the incidences of child abuse and child maltreatment and to ensure all concerned know how to respond appropriately if abuse occurs.

The Australian Sports Commission provides information characteristic of a child protection perspective for dealing with child abuse in sport. Its website provides the following sets of advice:

Recent reviews of legislation in most states and territories has resulted in an increased requirement by sport and recreation clubs and associations to have a greater awareness of child abuse, a commitment to child safe practices and the ability to responds to suspicions of harm. (*Play by the rules: Making sport inclusive, safe and fair: Child protection* n.d.)

The four main types of child abuse are:

Sexual abuse/sexual misconduct

Any sexual act or sexual threat imposed on a child or young person.

For example, suggestive behaviour, inappropriate touching or voyeuristically watching an athlete shower or change clothes.

Physical abuse

Non-accidental injury and/or harm to a child or young person, caused by another person such as a parent, care-giver or even an older child.

For example, physically punishing a young person for losing a game by hitting, throwing equipment, pushing or shoving.

Emotional abuse

Behaviours that may psychologically harm a child or young person.

For example, threatening language, bullying, ridicule, personal abuse and comments designed to demean and humiliate.

Neglect

Failing to provide a child or young person with basic physical and emotional necessities, harming them or putting them at risk of harm.

For example, keeping the best young player on-field to win the game despite having an injury or making children play in excessive heat. (*Play by the rules: Making sport inclusive, safe and fair: Types of child abuse* n.d.)

INJURY REDUCTION – A PRACTICAL APPROACH

The last classification within this typology is an injury reduction perspective. Child injury prevention organisations exist in each Australian state and territory. For example, Kidsafe Australia aims to prevent child deaths from unintentional injury and reduce the severity of unintentional injuries to children aged less than 15 years. Its Western Australian website (*Kidsafe Western Australia: The child accident prevention foundation of Australia: Child safety is no accident: Fact sheets* n.d.) list various organisational related projects and services including consultancy services, playground safety and school safety. Material on its site about school safety week is informative:

Injury is the leading cause of death and disability to Australian children. Each year Princess Margaret Hospital (PMH) treats about 10,000 children as a result of injury. Schools are the second most frequent location for child injury after the home,

accounting for 11% of all PMH injury presentations. During the 2006/2007 financial year, there were 1,265 presentations to PMH by children injured at school (Females n=447, Males n=818). The latest statistics show that 62% of recorded school based injury presentations occur in primary school aged children (five to twelve years) from falls and blunt force injuries that usually occur as part of sport or playground activities.

Injury prevention requires a whole school approach which includes school curriculum, parental and community involvement, environmental modification and supporting policies and legislation if the Western Australian community is going to achieve a sustainable reduction in childhood injury.

The aim of Safety in Schools Week is to:

- Promote the prevention of injuries to children
- Develop partnerships between schools, health agencies, public health units and the community to focus on injury prevention
- Develop and promote injury prevention resources

(Kidsafe Western Australia: The child accident prevention foundation of Australia: Safety in schools week 2009)

The Western Australian Department for Consumer and Employment Protection's (DOCEP) code of practice: 'The safety and health of children and young people in workplaces: Information for employers, managers, supervisors, parents and young people' includes in its scope 'children and young people who are part of the work process, such as children in a school, patients in a children's hospital or customers in a shop ... children in after school care and vacation care' (Worksafe Western Australia Commission 1999, 3 - 5). This code is largely silent on the child's human rights' and child protection perspectives, however for a number of organisation administrators providing services to children the code informs their approach to ensuring the workplace is safe and that children who visit, participate or work there are not injured.

CONCLUSION

This chapter provided the background to the research project. In the process it has addressed the first two research objectives: Explore the child-safe organisation discourse. Identify the framing underlying strategies promoted as means of building child-safe organisations.

The chapter proposed that following the Wood Royal Commission a broadly based child-safe organisations movement emerged to promote a general child protection cause: child-safe organisations. The child-safe organisations movement's emergence following the Wood Royal Commission occurred after Australia had ratified the United Nations Convention on the Rights of Children in 1991 and when there was widespread acceptance in Australia that child abuse occurred in earlier eras in children's institutions (children's homes etc).

That the child-safe organisations movement is dynamic and evolving has become evident throughout the project. The clearest example of this dynamism is that the Council of Australian Governments has committed the Community and Disability Services Ministers' Conference to developing and implementing 'a national approach to working with children checks and child-safe organisations' (Protecting children is everyone's business: National framework for protecting Australia's children 2009-2020, 2009, 18). That the Council of Australian Governments, Australia's peak political leadership forum, included this specific undertaking in its strategic planning document is evidence of effective lobbying by those committed to promoting a child-safe organisations agenda.

Notwithstanding the development of a national approach to child-safe organisations the various frames through which child-safe organisations are viewed (see pages 77 - 89 of this thesis) and the nature of the advice provided to organisations (see pages 72 - 77 of this thesis) are unlikely to change in the foreseeable future. Those involved in the child-safe organisations movement appear to have marshaled their knowledge and approaches, and are in a strong position to be able to implement their vision. However, whether a national approach to child-safe organisations implies a substantial change, such as the development of model legislation (see page 49 of this thesis) or organisation accreditation (see page 76 of this thesis), or something else, remains to be seen.

Now that this chapter of the thesis has provided a context for the research object, the next chapter addresses the research project's methodology, where the framing of the research and the tools arrayed to examine the research object are identified and discussed.

CHAPTER 3: METHODOLOGY

INTRODUCTION

This chapter sets out the research project's methodology. It explains, justifies and positions the methodological and method choices made to inquire into the research object, child-safe organisations, in a scholarly manner. Such justification relies on transparency, not only in regard to the technical aspects of the chosen methodology and methods but also with respect to the traditions and dynamics of their framing.

While the project's methodology is set out in this chapter of the thesis, methodological and method choices made are in evidence in the thesis' previous chapters. At the broadest level these choices position the research within an interpretivist/constructivist approach of qualitative research. The way I have applied these choices is evident in that there is a) the development of a tentative narrative about the development of a child-safe organisations movement in Australia, b) the presentation of personal material derived from reflexive analysis, c) a concentration on the phrase child-safe organisations and the way it develops meaning among people and d) the thematic analysis of the material identified on the internet and elsewhere to produce a typology of the 'frames' that filter the representations made by those promoting child-safe organisations.

These choices reflect a particular epistemological positioning of this inquiry. The inquiry is not conceived of as a search for the 'truth', because from the chosen standpoint 'truth' about a socially constructed object does not exist as an objective 'findable' entity, though differing degrees of consensus do. The thesis aims to generate contextualised knowledge about child-safe organisations. Such knowledge is co-produced in partnership and dialogue with research participants and the body of knowledge and materials already available. The researcher is positioned as both an inquirer and a research participant. As the researcher I am influenced by the data and part of my responsibility is to document how the data influences me. Additionally, I bring my own reflected experience as a social work practitioner to the project and I have endeavoured to be transparent in this. The philosophical and methodological

choices made in this project are informed by the larger purpose of the research: that it is that the thesis is useful to those who wish to achieve greater safety for children.

Whereas earlier in my career I might have opted for a simpler research design, perhaps one devoted solely to the representation of participant interviews, at this stage of my career I wanted to wrestle with the complexity of an emergent child-safe organisations movement and the context of its development. Child-safe organisations are topical. In the period of this project a number of significant developments have occurred nationally (for example, the Council of Australian Governments identifying child-safe organisations as a national priority) and jurisdictionally (for example, implantation of South Australia's legislative amendment imposing a penalty for organisations which do not develop child-safe environments). While the research participants' views about child-safe organisations are important, these broader contextual changes are important also, especially in terms of the resources likely to be invested in the child-safe organisations movement.

While a child-safe framework emerges from the data provided by the participants and the researcher, it is not proposed to be a framework that is applicable to all children's organisations. Indeed, the limited claim of the research is that the framework is an acceptable representation of a child-safe organisation for those who were interviewed (remembering also a declared limitation of this research is that children were not interviewed). The framework aims to provide a point of connection for others interested in thinking about how children are best made safe within organisations, whatever that means in the context of a particular organisation and the children it serves.

Crotty (2003, 2) responds to the question: 'How do we justify our choice of methodology and methods?' by advising justification 'lies with the purpose of our research – in other words, with the research question that our piece of inquiry is seeking to answer' (ibid, 2). This advice is found throughout the qualitative inquiry literature (see Patton 2002, 13).

However, in developing a research design a beginning researcher is presented with a formidable array of theoretical perspectives, methodologies and methods all offering in some way further understanding of the research object and to some extent appearing useful in answering the research questions. Notwithstanding this array of methods and perspectives Crotty (2003, 216) concludes, 'as researchers, we have to devise for ourselves a research process that serves our purposes best, one that helps us more than any other to answer our

research question'. The centrality of the researcher is implicit in Crotty's comment as his or her epistemic and ontological assumptions are crucial to determining how the research object is conceived and researched.

Following Crotty, at the outset of this chapter it is appropriate to reconsider the purpose of the research, the research questions, and the researcher's assumptions and beliefs underpinning them.

EXPLORING THE RESEARCH QUESTIONS

The research questions are: What is a child-safe organisation? How can an organisation's 'child-safe' status be effectively represented to relevant stakeholders?

The first question, 'what is a child-safe organisation?' is the root for longer questions, which might be, '... in the eyes of a relevant stakeholder(s)', '... in a particular culture', '... at a particular organisation', '... for a particular group of children', '... for a particular child' or '... for a particular set of activities'. Following the expanded question is always the usually unwritten additional phrase, 'as it is understood and represented by the researcher'. A central assumption is that the subject (the researcher) and the object of the research (the question or the person or material interrogated) are never able to be separated. In every instance the researcher influences the way the material is understood and represented.

That a question is rarely framed fully as it is set out above touches on an aspect of this project's methodological framing. In the participant interviews a question could have been put to participants: 'what does a child safe organisation mean to you at this time, in this place and culture, with this group of children or individual child, when they are doing a particular thing in this organisation?' The fact that language is rarely used in such a way for the purpose of conversation points to its utility and for the capacity of language to be contracted and to carry much meaning. In effect all of that was packaged into the question 'what does a child-safe organisation mean to you?'

Some language theorists' area of interest is the capacity of phrases to carry much more meaning than would be deductively apparent. Coming to have a fuller understanding what might be packaged into the phrase 'child-safe organisations' is an important dimension of this project and that section of the thesis entitled 'language and socially constructed meaning' (see pages 57 – 71 of this thesis) which dealt with individual schema and frames, blending

theory, an examination of the words that make up the phrase, ‘child-safe organisations’, and the phrase itself, and its meanings are fundamental to the project’s inquiry.

EPHEMERAL ANSWERS

These expanded questions ‘what is a child safe organisation ...?’ are phrased with the expectation that there is more than one answer, and that answers will change over time. The presumption that responses will be efficacious for limited periods is because of an assumption underpinning socially constructed objects, such as, childhood (see Steinberg and Kincheloe 2004), child abuse (see Elgin 1997, 165), safety, risk, and organisations: they exist in varying states of individual, historical and cultural flux.

I observed such flux in the research process on several occasions. For example, following their interviews several research participants reflected on the discussion and amended their initial views. One participant, individual 2, indicated in an initial interview his belief that the good reputation or community standing of those responsible for an organisation was fundamental to its safety. However, in a follow up contact he said when he reflected on the interview he reconsidered whether the reputations of those responsible for organisations were critical to safety. He said he had changed his view after he more consciously thought about child abuse by the clergy and people working under the auspice of the various churches. His amended view was that an individual’s reputation was not critical to an organisation’s safety and that those with children’s interests at heart needed to be aware some people in charge of organisations cultivated a good reputation and traded on it to add to the credibility of the organisation and to facilitate their opportunities for child abuse. Kaspersen’s (2000, 28) description of Giddens’ double hermeneutic, quoted earlier (see page 17 of the thesis), is relevant, ‘within social science we can speak of a double hermeneutic, as the researcher observes and interprets a reality which is already interpreted by the laypersons who themselves constitute the researcher’s object ... In this way concepts and theories, i.e. interpretations, circulate back and forth between the social scientist and the target group’.

PARTICIPANTS’ PRE-UNDERSTANDINGS

There is an assumption that research participants, including the researcher, come to a research project with pre-understandings of the research object shaped by life’s experiences, history, interests and culture, including language. Such pre-understandings are not only about the

research object, they are also about research. Participants bring to the research process their pre-understandings about truth and about 'valid' knowledge that influences the way the research plays out. The core words in the research question 'child', 'safe' and 'organisation' are each loaded with meaning accrued over one's life, which in part contributes to the participant's pre-understanding of the research object. The words 'truth' and 'knowledge' and what constitutes them, and how might they be uncovered, while not manifest in the research question, are equally present and equally loaded.

The act of posing research questions commences within the researcher in what can be thought of as a hermeneutic spiral, where meanings are refined dialectically, between pre-understanding and understanding, and part and whole, which are then deepened further in the research process. Alvesson and Skoldberg (2000, 57) identify an alethic hermeneutic circle (or spiral) in the relationship between pre-understanding and understanding, in which the polarity between subject and object dissolves and there is the (potential) revelation of something hidden.

Responses to this thesis' research questions, developed from an examination of the research object's current manifestation, will contribute to some extent to the research object's history and historiography. The purpose of the narrative provided at the introduction of this thesis, where I set out a description of my understanding of the emergence of the child-safe organisations movement, is intended to contribute to this 'cycling' and the capturing of 'thick description' (Ponterotto 2006, 543) of what can be thought of as emancipatory research, undertaken for the benefit of children.

Consequently any response to the question 'what is a child-safe organisation?' needs to be viewed as an imperfect contribution to the exploration of the unstable contours of the research object (child-safe organisations). The first question lays the ground work for the second question: How can an organisation's 'child-safe' status be effectively represented to relevant stakeholders? In this question the issue of whether effective representation is possible is implicit. As well, temporality is implied in the second research question with the choice of the word *status*. Status is selected to capture the meaning 'a state of affairs' (Chambers Dictionary, 1994) at a particular time.

ADDRESSING THE RESEARCH OBJECTIVES

With Crotty's (2003) advice in mind, the research objectives developed by the researcher to respond to the research questions are:

- i. Explore the child-safe organisation discourse.
- ii. Examine the strategies promoted as the means of making organisations child-safe and identify how those strategies are framed within the child-safe organisations discourse.
- iii. Identify the requisite features of a 'child-safe' organisation from the perspectives of relevant stakeholders, including relevant professional groupings (social work, administration, law, and insurance).
- iv. Develop a framework that will provide a stimulus for organisations to assist them represent themselves as 'child-safe' to their stakeholders, while striving to make explicit limitations.

From my standpoint there is neither a single nor correct way to address these objectives nor a prescribed set of conventions that dictates how they must be addressed or represented. The challenge for the researcher is to demonstrate to an audience that they have been addressed logically, comprehensively and transparently, including that the assumptions guiding the choices about how they are addressed are surfaced as much as possible.

The first research objective is addressed by examining and making meaning from selected available text, including, professional literature, parliaments' records, government reports and inquiries, the United Nations Convention on the Rights of the Child (UNCROC), court cases, insurance protocols, newspaper reports, legislation, relevant websites, and organisation policy and procedural documentation. These records reflect many of the sites where the discourse about child-safe organisation is occurring. Haralambos and Holborn (1995, 849) refer to such sources as secondary sources because the data are already produced. These secondary sources address issues such as child-safe, child protection, children's rights, risk and risk management. Within this objective is also an engagement with the language of child-safe organisations. I have endeavoured to identify how meaning is attributed to a phrase like 'child-safe organisations', and what it means and might mean.

The second research objective complements the first and relies on a close examination of a subset of secondary sources comprising the advice provided by organisations and authorities promoting child-safe organisations to identify patterns and themes which frame and filter the advice given by proponents of the child-safe organisations movement. The first and second research objectives are substantially addressed in chapter 2 of the thesis.

The third objective is satisfied by generating primary source data (Haralambos and Holborn, 1995, 828), that is, data elicited and collected by me from informed ‘insiders’ to the enterprise of child-safety in organisations. This includes stakeholder data elicited by interview, questionnaire, group discussion, workshops and forums, observation, a researcher’s log, and reflexive analysis and thinking. The fourth objective is anticipated as a creative product crystallising from the synthesis of data elicited in addressing the prior objectives. This creative product, the child-safe organisations framework, is detailed and discussed in chapters 4 and 5 of the thesis.

APPROACH

There is a theme in some philosophical literature that the traditional professional disciplines and divisions – reflective of a quest for order – are no longer adequate for the task of dealing with life in late modernity, if they ever were (see Beilharz 2001, ch. 9). Bauman says ‘no binary classification deployed in the construction of order can fully overlap with essentially non-discrete, continuous experiences of reality’ (ibid, 296). Kincheloe (2001, 683) says of the scholarly world, it is now occupied ‘with faded disciplinary boundary lines’. In this vein Patton (2002, 78) writes ‘there is no definitive way to categorise the various philosophical and theoretical perspectives that have influenced and that distinguish types of qualitative inquiry’.

While this research project aims to benefit children and their parents as consumers of organisations’ services and is therefore fundamentally a social work and social policy enterprise, understanding organisations from perspectives other than social work is inextricably linked to the outcome. Therefore, consistent with Kincheloe’s ‘faded disciplinary boundary lines’ the research project has involved supervision, direction and input from scholars from different academic traditions, including social work, anthropology, education, administration, and law.

PHILOSOPHICAL, EPISTEMOLOGICAL AND ONTOLOGICAL ASSUMPTIONS

In undertaking qualitative inquiry some texts set out the challenge to the researcher to make the philosophical, epistemological and ontological assumptions underpinning the inquiry transparent, as if these assumptions could be adequately expressed and held fixed for the period of the inquiry. Patton (2002, 132 -135) reviews others' attempts to categorise qualitative inquiry perspectives and also provides a table valuable for researchers in which he identifies a non-exhaustive list of sixteen theoretical and philosophical perspectives underpinning forms of qualitative inquiry. Parts of the table developed by Patton (ibid, 132 – 133), setting out perspectives drawn on for this research project follow:

TABLE 1: SOME THEORETICAL TRADITIONS TAKEN FROM PATTON

Variety in Qualitative Inquiry: Theoretical Traditions		
<i>Perspective</i>	<i>Disciplinary Roots</i>	<i>Central Questions</i>
4. Constructionism /constructivism	Sociology	How have the people in this setting constructed reality? What are their reported perceptions, “truths”, explanations, beliefs, and worldview? What are the consequences of their constructions for their behaviours and for those with whom they interact?
9. Semiotics	Linguistics	How do signs (words, symbols) carry and convey meaning in particular contexts?
10. Hermeneutics	Linguistics, philosophy, literary criticism, theology	What are the conditions under which a human act took place or a product was produced that makes it possible to interpret its meanings?
15. Grounded theory	Social Sciences methodology	What theory emerges from systematic comparative analysis and is grounded in fieldwork so as to explain what has been and is observed?

16. Orientational: Feminist inquiry, critical theory, queer theory, among others	Ideologies: Political, cultural, and economic.	How is x perspective manifest in this phenomenon?
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Given the array and overlap of research traditions and methods, the metaphors of modernist knowledge as a tree, awaiting the taxonomists' studies and classificatory skills, and postmodernist knowledge as a rhizome (Lather 1993, 680 - 681), an inseparable, tangled rooty mass, resonated with me and seemed pertinent to my research.

Notwithstanding the continuous and rhizomatic nature of knowledge and experience, and the limitations of any single approach to knowledge, Daweti (n.d., 26 - 27) identifies four theoretical perspectives or paradigms that have influenced research and the construction of knowledge in the social sciences. The first perspective, the empiricist/positivist perspective, is associated with quantitative research and the others with qualitative research. Daweti (ibid) outlines briefly these perspectives' epistemological and ontological underpinnings, and their linkages:

Empiricist/positivist

This paradigm identifies a reality that can be discovered, measured and manipulated. Knowledge is value-free and neutral, and is attained by objective observation of reality, which is "out there".

Constructivist/Interpretivist

Realities are apprehendable in the form of multiple constructions that are local and specific in nature. The focus shifts from the positivist prediction and generalisation to understanding and interpretation. The interpretivist paradigm is context-based and knowledge is seen to be a process of meaning making through interaction.

Critical

The critical paradigm has much in common with the interpretive paradigm but it goes beyond the understanding of multiple perspectives. It seeks to challenge and transform the social power relations and emancipate individuals from oppressive ideologies and any form of injustice or manipulation.

Post-structural

Post-structuralists believe reality is “language into being”. In the critical paradigm, there is an aim of emancipating individuals from these powerful and “false” accounts of reality. In the post-structural paradigm, the purpose is to deconstruct how the accounts of reality are created by language within a particular context at a particular time. The focus is therefore predominantly on discourses.

Alvesson and Skoldberg’s, and Kincheloe’s advice to social science researchers is that they need to be prepared to range across these philosophies and methodologies as the task demands. While this thesis is not produced from a positivist perspective its engagement with legislation and court cases might be seen as incorporating legal positivism.

Crotty (2003, 5) provides examples of the linkages between epistemology, theoretical perspective, methodology and methods. Crotty (ibid) demonstrates particular methodologies (e.g. survey research) and methods (e.g. statistical analysis) are associated with particular perspectives (e.g. in this case, positivism) and epistemologies (e.g. in this case, objectivism). However, in that rhizomatic sense (Lather 1993), methods are not ‘owned’ by methodologies and methodologies are not owned by perspectives. The same method can be utilised within different methodologies. For example, earlier in this chapter the word *status* was defined to capture the meaning ‘a state of affairs’ (Chambers Dictionary, 1994) at a particular time. In the Chambers Dictionary the word ‘status’ is listed prior to the words ‘status quo’, which is defined to indicate an unchanged situation, and ‘status quo ante’, which refers to a situation prior to a change. That is, status quo refers to a situation which is stable and status quo ante a state of affairs which existed prior to the status quo. Therefore status might be either, neither or both status quo and status quo ante. Alternatively it might be an abbreviated way of saying status quo or status quo ante. All three are derived from the same Latin root word. Saul’s (1994) quip, ‘Dictionary: Opinion presented as fact in alphabetical order’ is apposite. The consideration of language in depth is a research method relevant to this research. This method might belong to different qualitative inquiry methodologies and perspectives, for example, symbolic interaction, semiotics, hermeneutics, post structuralism or post modernism, as well as to inquiries framed from within positivist and post-positivist traditions.

Within the objectivist hermeneutic tradition, questioning the meaning of a part of a text by considering its meaning and its relationship to the meaning of the whole of the text, and vice versa, forms a hermeneutic circle or spiral (Alvesson and Skoldberg, 2000, 53). In this way meaning is generated and clarified for both part of a text and the whole of the text. From the post structuralists' viewpoint there is no real anchor in the meaning of words (and therefore language) because a word's meaning relates only to other words and things linguistic, and not to experiences or objects. For example, every word in a dictionary is defined by other words defined in the same dictionary. From within the post structural tradition the unanswerable question becomes does the word *status* – or any other word – have an extra linguistic meaning?

While some individuals have impressive understandings of their epistemological and philosophical beliefs and can express their complex beliefs and world views clearly to the rest of us, for many of us it is a struggle. In the day-to-day world real life contradictions between rhetoric and action abound and frequently action betrays philosophy, more than philosophy prophesies action. It would be no great surprise for example to meet an avowed objectivist (for example a card player who believes in statistical probability calculation as a guide to his or her game) who is also superstitious (and wears the same piece of clothing to each game).

CREDIBLE RESEARCH

Having explored the complexity and uncertainty of the context within which the research questions are posed, the question then is how to answer them in ways which are useful and credible? Within these uncertain contexts Alvesson and Skoldberg (2000, 248) propose an answer: reflexive researchers reflect across theoretical orientations. Alvesson and Skoldberg (ibid) identify data oriented methods; objectivist and alethic heremeneutics; critical theory; and, poststructuralism and postmodernism as the four currents of methodology and philosophy of science and the reflective areas 'in which the social science researcher should be engaged – regardless of the specific methods he or she prefers' (ibid, 7). Alvesson and Skoldberg's (ibid) recommendation resonates with the overall purpose and style of this research. Data orientated methods are necessary to elicit information and meaning in a scholarly and transparent manner from primary source data. A hermeneutic approach to the interpretation of all data through the part/whole (objectivist hermeneutics) and pre-understanding/ understanding (alethic hermeneutics) spirals leads to a deeper understanding

of what is written or what is said and provides a rationale for the researcher to contribute reflexively to the research. A critical perspective throughout ensures the emancipatory aim of the research remains at the forefront of the project, and the power relationships and politics surrounding the research object are not glossed over or unappreciated. A post-structuralist perspective on the words and language used to describe the research object strips away at their meanings, with the intention of deepening meaning and achieving a level of durability that otherwise would not be apparent.

Kincheloe (2001, 2005) also provides an answer to the question of how to make claims that the research is credible. He argues that the complexity of social inquiry requires the researcher act as a bricoleur. The evergreen philosophical questions: ‘what is truth, what is knowledge, what is justice?’ are relevant, in Kincheloe’s terms, for the research project. Not surprisingly Kincheloe (2001, 691; 2005) says learning to become a bricoleur is a life-long process.

Kincheloe identifies five dimensions of the bricolage: methodological bricolage; theoretical bricolage; interpretive bricolage; political bricolage; and, narrative bricolage. With respect to methodological bricolage, he says:

Methodological bricolage: employs numerous data-gathering strategies from the interviewing techniques of ethnography, historical research methods, discursive and rhetorical analysis of language, semiotic analysis of signs, phenomenological analysis of consciousness and intersubjectivity, psychoanalytical methods, ... to textual analysis of documents. (Kincheloe 2005, 335)

The approach informing the methodological and method choices made to examine this research object is consistent with Kincheloe’s (2005) bricoleur and Alvesson and Skoldberg’s (2000) reflexive research.

Becoming more familiar with some of the many tools, methods and questions contained in Kincheloe’s methodological bricolage has followed from the desire to think deeply and in various ways about the research questions. At the outset the research was thought of as a collective case study where ‘the case is of secondary interest, it plays a supportive role, and facilitates our understanding of something else’ (Stake 2005, 445). The ‘something else’ to be understood was ‘child-safe organisations’. As the research progressed and more texts

were consulted it became evident that the research could also be usefully described as a 'generic qualitative study' (Merriam 1998, 11). This was because the study was not of a single unit or bounded system, which in some researchers' eyes is the characteristic of a case study. Merriam (ibid) argues that in a generic qualitative study, data are collected through interviews, observations or document analysis, and findings are a mix of description and analysis. The case study and the generic qualitative study conceptualisations of the research were useful because choices were not made early to strongly identify with either a methodological perspective or limited a set of methods.

While to some it might be unsatisfactory to not label the research design definitively as one thing or another, or to not choose a single methodological frame, as has already been argued in qualitative research there is overlap between designs and methodologies and the way different authors describe them. 'The ideal that the naming/classifying function strives to achieve is a sort of commodious filing cabinet that contains all the files that contain all that items that the world contains – but confines each file and each item to a separate place of its own ... It is the non-viability of such a filing cabinet that makes ambivalence unavoidable. And it is the perseverance with which construction of such a filing cabinet is pursued that brings for ever new supplies of ambivalence' (Beilharz 2001, 282)

Ambivalence about applying solely a 'case study' label to the research increased following interviews with participants from the 'case' organisations. In the interviews staff participants often drew relevant material from their previous employment and from experiences as parents and grandparents. A flexible approach was taken and research participants were not shepherded back to the question which anticipated their attention to the 'case' organisation. Information about the staff member's previous experiences as a parent or as an employee of another organisation was elicited and captured, and considered part of the data in responding to the research questions. Interviews with other stakeholders followed similar paths: for example, board members drew on their experiences as administrators, staff members, parents and grandparents.

Additionally, I intended to interview a group of stakeholders associated with the case organisations and another group of purposively selected stakeholders (lawyers, social workers, administrators and insurers). Occasionally, however, in interviews or in general conversation about the research project names of people thought useful to interview were

provided. Given the research object was not restricted to a particular organisation, if time permitted suggestions were followed up on and several additional interviews resulted. This demonstrated a potential for 'snowball sampling' (Haralambos and Holborn 1995, 832).

Notwithstanding the case study orientation as it was originally envisaged changed, there were also advantages to retaining a focus on the 'case' organisations selected at the outset of the research. Advantages included a) access to parents, b) opportunities for observation at staff meetings and in other forums, c) attendance at the organisations' sites increased the opportunity for participant observation with differing degrees of immersion, d) an awareness of the organisational context within which child-safe was being considered and e) access to organisations' records to study documented responses to critical incidents when a child's safety was considered compromised. With respect to the parents, the administrators of the case organisations had agreed to facilitate contact with parents and encourage them to participate in the research.

RESEARCH PARTICIPANTS

OBTAINING ORGANISATIONS SUPPORT FOR THE RESEARCH

The child-safe organisations movement potentially targets all organisations providing services to children. Beyer, Higgins and Bromfield (2005, v) define a child based organisation as: 'one that provides services to children under eighteen years of age, either directly or indirectly, paid or voluntary, where the organisation and those working with the children are responsible for their welfare or owe a duty of care'. Every organisation providing services to children potentially owes a 'duty of care' and consequently all organisations providing services to children were potentially suitable to assist the research project achieve its objectives.

The determining criteria for an organisation's selection were its willingness and capacity to participate in the research. The view taken at the project's design stage was that valuable data were able to be elicited from any child based organisation provided it was genuinely willing and capable of participating in the project. This belief enabled approaches to a range of organisations, including organisations providing services to Indigenous children,

mixed genders, wide age ranges (0 to 17 years), narrow age ranges (16 – 18 years), and children in state approved care.

Tentative and informal approaches were made to some organisation administrators early in the research process asking them if they would agree to participate in the research. These informal approaches, where organisation administrators were ‘sounded out’ about their willingness to participate in the research, were made concurrent with the preparation of the application for doctoral candidacy.

In each case where an organisation administrator was approached, notwithstanding their general support for the research project, the administrator concluded they did not have sufficient authority to agree to the organisation’s participation in the research project. The administrators advised agreement needed to be obtained from a board of management or from a governing authority, or both.

Formal written requests, on the University’s letterhead, were subsequently made to several organisations seeking their agreement to participate in the research. The formal request was directed to an appropriately authoritative source which included within a Christian Church denomination, a congregation leader, and within a state-wide service network, the state-wide director of services. This approach sought two things. The first thing sought was permission to formally contact the administrators of on-ground services about the research project. The second was approval, subject to the on-ground administrator’s agreement, for the research to proceed.

These lines and sequences of approach were used because following the initial advice received from administrators tentatively approached, it was anticipated on-ground administrators would be reluctant to participate in research if they viewed it as potentially contentious, unless they had ‘up-the-line’ support. I assumed if the ‘leg work’ was completed prior to formally contacting the organisation’s on-ground administrator, there was a better chance of a successful outcome. In this sense ‘leg work’ meant obtaining approval in principle from an authoritative source for the research prior to approaching on-ground service administrators. Also there was an assumption that ‘up the line’ support was more likely to be granted if the initial approach went directly to the person or the body who could make the decision to approve the research, rather than them receiving a submission via the on-ground administrator.

The congregation leader and state-wide director of services approached each had overall responsibility for a number of service delivery organisations that I considered to be suitable cases for the research project. Another advantage of approaching an authoritative organisation source which sat above a number of service delivery organisations was that if one on-ground organisation administrator declined to participate in the research, others could be approached with the same prior approval in principle in place. In effect by approaching authoritative sources a number of on-ground organisations were able to be approached where the 'leg work' described above had been done.

The approaches to the congregation leader and the state-wide service director were successful and their support was obtained in the following terms:

The (congregation's governing authority) will encourage our organisations in Western Australia and South Australia to be involved in the research project as the need appears. In the final analysis however, participation in the research project at an organisational level will be a local decision made by the organisational leader or organisation board. (Congregation leader, personal communication 18 January 2007)

I can assure you of my support in undertaking your research and in facilitating access to parents, staff and management. (State-wide service director, personal communication 27 February 2007)

Organisation administrators of on-ground services were then either approached or re-approached. All administrators approached indicated their willingness for the research to proceed subject to the support of their local board of management or with the provision that the local board was briefed about the project. In one case I was a member of a local board of management. In this case the Board of Management meeting procedures accommodated my declaration of a conflict of interest when the issue of whether the organisation would participate in the research was resolved.

Four on-ground organisation administrators were approached in the manner described above. Three organisations were successfully recruited as 'cases'. In the case where recruitment was unsuccessful, the administrator indicated willingness and commitment to the project, and capacity to participate. In due course he arranged a presentation to the local

board of management which unanimously passed a motion of support for participation in the research project. However, the organisation's administrator did not provide documents and policies requested at the outset before on-site visits were scheduled to occur and consequently the organisation was not included in the project.

PARTICIPATING ORGANISATIONS AND INDIVIDUALS

The three organisations which participated in the research are identified as organisations A, B and C. Organisation A is a religiously affiliated co-educational secondary college (boarding and day students); organisations B and C are co-educational boarding hostels. The three services are located outside the Perth metropolitan area.

Purposively selected professionals (social workers, lawyers, administrators and insurers) were approached directly about their preparedness to be interviewed. Those approached and who agreed to be involved were known to me or identified by people who knew me and the intended research project. Insurers proved most difficult to engage and despite various attempts only one insurer agreed to participate in the research.

DATA GATHERING METHODS

Various methods were used to obtain data for the research:

- Semi-structured in-depth interviews;
- Group discussions and workshops;
- Open ended questionnaires;
- Analysis of extant documentation (including: organisations' policies, court judgments, insurers' advice, government website advice and 'child-safe packages');
- Participant observation;
- A researcher's log.

METHOD CHOICES

The methods chosen to explore the research topic are fairly standard in qualitative research. Merriam (2009, 85 – 139) groups her chapters about collecting data under the headings 'conducting effective interviews; being a careful observer; and, mining data from documents'. Darlington and Scott (2002, 2) similarly concluded: 'core qualitative methods

can be described as in-depth interviewing of individuals and small groups, systematic observation of behavior and analysis of documentary data.’ Denzin and Lincoln (2006, 23) provide a longer list and include: artifacts, visual methods, data management methods, computer-assisted analysis, textual analysis and applied ethnography. Altrichter and Holly (2005) discuss the use of research diaries or logs as a research method which they say usually supplement forms of data collection (ibid, 27) and include a range of items suitable for entry into a diary including contextual information (about the way the data were collected), reflections on research methods and ideas and plans for subsequent research steps (ibid, 24).

The research methods identified above were chosen to address objectives iii and iv of the thesis, those being: Identify the requisite features of a ‘child-safe’ organisation from the perspectives of relevant stakeholders, including relevant professional groupings (social work, administration, law, and insurance). Develop a framework that will provide a stimulus for organisations to assist them represent themselves as ‘child-safe’ to their stakeholders, while striving to make explicit limitations.

The methods addressing objective iii were those that aimed to elicit information from stakeholders and engage them in a co-production where the features of a child-safe organisation were identified. In the thesis this co-production became labeled a ‘child-safe organisations framework’. The methods selected to address objective iv were those that pointed to weaknesses in the framework, so that it might be properly critiqued.

Prior to considering in detail the data gathering methods, the research design accommodated unanticipated opportunities to obtain data.

EMERGENT DESIGN FLEXIBILITY

While at the outset of the research project opportunities were designed to elicit and capture relevant data, unanticipated opportunities also arose and were incorporated into the project’s research design. This is a feature in qualitative research design and is referred to as *emergent design flexibility*. Patton (2002, 43 – 45) deals with this concept and states ‘design flexibility stems from the open-ended nature of naturalistic inquiry as well as pragmatic considerations. Being open and pragmatic requires a high tolerance for ambiguity and uncertainty as well as trust in the value of what inductive analysis will yield’.

Four examples where unanticipated opportunities to elicit data presented were:

Example 1: Organisation A's administrator suggested the organisation would benefit from the development of child-safe performance indicators to underpin its commitment to being child-safe. I was invited to participate in the development of child-safe performance indicators as a member of a special purpose sub-committee established by the organisation's Board of Management. This task provided the opportunity to explore in depth with other members of the sub-committee the issue of what makes an organisation safe and how might its child-safe performance be represented by performance indicators. This was directly relevant to the research objectives, particularly objectives (iii) and (iv), and an additional participant observer opportunity presented.

Example 2: In January 2007 the Catholic Church's National Committee for Professional Standards developed a paper entitled 'Integrity in the service of the Church' (The National Committee for Professional Standards, 2007) and circulated it for consultation. The 'Integrity in the service of the Church' document is a code of conduct document provided to people acting for the Catholic Church (including employees and volunteers). Part of its purpose is to reduce opportunities for child abuse. I was contacted by one of the Catholic Religious Orders in Western Australia and invited to be part of a group that responded to the consultation draft. I submitted my comments about the consultation document to the Religious Order and was also apprised of the Order's final response, which incorporated views gleaned from other respondents.

Example 3: I was invited to be a board of management member of an east coast based not for profit organisation. The invitation was based on my interest in child-safe organisations. For various reasons the invitation to join the Board could not be accepted. However, the organisation organised inter-agency forums in Newcastle, Sydney and Brisbane for its staff and other local welfare service providers on the topic of child-safe organisations. The project's tentative findings were able to be presented to the forums and child-safe organisations were discussed in depth with groups new to the research project, at a late stage in the project. This event provided an opportunity to test and refine the tentative findings from the project with a group of

administrators and staff from agencies which had not previously participated in the research.

Example 4: While on site at organisation A, a 13-year-old girl suffered heat stress following a visit to the municipal pool. In discussion with two supervisory staff members the incident and their role in managing the girl once they discovered her distress was recounted. In consultation with them and in the spirit of a cooperative inquiry (Reason 1997) I developed a critical incident report form based on the concept of double loop learning (Argyris and Schon 1978), which aims to transfer individual learning into organisational learning. The critical incident report form is provided as Attachment 1 (The development of a critical incident report based on an incident that occurred while I was on-site). The document was subsequently presented by the administrator to the organisation's Board of Management. With the administrator's agreement the critical incident form and exemplar were discussed at organisation B.

INTERVIEWS

The primary research method for the part of the research that aimed to develop the child-safe organisations framework was the semi-structured interview (or interviews in a number of cases) with the 35 stakeholders. The semi-structured interview format invited participants to provide information about making organisations child-safe. The interview format was developed at the outset of the research. It provided a thematic guide for me in the interviews however it was not a strait jacket. Travers' (2009, 290) states:

the in-depth interview, also involves talking with a participant about the topic of research, but rather than using pre-set questions, the interviewer and the interviewee are guided by a set of general themes. There is also flexibility in how the interview is conducted. The interviewer can ask additional questions, express his or her opinions where appropriate, and explore issues as the interviewee raises them. In short, rather than a structured question-and-answer process, the in-depth interview is more like an open ended conversation.

Forty-two in-depth semi structured interviews were conducted and digitally recorded with 35 individuals. The interviewees were primarily classified as staff (13), parents (9), board members (4), administrators (3) and purposively selected professionals (6).

While interviewees were classified as above, many provided additional perspectives. For example: a direct care staff member in each of organisation A and B was a social worker (they are not included in the purposively selected professionals group); one board of management member in each of organisation B and organisation C was appointed as a parent representative; one of the purposively selected professionals, a lawyer, was also the chairperson of the board of management of an organisation which provided services to adolescent children. Several participants across all groups declared in the interview they had directly or indirectly experienced organisation-related abuse, personally or through family members or friends.

All interviewees were provided with an outline of the research and the interview process either as an organisational stakeholder (see Attachment 2 – Information organisational stakeholders) or as a purposively selected professional (see Attachment 3 – Information purposively selected stakeholders). The semi structured interview schedules for organisational stakeholders and purposively selected individuals are provided as attachments 4 (Interview formats for organisation stakeholders) and 5 (Purposively selected professionals – Interview schedule), respectively.

GROUP DISCUSSION AND WORKSHOPS

Throughout the first two years of the project regular opportunities presented to engage in formal and informal discussions with staff groups and boards of management from the participating case organisations. A generic workshop format suitable for guiding scheduled formal discussions with staff groupings and boards of management was developed. As an example, the generic workshop format adapted for use with organisation C's Board of Management in April 2008 is provided as attachment 6 (Workshop format for organisation C's Board of Management).

Additionally, as mentioned earlier under the heading 'emergent design flexibility', unanticipated opportunities presented to explore the research object in groups. For example, following the administrator of organisation A initiating a process to bring about a set of child-safe organisation performance indicators a sub-committee of the board made substantial progress on the task and provided reports back to the Board of Management. The work in the subcommittee proceeded in a manner similar to a cooperative inquiry (see Reason 1997).

It was also agreed by organisation A's administrator that the performance indicator work could be presented and discussed at organisation B's Board of Management. As part of this process and again with appropriate permissions it was agreed prior to considering the report at organisation B's Board of Management it could be considered at one of organisation B's staff meetings. This process ensured that a piece of work I became engaged in was shared with and critiqued by four relevant groups (the subcommittee, A and B's boards of management, and B's staff group). The report which provided the basis for these discussions at organisation B is attached at attachment 7 (Presentation to organisation B's local Board of Management). In effect the work was able to be subject to a form of triangulation (Patton 2002, 247 - 248)

Two other opportunities which enabled the consideration of child-safe and client-safe organisations in-depth with the staff complements of organisations are mentioned here: In 2007 in response to an invitation to present research material to the management and staff of the Western Australian Working with Children (Criminal Record Screening) Unit, I presented the beginnings of an organisational metaphor (see pages 157 - 159 of this thesis) relevant to child-safe organisations, to assess whether it resonated with them. In June 2009 I facilitated workshops on behalf of the Western Australian Disabilities Services Commission for their residential care staff to explore with staff whether perceived conflicts between their duty of care and residents' 'dignity of risk' could be resolved.

OPEN ENDED QUESTIONNAIRES

I developed a letter and self-complete survey for parents. The administrators of organisations A and B were asked to examine these documents and advise if they were comfortable for them to be sent to their organisation's respective parent groups. Both administrators chose to send the documents under their signatures. They both refined the letter and survey to suit the nuances of their organisation's culture and to ensure it was topical.

The communication sent by organisation B is provided at attachment 8 (Open ended questionnaire sent to parents by organisation B's administrator). The administrator of organisation A agreed to send the communication but was pessimistic about the chance of the parent group responding to a written survey. Consequently, he assigned a staff member to follow up the written communication with a phone call and to elicit parents' responses over the phone. In this manner the responses captured were of parents whose details were included

in the organisation's data base and who responded to the phone call. Fifteen parents provided responses in this manner. Concerns expressed by parents are provided as attachment 9 (A sample of parent concerns recorded by organisation A).

ANALYSIS OF EXTANT DOCUMENTATION

There is a considerable amount of accessible information relevant to the research project, including organisations' policy and procedure documents, insurer provided checklists, child-safe organisation training packages, governments' website advice, courts' judgments, legislation and relevant professional literature. Common themes taken from sources reviewed were identified and recorded (see pages 71 - 77 of this thesis). In some instances personal contact was made with the contact officers identified on websites. Productive exchanges occurred with several of them, some of which are quoted later in the thesis (for example, see reference to Katherine Sylvan on page 70 of this thesis). However, it was beyond the scope of the project to analyse all sources of information for each of the strategies recommended to make organisations child-safe.

AN EXAMPLE OF THE RANGE OF EXTANT DOCUMENTATION

One strategy commonly promoted to organisations is the 'record screening' of staff and volunteers. Part of the responsibility for screening people's criminal records has been assumed by some states and territories. In Western Australia, immediately prior to the research's commencement, the *Working with Children (Criminal Record Check) Act* (WA) was proclaimed. This legislation promised for Western Australia safer organisations and as such it was directly relevant to the research project:

This Government will not tolerate persons who prey on innocent children, and this legislation will put in place the tough measures that are needed to protect children from persons with criminal histories from seeking out workplaces in which there is access to children (McHale, 2004).

Documentation relevant to record screening identified for this research project included a) the Western Australian legislation, the second reading speech, parliamentary debates, 2009 amendments to the Act and explanatory memoranda, b) State Administrative Tribunal and the Western Australian Supreme Court of Appeal judgments in cases where people denied working with children cards appealed rejection decisions, c) the administering department's

annual reports, d) media reports, and e) the way criminal (and other) record screening systems are developing elsewhere in Australia (e.g. Berlyn et al. 2009) and overseas, for example, in the United Kingdom (e.g. Bichard 2004).

PARTICIPANT OBSERVATION

I was on site at organisations A, B and C for a total of 17 days. At organisation A, which is located approximately 600 kilometers from Perth, this involved being accommodated on site for seven continuous days; at organisation B, which is approximately 200 kilometers from Perth, being accommodated on site for three continuous days; and at organisation C, which is approximately 100 kilometers from Perth, day visits on seven occasions. Opportunities presented where I could act as a participant observer in various situations. In addition to on-site field work in 2007 and 2008 I attended 25 off-site meetings (board meetings, sub-committee of the board meetings and individual meetings with organisational administrators), predominantly related to organisation A.

If participant observation is thought of as existing on a continuum (see Bogdewic 1992, 55) with 'researcher as participant' at one end of the continuum and 'researcher as observer' at the other end, in this project I was able to occupy different points on that continuum in the different organisations. It also seemed being present on the organisations' sites was important as a precursor to interviewing staff stakeholders who I believe would have been less forthcoming with information in the interview, or even declined it, if I had not been a familiar face at the site and had meals with them. Such opportunities to have meals with the staff allowed them, in the absence of administration, to query me while they were in a group and ascertain what I was doing there and for them to make an assessment of whether they would cooperate with me. This opportunity for group questioning, in an informal setting, located power with them and not me. In this sense I was being observed, not them.

At organisation A I was a Board of Management member. This meant that I was an active player in the organisation's administration. In this environment my capacity to have my research agenda furthered was a significant advantage for the project. However, there was a question mark about whether my influence meant that the issue I was concerned about received a privileged hearing within the organisation. To some extent this fear was confirmed when attending a board meeting at organisation C, where I had no particular

status, my time to present material was reduced from a half a day to 45 minutes. A field note recorded what happened:

I travelled to the organisation, which is approximately 200 kilometers from Perth, two days prior to the workshop to observe the organisation in operation, spend the time interviewing Board members who could not attend the planned workshop and to familiarise myself with layout/location. I was accommodated on site.

Some months earlier I had sought a ½ day Board of Management workshop. However, because of the time pressures on the Board a 2 hour meeting was agreed upon. I planned a workshop outline for the 2 hours. Essentially the workshop involved an introduction and clarification, breaking into smaller groups to consider some core questions about the Board's responsibility for keeping the organisation safe and then reporting back to the full group and some large group discussion.

When I arrived at the location in the early afternoon on Wednesday the manager spent a couple of hours with me. He showed me around the College and made himself available for an interview. Later on the Wednesday and on the Thursday I conducted six interviews with college staff. Interviews were not planned but the manager introduced me in such a way as to facilitate the chances of people being interviewed.

When the Board meeting commenced it transpired because of the priority of other issues the Board Chair could allocate only 45 minutes for the workshop.

RESEARCH LOG

I used a research log throughout the research. It served as a 'parking area' for ideas which were derived from the interviews and other sources of data. It was useful in recording and analysing lines of thought that seemed important at a particular time in the research but are easily lost later in the process. It was used to store reflective comments.

The research log, which incorporated a 'to do' list, also enabled me to represent the project's progress and mark milestones, that is, it was used as a motivation tool. If motivation waned I was able to read earlier log entries and review the 'done' list thereby satisfying myself progress in the project was being achieved.

With reference to using the log for analysis an entry in January 2008 shows a stage of thinking early in the research project when it seemed to me a child safe organisation could be represented as a formula:

A symbolic representation of organisationally located risk for children. Such a model is a function of the relationship of at least 15 separate elements. The impact of 14 of the characteristics is able to be managed in organisations more or less effectively:

CS = (L) (HR) (PRM) (R) (KA) (EPG) (P&P) (S) (Phy) (OS) (NS) (P) (D) (P) (M)

Where: CS = child safe; L = leadership; HR = human resource management and practice; PRM = participative risk management; R = Resilience of the participants; KA = Knowledge and Awareness of Guardians; EPG = effective engagement of participants and guardians; P & P = transparent policies and procedures; S = Supervision; Phy = physical plant and layout; OS = organisational culture and stress; NS = nature of service; P = people; D = documentation; P = planning for improvement; M = monitoring systems;

While my thesis is not quantitative, this model explains or opens a door into my thinking and analysis.

A few months later the equation was still in focus and an April entry reads:

Expanding the equation:

CS = (Macro) (St) (L) (HR) (PRM) (R) (KA) (EPG) (P&P) (S) (Phy) (OS) (NS) (P) (D) (P) (M)

Where:

CS = child safe.

Macro = those things in society which effectively work to ensure children are not effectively protected, for example, a) the limitations of the legal system to be able to charge and convict suspected offenders b) to prevent known abusers being issued with working with children cards and ultimately obtaining positions in children's organisations – always a negative factor.

St = an organisation's standing based on recent history with respect to abuse, whether those who have previously covered up abuse are still leading it and whether those in the highest positions are concerned and aware about organisationally located child abuse.

A reflective entry made in December 2007 read

If every conceivable strategy to prevent organisationally located abuse risk was listed and categorised as *practicable* or *not practicable* a question not necessarily answered is whether the end point of a particular strategy or group of strategies is desirable/undesirable.

For example if a prevention strategy under consideration compromises a developmental opportunity for a child at what point does the compromised opportunity outweigh the benefit of the prevention strategy?

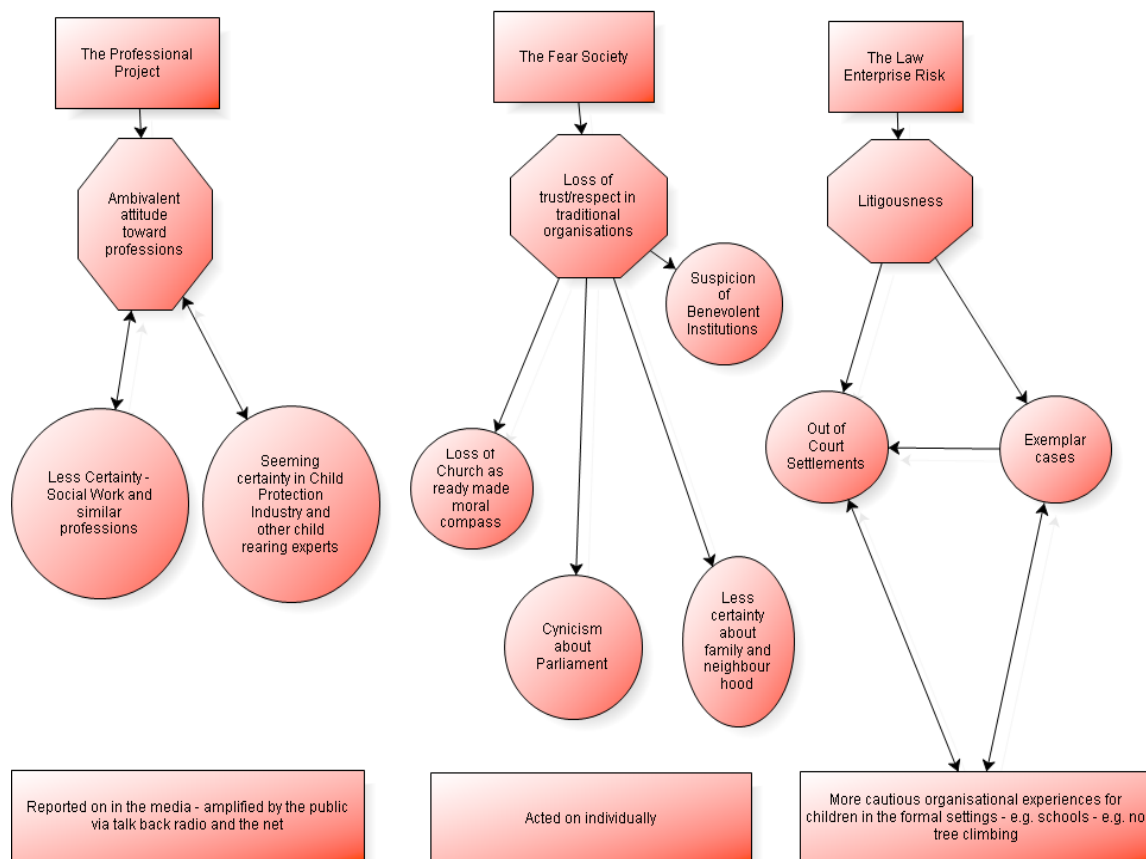
In considering a compromised developmental opportunity might the rule that the whole is greater than the sum of the parts apply? That is, some strategies which appear to be beneficial because they appear to prevent abuse may, when considered as part of a raft of other abuse prevention strategies, result in a greater compromise of developmental opportunity than is evident when any particular strategy is considered.

Another was made in April 2008.

It has dawned on me from the interviews at organisation C more and more clearly that people in positions of responsibility are often only concerned about their immediate responsibilities – so people known to abuse children are 'moved on' from an organisation without much thought as to where they might move – no-one really frets over whether or not children in locations where such people move to are put at risk.

Another entry was made in diagrammatic form.

FIGURE 1: LOG BOOK ENTRY



AUTO-ETHNOGRAPHIC RECORD

I developed an auto-ethnographic record to make explicit the forces which motivated the research and to bring into focus my pre-understandings about ‘abuse’, ‘safe’ and ‘not safe’ for children. Patton (2002, 132) identifies the central question underlying auto-ethnography: ‘How does my experience of this culture connect with the insights about this culture, situation or event, and/or way of life’? In the context of the research project the purpose of the auto-ethnographic record was to make personal experience part of the research – to think critically, historically and biographically (Denzin 2002, 350).

Reflecting on self with respect to career choice and child abuse in family, organisations and generally was underway prior to the research project. In 2001, I wrote:

When you are in the middle of trying to sort things out it is often just not clear. Being a social worker in the front line as a family’s story unfolds is never easy. It is far more

difficult when you are a child. You do not have the cognitive and emotional capacities to analyse and appreciate what is happening. At times it has felt like my life has been spent trying to understand what happened when I was a child, how those around responded and how it might have been different.

The purpose of that writing was to develop and share insights with other social workers and child welfare workers from my recollections about child abuse. The insight from this passage for me is that children should not be expected to participate in discussions about their or their sibling's abuse without providing them with thoughtful, age-appropriate assistance and support. Also, the comfort afforded to professionals by being able to neatly categorise abuse as physical, sexual and emotional abuse and neglect is not available to children, nor might it be appropriate to their circumstance. Simplistic binary categories such as 'abusive or not abusive' and abuse categorisations potentially deprive children of a fuller understanding of what has happened to them.

Teasing out this complexity as part of an auto-ethnographic record warrants a personal disclosure: I grew up in a family from which, by today's standards, we as children might have been removed. However, alongside periodic family dysfunction, concern, compassion and love were also abundant. I watched people (priests, relations, legatees, psychiatrists) come into the family to assist it or individual members. Generally however they were not made aware of the 'real' issues. The family 'protected' itself from intrusion. We dealt with our problems as best we could.

Material, such as that above, already written was revisited and considered in the context of the research project. What follows are italicised log entries interspersed with reflections:

In my first professional experience as a social worker, working in residential child care, I observed both hypocrisy and selfless service.

As a young social worker, working alongside Christian Brothers in a children's institution, some of whom were later convicted or named as abusive in earlier eras, I observed hypocrisy. Some of these Brothers were hostile to anyone other than a Brother working in their institutions. At the same time they had an 'acceptable' face for 'visitors' who could assist or fund their institutions or who looked up to them. A most fondly remembered Christian Brother, a consummate professional, friend and mentor also worked in this institution. The

dominant negative story about those who worked in the children's institutions in bygone eras is not accommodating those who worked in the institutions of the time to protect and nurture children. Recently, one of the Christian Brothers convicted of sexual offences against children died. A memorial notice was placed in one of the 'old boy' journals by some who remembered him fondly. I watched my relative being applauded for caring for children other than his own, while he continued to 'abuse'. The possible complexity of a child's relationship with an abusive adult means that in some instances while the community expects unambiguous hatred from children toward their abuser, positive feelings may exist.

My interest in child welfare and the treatment of children by people in organisations was shaped in part by the way my mother related her experiences of life in a Catholic convent from when she was 18 months old. She told stories about her life in the convent and that she owed her 'survival' and development to 'Sister Rose' and to family members who kept contact with her. Sister Rose was assigned to care for her and other children. My mother feels Sister Rose cared for her especially. The stories we were told as children about life in institutions was not about its harshness and brutality, but about how fortunate she was to have had a group of women prepared to care for her, when her family chose not to.

I mentioned my mother's life at the beginning of the thesis (see page 1) because I believe it contributed to my formation as a social worker. The story my mother tells about her life in an institution from the age of 18 months until her teenage years does not coincide with the dominant portrayal of children's lives in Australian institutions in the 1920's and 1930's. My mother's life in an institution was potentially 'risky'. However, whatever risks were present were off-set to some degree by the presence of at least one adult committed to her welfare. My mother is now in her 80's. She and other women who were cared for by Sister Rose are still connected. They recall fondly her influence on them. Sister Rose remained involved in my mother's life, and ours, until her death. While abusive individuals cause damage; nurturing and caring individuals promote development. However, the query raised by the Christian Brother, Dr Barry Coldrey (see page 34 of this thesis), and put to the Senate's Committee into institutional abuse comes to mind: 'The reasons why the more dedicated staff (according to their talents and the lights of the time) proved quite incapable of exposing or putting a stop to the abusive behaviour of some of their colleagues' (2003, 2-3).

My father was a returned Australian soldier badly affected by war. He died in a mental hospital in Western Australia several months before I was born. I was offered, further developed and retained a narrative about my father as a sensitive man overwhelmed by war – and wounded. That he was sensitive did not limit his manliness and the fact that he was considered by all who knew him to have been a ‘top bloke’, a representative tennis, cricket and football player and a good farmer resulted in my admiring his qualities of manliness and sensitivity. I considered social work and child welfare an acceptable male occupation alongside sport and ‘manly’ careers, such as farming. My father’s life, recounted by others, has been a strong influence in my life.

While men and women perpetrate ‘abuse’ on children, the potential for men, as social workers, to address at least part of the abuse problem is often understated and by many underrated. Personal experiences positioned me as a person who from childhood stood front and centre at ANZAC day services with other children and as one who absorbed much of the mythology about Australia’s commitment to a ‘fair go’ and our importance to Australia as children of deceased soldiers. However, at some stage, early on and still as a child, I concluded that such rhetoric about the priority afforded to children, provided a comfortable space for those who were not experiencing or perpetrating abuse, protection for those who were, and cold comfort for victims.

These experiences and others have shaped my ontology, particularly with reference to child protection, and ultimately to my choice of profession and research topic. This standpoint on child protection is built on a strong and ever present sense of loyalty to and concern about my siblings, as they were when they were children. I vividly recall occasions when I felt my siblings were being treated harshly or exploited, and when I did not understand the strength of their reactions to things that were happening to them. I would like to believe some personal outcomes from these experiences are commitments to listen to children and to empathise with their viewpoints. These commitments are contextualised in the belief that children’s behaviours are rational and therefore able to be understood within their frame of reference. Life’s experiences have also resulted in rejecting the use of simple binary classifications in family based child abuse. For me, social work as a career choice offered an opportunity to promote children’s development.

DATA ACQUIRED PRIOR TO THE PROJECT

The research project commenced formally in 2007, with enrolment in the doctoral program at the Curtin University of Technology. However, activities which were directly of benefit to the research project were undertaken in the period 2001 to 2006. In that period my social work consulting business was aimed at providing services to organisations to:

- Raise awareness about abuse, neglect and risk of harm;
- Identify and reduce abuse and neglect risk and risk of harm for children and vulnerable people; and,
- Increase the protectiveness of organisations.

In that business I was contracted by a number of organisations including schools, organisations which provided camps for disadvantaged children, local government and state government bodies to identify with them risks to vulnerable clients that were unaddressed within their services, to develop strategies to ameliorate those risks and to make the organisation more protective. Prior to commencing the research project I presented the consultancy's method to the Australian Society for the Study of Intellectual Disability (ASSID) national conference (Budiselik 2006). The ASSID conference paper set down my understandings about making organisations child-safe, prior to the commencement of the research.

Several organisations which had contracted with me in the period 2001 to 2006 were contacted in the context of this research and permission was sought to use material obtained from them earlier at the relevant stage of the research. Organisations contacted agreed with this request subject to the organisation's anonymity.

DATA ANALYSIS

In the course of the project 42 individual interviews with 35 individuals and 7 group interviews or workshops were digitally recorded comprising over 50 hours of recordings. Many hours of field note recorded interviews also occurred on-site at the case organisations with staff, administrators and board members. A qualitative research software program known as NVivo (version 8) was used throughout the project. I undertook formal training provided by the University in utilising the software toward the end of the first year of the PhD program.

Data collected from interviews and meetings were recorded and transcribed. Following conversations with other researchers who advised valuable information and understanding can be lost if the interview is not transcribed by the researcher, especially a beginning researcher, I chose to transcribe the recordings.

Miles and Huberman's (1994, 10 - 11) text, particularly the sections about managing data, proved useful. A research log entry about this reads:

Critical features of the advice from Miles and Huberman (ibid) and my supervisors were first the need to reduce data and second to separate the process of data analysis from discussing it. Until these pieces of advice were properly comprehended I was making little progress because I was attempting to analyse the data and amplify its significance simultaneously. It felt as though I was trying to swim across a very choppy channel – with no landfall in sight.

The interviews were processed in the following manner:

1. The digital recording of the interview (or meeting) or relevant parts of it were transcribed into Microsoft Word.
2. The transcript was made available to the research participant for correction or edit, if they wished to receive it.
3. An interview was selected for comprehensive analysis;

The selection of the initial interviews was not random. Interviews were listened to and transcripts reviewed prior to selecting interviews for comprehensive analysis. Those interviews selected for comprehensive analysis at the outset were selected because I concluded these participants provided a depth of analysis that covered a lot of issues covered by other participants.

4. The digital voice (.wmv) file and the word file were imported into NVivo; NVivo accommodated the importation of the digital voice file. On the NVivo palette the word file sits underneath the digital voice file so they can be synchronized.

5. The transcript was reviewed and coded.

The transcript was coded using the NVivo software.

6. A model, utilising the model creation facility in NVivo, was developed to represent the themes and sub-themes from the interview.

After analysing a number of the individual interviews it was decided to represent them singly as models so the richness of the individual's perspective was portrayed. A number of individual models are reproduced in the data analysis chapter and in the attachments.

7. The model was provided to the research participant with an invitation for them to examine it and advise whether they felt it was an accurate representation of how they envisaged a child safe organisation. If necessary, an iterative process was entered into with the participant while the model was further refined to the participant's satisfaction.

While reviewing a transcript can be a major undertaking, most participants responded to the opportunity to comment on the model agreeing with them or suggesting amendments. In most cases the models were iterated through e-mail, in one case a subsequent meeting occurred. Another interview was chosen for analysis and the steps above were repeated.

8. Another interview was chosen for analysis and the steps above were repeated.
9. The process continued until subsequent interviews examined did not yield data additional to that already derived from the interviews which had previously been processed.

Merriam's (1998, 179-180) description of the constant comparison method best describes the way the data were coded, she says: 'categories and subcategories (or properties) are most commonly constructed through the constant comparative method of data analysis....at the heart of this method is the continuous comparison of incidents, respondents' remarks, and so on, with each other.The task is to compare one unit of information with the next in looking for regularities in the data'. In effect I concluded the process when data redundancy (Patton 2002, 246) had been achieved.

Thematic and sub-thematic labels were developed to accommodate data (see Merriam 1998, 182 – 185) and data sets were developed. The way the data were grouped, according to themes and sub-themes, was displayed, iterated and redisplayed until a set of thematic descriptors were elicited that seemed to best fit the data (based on Punch 2005, ch. 10).

Concurrently a creative meaning making process occurred. Through the research process the power of metaphors in 'explaining' organisations became increasingly evident to me and I took seriously Vakkyil's (2008, 8) suggestion that provocative metaphors had a place in breaking the stranglehold of dominant ways of seeing organisations. Senge's challenge, quoted in Grahn (2008, 4), is relevant:

The most universal challenge that we face is the transition from seeing our human institutions as machines to seeing them as embodiments of nature. ... Perhaps treating companies like machines keeps them from changing, or makes changing them much more difficult. We keep bringing in mechanics – when what we need are gardeners.

Patton (2002, 513) says qualitative analysis is both science and art and ‘the artistic part invites exploration, metaphorical flourishes, risk taking, insightful sense-making, and creative connection making’. Hunter et al. (2002, 392 - 394) says that while she used the traditional processes of coding, categorising, and thematic identification the messages associated with her research, adolescent resilience, were not adequately captured. She said a metaphor came to her while watching a brewing storm on a beach in Ghana. She described the process of developing the metaphor as an ‘aha’ moment when things became crystal clear. She says ‘using metaphors was the magic that helped me to make these research findings visceral for others’.

While there was not the drama of a storm in developing a metaphor for child-safe organisations as a swimming hole that there was in Hunter’s experience, the metaphor did present after a period of immersion in the data. In the process of writing, the metaphor has grown and additional ways to use the metaphor have emerged which allow it to be better used to explicate child-safe organisations. The metaphor is an essential component of the child-safe organisations framework.

VALIDITY OF THE DATA

The aim of the project was to generate credible knowledge in accordance with accepted scholarly tenets. The claim of the project is that the first of the research questions ‘what is a child-safe organisation ...’ is answered by synthesising various perspectives. The claim is not that the answer will be durable or unproblematic. On this point some participants changed their minds or deepened their analysis of what is a child-safe organisation in a relatively short period.

The trustworthiness (Denzin 2009) of the project’s approach and findings are claimed within the context of its fundamental settings. The epistemological, ontological and methodological settings for the research are constructivist and interpretivist. The detail of the approach was outlined earlier the thesis. Trustworthiness within this context then is

about the way data are treated and limiting the claims of any findings. From within these beliefs about knowledge it would be inconsistent to claim the project has accessed an ultimate truth about child-safe organisations. That is, a nomothetic claim would be inconsistent with my belief about knowledge. Fundamentally the perspective holds that the knowledge generated about socially constructed entities, such as child-safe organisations, is partial and temporal.

Trustworthiness then follows displaying to the reader how the data were treated and the transparency of the assumptions underlying its treatment. I have accepted the view that in social science research a range of methodologies and methods ought to be utilised to examine a chosen research object (Alvesson and Skoldberg, 2000). Also, an opportunity for triangulation presented because the tentative research findings were presented for critical analysis to organisation stakeholders different from those who participated in the first stages of the research project. Triangulation, in this sense, is a term utilised in the qualitative inquiry literature to describe methods to corroborate data to achieve a more trustworthy outcome. Patton (2002, 248) says ‘triangulation within a qualitative inquiry strategy can be attained by combining both interviewing and observations, mixing different types of purposeful samples... or examining how competing theoretical perspectives inform a particular analysis’.

While this research does not claim that it has generated an empirical ‘truth’ about child-safe organisations or stakeholders’ perceptions of them it claims to further an interpretive understanding in the area of keeping children safe in organisations, under a broader rubric of child protection. While there is no attempt to suggest the themes and sub-themes chosen to represent the data are the ‘right’ or ‘only’ themes that could have been chosen from the data, it is held, in the manner outlined in chapter 4 of this thesis, it was open for the data to be grouped around the selected themes and sub-themes. While the research was undertaken to further child protection and it is suggested it will be useful to a range of organisations and practitioners, I do not claim the findings can be generalised to all children’s service organisations. The issue of generalising from qualitative research was recently considered by Michael Q Patton in a post on the 5 April 2009 to the University of Georgia’s Qualitative Research for the Social Sciences list (<http://www.listserv.uga.edu/>) when he wrote:

Another alternative approach and language change, suggested by Lee J. Cronbach, is to make 'reasonable extrapolations' rather than generalizations. Unlike the usual meaning of the term "generalization", an extrapolation clearly connotes that one has gone beyond the narrow confines of the data to think about other applications of the findings. Extrapolations are modest speculations on the likely applicability of findings to other situations under similar, but not identical, conditions. Extrapolations are logical, thoughtful, case-derived and problem-oriented rather than statistical and probabilistic.

In this vein it would be suggested the material from the research can be reasonably extrapolated and adapted to a range of organisations.

In qualitative research the validity, meaningfulness and insights generated are to do not only with the information richness of the data derived but also the perspicacity of the researcher (see Patton, 2002, 245). 'It is not a matter of looking harder or more closely, but of seeing what frames our seeing – spaces of constructed visibility and incitements to see which constitutes power/knowledge' (Lather 1993, 675). I came to the research project with consciously formed pre-understandings about the research object which were partly reflected in my pre-project writings (Budiselik, 2006). In the reflective hermeneutic tradition I moved between my pre-understandings and new understandings of the research object, which led to new pre-understandings and then new understandings (the dialectical cycle: thesis – antithesis – synthesis). Understandings grew throughout the project. These cycles were informed not only by the rich primary and secondary source data, but from a better understanding how to interrogate the data from the different dimensions of the bricolage (Kincheloe, 2005) – especially the political and theoretical contexts within which these pre-understandings were formed.

The research object has been thoroughly considered, within the limitations of the research project's design, in as transparent a way as possible. In terms of making a reasonable extrapolation it is important to reiterate one of the project's limitations, which is, the data are derived from a sample of individuals and case organisations that provided services primarily to adolescent boys and girls.

CONCLUSION

This chapter set out the methodological choices made to guide the research project. It demonstrates the research project is trustworthy qualitative research. One of the research participants chose the metaphor of being a window cleaner to describe her social work role with children and families. She said her role was to help children and families see their situations clearly, by working with them to remove grime and grit on the windows through which they viewed family dynamics and life. This metaphor is broadly applicable to this chapter. It clarified the epistemological, ontological and methodological traditions that I chose and worked within, and the consequent selection of methods.

The trustworthiness of the research project is argued partly by emphasising the claims which will result from the research project are limited. The knowledge beliefs underpinning the project are such that a nomothetic claim that a comprehensive universal answer to the research questions is possible or desirable would be inconsistent with the chosen constructivist and interpretivist settings of the research. Fundamentally the belief is that knowledge and truth are ephemeral, personal and cultural.

While my original research intention was to generate knowledge predominantly from the research participants' data, ultimately I accepted Alvesson and Skoldberg's (2000) view that a social science researcher needs to examine their research object from a number of perspectives. The examination therefore ranged between and across data orientated methods, hermeneutics, critical method and post structuralism.

The chapter also dealt with the 'nitty gritty' aspects of the research project. These aspects included the way organisations were approached and permissions sought for their members to participate in the research, and the way additional opportunities which presented during the project to acquire more knowledge about the research object were pursued. The importance of the researcher's log was emphasised. The log provided a means of documenting pre-understandings and new understandings for the purpose of hermeneutic analysis and for the development of an auto-ethnographic record. The last part of the chapter set out the way I chose to treat the research participants' data. The chapter sets the scene for the next chapter, which is about how the research participants' data were analysed and findings derived.

CHAPTER 4: DATA ANALYSIS

INTRODUCTION

This chapter sets out how a child-safe organisations framework was derived from an analysis of the project's research participants' interviews, that is, from in-depth interviews with organisational stakeholders and purposively selected professionals. The child-safe organisations framework which is presented at the end of the chapter was developed to partially address the project's two research questions: 'What is a child-safe organisation?' 'How can an organisation's child-safe status be effectively represented to relevant stakeholders?' The chapter lays a foundation for the subsequent chapter where the child-safe organisations framework is discussed and critiqued in detail. The critique of the child-safe organisations framework opens the door to consider the material dealt with in the earlier chapters of the thesis, including the meaning of 'child-safe organisations' and the frames through which advice about how to achieve them is filtered.

DATA ANALYSIS PROCESS

INTERVIEW ANALYSIS

THE PARTICIPANTS' VOICES – CHILD-SAFE ORGANISATIONS

Participants were offered the opportunity to review and edit their interview transcript. Some participants thickened their description or changed their mind about a comment or theme they had developed in the interview. It seemed evident to me that the topic being discussed, child-safe organisations, was for many of the participants a novel one and people did not have formed views and standard responses about what could be done to make an organisation child-safe. The process whereby participants' reviewed and edited their transcripts is consistent with the hermeneutic underpinnings of the methodology of the research, which is that people deepen their own understanding of something by cycling between their pre-understanding and understanding of the subject being discussed.

Questions such as 'what do you think makes an organisation safe for children?', 'how would you advise others to select a child-safe organisation for their children?', 'what makes an

organisation unsafe for children?', and 'how do you aim to prevent child abuse in an organisation?' yielded rich data.

Some participants responded to questions initially by indicating they believed there was a primary factor that made an organisation safe for children. However, as interviews unfolded it became generally evident that participants were developing a model for a child-safe organisation that relied on the interaction of several factors, including those related to staff, leadership, policy and procedure, risk assessment, transparency and openness, external expertise and audit, demonstrated safety records, physical safety and child centred values.

What follows are excerpts from a number of the interviews which demonstrate the richness of the data derived from the interviews. Individual 5, an experienced lawyer and the chair of a board of a state-wide youth service, commenced his response to the question 'what makes an organisation safe for children?' thus:

There is no question it is the staff that have been employed to supervise and engage those young people and to foster them, mentor them and protect them and given them direction in their life.

Further on, this participant clarified that while the staff were the primary carriers of organisational safety, the staff he referred to were required to operate within the context of 'very clear rules and regulations, including zero tolerance of abuse'. This participant also emphasised the value of outsiders looking at the organisation to provide advice about its safety:

We constantly review governance issues and we constantly get independent experts to come in and assess our counsellors and give them audits. We are very strong on safety issues – a large number of volunteers – and our volunteers go through exorbitant programs to become volunteers. So it is a mix of all those things.

Individual 8, an experienced social worker and manager of a government service promoting child safe organisations, responded to the question 'how would you tell others to go about selecting an organisation that is 'safe' for children' in this way:

I would be identifying first of all how they go about selecting their staff; I'd be looking at whether or not they have the sort of processes in place where they are clear

about duty statements; they are selecting people who have both the character and the skills to provide for the safety and well-being of kids so it would be things like with their staff selection: do they check on referees, have they got obviously the right kind of criminal record checking processes in place; what supervision do they offer their staff, what training do they offer their staff; if there are any concerns how do they deal with concerns, like what policies and processes are in place so that if kids are unhappy or if kids are uncomfortable so they've got somebody to talk to and how do they process that and what avenues are there if parents or other people have concerns about kids or about how they are treated in the organisation how do they deal with that - so I'd be looking at that range and I think it is quite reasonable for people to ask about what people's policies are around that.

In a later response to a follow up question to the social worker: 'What would your professional advice be to a client organisation that approached you about promoting itself as child-safe?' the participant responded by reiterating what she said initially but also added: 'I'd be saying to people talk about how it is that you value children'.

Individual 9, another social worker, with extensive experience in statutory based child protection work, emphasised in her interview the importance of professional oversight of employees, she said in response to the question about the advice she would give to a person that asked her about selecting an organisation that would be safe for their child:

I would tell you to make sure that there are professional staff that oversight who the people employ - and by professional staff I mean people with qualifications that have a sophisticated knowledge of what poses risk to children. Like you and I said before I would not accept little pieces of paper that say you are 'safe' to work with children because I would know but the community at large would not know that just having a little piece of paper does not make you safe with children because that is only screening a very small number of reasons people might be determined to be unsafe.

I'd want to know their employment process ...

I'd want to know what kind of training, monitoring, supervision occurs in the agency re what is safe and what poses a risk to children. I would not want my child or

grandchild to go anywhere they had sole contact with one adult at a time because I do not trust anyone, given the kind of work I've done

So you need senior people who understand the vulnerability of children and who take multiple steps to ensure their safety. That's what I would want - I would want people to be supervised and never have individual access with children even though I know it is a costly endeavour.

In response to a question about providing advice to someone about selecting a child-safe organisation for their child or children Individual 2, a lawyer and a person active in child protection in Western Australia, particularly with respect to juvenile justice and child welfare facilities, identified 'openness' as a key to safety. He said:

Well, first of all you would have to be satisfied that it was generally reputable. Not run by someone you've never heard of for money, or someone that you knew had a dodgy background. But, more than that I think is even with reputable organisations the key I think to keeping them safe is to have them as open as is possible so that you have a constant flow of visitors and a constant capacity for people to be heard: by letter, phone or whatever - constant vigilance from the higher levels as to what was happening and a proper complaints mechanism that was as independent as possible. Without that I think the history of children's organisations – whether they are state run, privately run, whether they are concerned with welfare as such, or disability, or custodial affairs or whatever, is that children are easily preyed upon and very vulnerable, and don't complain.

Individual 6, an insurer, came to the interview with a limited background of experience of child welfare and children's organisations compared with the other purposively selected group of participants. However, at the time he was interviewed he was acting for a state agency and was looking at safety in children's hostels. He was also a parent of young children. Part of his interview transcript is, in my opinion, consistent with a person taking what is referred to earlier in the thesis as a 'good management' (see pages 78 - 82 of this thesis) approach to bringing about child-safe organisations. This participant disabused me of the notion that if an organisation is insured it means the insurer believes it is carrying on its business in a 'safe' way. This participant was the only insurer who agreed to participate in the

research, and I have quoted a large tract of his interview to ensure an insurer's perspective is heard. Part of the transcript read:

Researcher: How would you advise others to select an organisation that was safe for children?

I 6: Well, as an insurer, we'll think about safety first. So the first thing you look at in say a school environment or a child care environment is the physical environment; that being the buildings - in a school, maybe the grounds, the fence - insurers are going to offer a service - meaning you offer cover - they are trying to make money out of the cover - genuine insurers are, not so much Government insurers. So I am not speaking on behalf of Government now, I am speaking on general insurance.

To write a cover you have to be an underwriter and measure the risks associated with that, so you would do a survey of the premises or the risk you are taking on. You'd start to try and look at hazards that could result in claims or liabilities so, from a physical sense you'd first look at the buildings - see whether it is a safe environment for the kids - whether there are sharp things around and whether they can fall over things and then you start going into a bit more detail start looking at the sort of people looking after them - are they trained? - if something does happen are they first aide trained to minimise any sort of injury, in the event of some sort of catastrophe in that area - for example being a fire in the centre of the school - do they have procedures in place to manage those risk. Talking about risks, in any situation you want to see if there is a good risk management plan and that can extend to all sorts of issues as to what is in the plan.

Researcher: So really, insurers are looking at identifying hazards that may result in claims?

I guess as an insurer if you were looking at potential abuse claims, that is a little bit different, you are not looking so much at the physical environment you are looking more at the people in charge of these children or where they are going - particularly a department which fosters a lot of children out, you'd be looking at procedures, how they go about selecting these people how they identify potential problems. It is not a matter of knowing what is going on - it is a matter of whether you ought to have

known. When something happens – an adverse event – you are always wise in hindsight. That’s the sort of thing the Court applies to.

Researcher: So, If I came to you and said what would your advice to me be in selecting an organisation that was safe for children what would the manifestation of those sort of things be in my eyes – I’m not an insurer – I’ve come to you and said ‘we’re mates’ I really want to pick a decent organisation – a school – what would be the evidence of what you would say to look for.

I 6: Well, from an insurer’s point of view safety is based on – really it is their track record and their compliance with current standards. You usually find for example if you study something – if you take a building for example where kids are going to be there is a certain building code to be complied with – so you should check: is it a complying building? There are certain things in relation to qualifications of staff – are they current? You need to check all of that.

Researcher: If I went to an organisation and said I have a lot of faith in the Insurance industry – I want to know about the way you are insured and whether you are carrying excesses. Would that be a short cut way to me accessing your expertise to determine what the insurer thought about the organisation?

I 6: There are insurers and there are insurers. A lot of insurance is sold through brokers. Brokers get a commission they lay the business where they get the best commission sometimes. It is rare that insurers make money out of underwriting now - they make it out of investment income. So what they do is they may chase business so they might write bad risk. See you may have a good insurer that does not mean the risk is good. Say XXX – they are a good insurer – they might be targeting certain business and they’ll start maybe writing bad business.

A purposively selected administrator (that is an administrator of an organisation which is not one of the case organisations) believed that whether an organisation is safe or not becomes known in the local community network and its reputation spreads by word of mouth:

I think a lot of it within the community it is by osmosis and that osmosis is then the conversation that happens between those who know others who are involved in an organisation whether it be a tennis club, whether it be a footy club, whether it be a

school - these organisations have reputations of being kid friendly places and it generally comes from my child is enjoying this and feels safe and is developing friends; so certainly within our local area and in the tennis club for one which has in excess of 250 juniors it is the word of mouth that is number 1.

I asked how someone who was new to a community or outside the local 'network' would go about getting to understand local 'intelligence' about the safety of an organisation. The participant was unable to give clear advice to someone who was outside of the local 'network':

It is a very difficult one because they can go through a formal avenue and be ringing administrators in organisations which I think is a bit dangerous because if people ask me about XXX or YYY (two organisations he was involved in) I can only go by my experience and feeling with the people I know there and they are best to go to outside organisations it would be in terms of probably if they did not know people or have an association having to go to the governing bodies of those organisations.

Individual 10, a parent who had been a chair of a children's organisation described a similar problem in terms of trusting the information given by those with a vested interest in promoting the organisation, and the need to 'drill' deeper into the information provided:

The questions that I would be asking as a parent going into an establishment would be 'tell me how you can guarantee my child's safety in a sporting, in a training environment or in a classroom environment or general school environment' -- now part of me then looks at that with scepticism because then you think they are only going to tell me good news they're not going to say.... but I think now I'd be more inclined to say 'show me your policies which deal with child safety on this campus, show how that the people in contact with my child have been properly assessed or have been properly processed in order to guarantee his or her safety' -- which is something I never did for my children.

A staff member from one of the case organisations also provided a perspective on being an outsider to a local community and trying to select a child-safe organisation:

You find out-- who runs it, what activities they do -- what their constitutional rights are as far as dealing with kids -- from there if you are not happy you take your

investigation further – I've gone through it recently because I'm a member of the xxx club – you've got a bit to find out – the organising people who run it, who does the coaching, what their policies and procedures as far as picking up and dropping off kids are – there is a paper work trail that we abide by that we expect from the clubs we deal with.

Look at the constitution they've got and how they plan to deal with kids – you can't have a group of people suddenly say we are going to do a coaching clinic here and expect parents to turn up and leave their kids. Like our constitution here we've got to have clearances – most clubs now expect the same – I'd be checking that out.

Another staff member from the same organisation commented:

Do your research on the net and see what's available and maybe speak to people who actually have children in the organisation or have children who have gone through the organisation; as well as staff members. Because most staff will be happy to tell you about the organisation and take your child in there and see what they think as well as feedback from others who have been through the system.

A board chair of one of the case organisations lamented the impact of the focus on safety: 'I think we are pathetic – we do not let kids do anything anymore. ...So make them aware – do not frighten them'.

One parent said she had the primary responsibility to ensure the safety of her children when they were attending the organisation:

Whether or not it is safe for children I think that very much the parent needs to be really involved because I do not think I could say even from documentation whether an organisation was safe for children but I'd certainly like to see some credentials and some kind of evidence of you know how they would demonstrate they would be safe. I think there are underpinning values that may or may not be documented or articulated, for me it is about the organisation's value base and where they are coming from. That's a kind of a starting point for me - their values and then whether or not whether they live those values in the way that they operate. .. I'm kind of 'swimming around' here, for me it really is there are some things you do as a parent that you might sound out - some of it is instinctive stuff, isn't it? . But having said that I know

of other parents that don't ... you don't know their children are safe because that parent might not be looking at the same thing. That's why there needs to be some standards and practices --- but that alone doesn't guarantee that your children are safe.

Another parent reiterated the need for parents to be active in ascertaining whether an organisation was safe for children:

What I've done and said to other parents who have come up and asked me I've said you need to ask questions, you need to ask board members, you need to talk to the Board you need to find out who they are directed by and you basically need to ask other parents... and I'll give them what I say to people when they ask me I say 'I do believe it is good; it is difficult there are a lot of children - I think they do a great job and they do their very best to offer a safe and positive, happy environment but is it not easy because of the number of students, number of staff and it cannot be like at home'.

In terms of the quality of leadership, this parent commented:

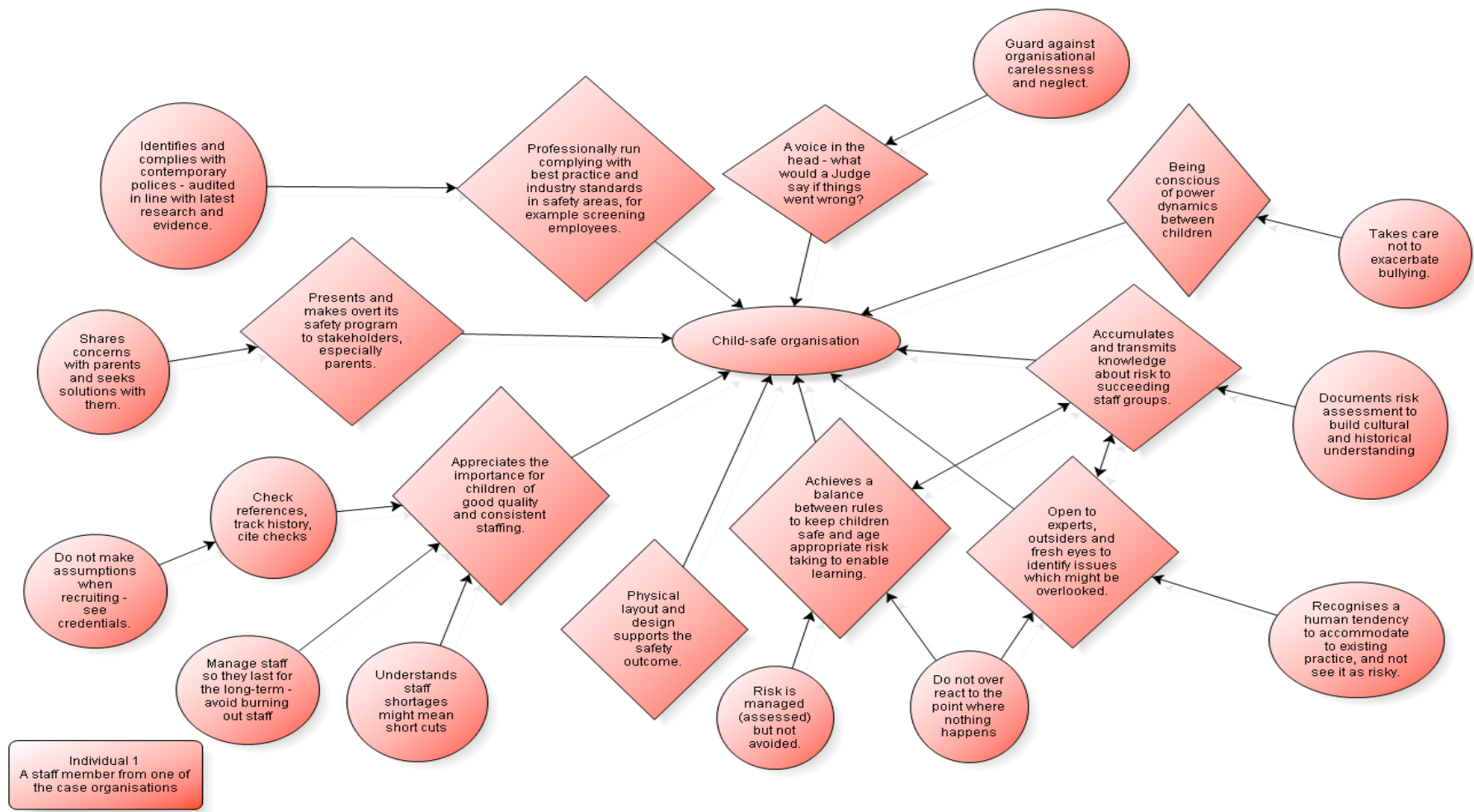
You really have to have direction – you have to have leadership it is like when you go on a trip – you know where you are going – you have to plan – if you do not make a plan you go no-where. You are going to fail.

A number of the parents interviewed had children placed at one of the three case organisations. A theme from these parent interviews was reliance on their child to bring issues of concern to the fore, with them and in the organisation. In this sense the parent allowed the child to be the arbiter of whether anything was wrong. One mother said she was not satisfied with a response to a bullying incident, but her son was satisfied, and on that basis so was she: 'D had been bullied by two other children. It was handled to D's satisfaction – the principal and the boarding staff were really good about it. The parents of the other boys were spoken to. I did not think it was enough but D did'. The parent concluded: 'it is a big thing leaving your child at a boarding school ...whether the people have the best interests of the children at heart'. Another parent said the deciding factor for his decision to let his child stay at the school was because 'I had enough faith in (the administrator)'.

INDIVIDUALS' MODELS

The way a model was developed to represent an individual's interview is presented in detail in this chapter to demonstrate the process. The individual's interview showcased as an example is referred to as Individual 1. Individual 1, a male, is a senior staff member of one of the case organisations. As a senior staff member he has supervisory responsibilities for other staff. Individual 1 has a range of experience working directly with children. He had worked overseas as a youth worker and in Australia in church and government employment as a children's supervisor in residential child care and school boarding environments. Individual 1's knowledge of the research project prior to the interview was via his manager who had agreed for the organisation to participate in the research project. A representation of individual 1's interview (as per step 6 of the process) follows.

Figure 2: Individual 1's representation



ANALYSIS OF INDIVIDUAL 1'S INTERVIEW

The way the representation of individual 1's interview was derived is now spelled out as an example of the analysis applied to interviews to demonstrate how one of the outcomes of the research, the child-safe organisations framework, is able to be traced back to the research participants' in-depth interviews.

The diagram on the previous page is comprised of one elliptical shape and a number of linked diamond and circular shapes. The elliptical shape toward the centre of the diagram represents a child-safe organisation. Major ideas taken from the interview are represented in diamond shapes. Other ideas, which were less emphasised in the interview, are those in the circular shapes. The circular shapes are placed to reflect they are in a subsidiary position to a diamond shape (major idea). In some instances subsidiary ideas are linked to more than one major idea.

The analysis of Individual 1's interview is presented below. All the text (below and in the model on the previous page) is taken directly or adapted from the individual's interview transcript. That is, what follows is the individual's interview re-ordered according to the headings 'major ideas' (in the diagram in the diamond shapes), 'subsidiary ideas' (in the diagram, feeding into the diamond shapes) and 'relevant text'. The only material in the text which follows which is not the participant's words are in brackets or if it has been amended to preserve confidentiality.

Major Idea

Professionally run complying with best practice and industry standards in safety areas, for example screening employees

Subsidiary Idea

Identifies and complies with contemporary policies – audited in line with latest research and evidence

Relevant Text

That the organisation is professional – runs by all the recommended policies, screening – and staff are qualified or checked and interviewed and all that sort of thing, so they are running the norms that most good best practice type organisations would follow.

Policies and procedures are in place, they are correct, they've been audited, that they're good practice – guidelines, and things like that, that have been researched so we make sure we are not going on something we 'think' is going to work or we 'think' is right (it is based on the fact) that there is professional research put into it ... so that auditing of procedures is I think important.

Major Idea

A voice in the head – what would a Judge say if things went wrong?

Subsidiary Idea

Guard against organisational carelessness and neglect

Relevant Text

Policies and things in place to keep track of where they (the children) are – their (children's) physical safety, and emotionally – that sort of security and safety.

Looking back 'what is the judge going to say – what is the lawyer going to say' and asking you those questions: Was that a reasonable thing to do...you could not do much more than you did without locking them up all day.

If something does go wrong, we can look back, without guilt, and say 'we did the best we could'...

Major Idea

Being conscious of power dynamics between children

Subsidiary Idea

Takes care not to exacerbate bullying

Relevant Text

When you are working with group behaviour and when they get in groups you deal with the bullying type thing – we've got an aged based type structure and there tends to be a pecking order sorted out amongst the boys, in particular.

We've put in a prefect structure but we've got to be careful to not make them quasi supervisors and not rely on them for that sort of thing (enforcing rules).

They (the children) all come from different backgrounds, some have ‘issues’ ... cause of some certain behaviour, there might be some involved in bullying, intimidation or inappropriate sort of behaviour or their behaviour is suspicious or odd ...not necessarily to... be a ‘pop psychologist’ and say that must be this ...there might be an abusive older boy abusing a young boy, those sort of things you’ve got to be aware of...those things are there, that bullying aspect has to be addressed...otherwise festers....

Major Idea

Accumulates and transmits knowledge about risk to succeeding staff groups

Subsidiary Idea

Documents risk assessment to build cultural and historical understanding

Relevant Text

And you’ve also got to have a place where if we all disappeared off the face of the earth another team could come in and find the manual and go ‘right’ ...slot straight into doing the right thing...Something to aim for

You look back on it now (previous poor practices) and go ‘gosh’...

... implemented a risk assessment procedure for everything we do (referring to off-campus activity) so it is on paper...kept it down to a page – just thinking about it, keeping it simple – checking these boxes (risk assessment) are great but sometimes they can be a detriment to people because it takes so long, people cut corners. So (if it is simple) there is no need to cut corners

We record everything so we do have evidence to back us up and for our own benefit and for stats so we know we are dealing with ...to remind ourselves we are doing quite a good job ...

We put things in place and (if) it is just not working...do not leave it in the book and adapt it (without amending the record) down the track.

Major Idea

Open to experts, outsiders and fresh eyes to identify issues which might be overlooked

Subsidiary Idea

Recognises a human tendency to accommodate to existing practice, and not see it as risky

Relevant Text

Sometimes you've just got to have someone else come in and go this is really good but did you notice you were doing this, though? Over years and years you come blind to these things and you just think it is good to have someone fresh ...

... outside people can look in and say 'yeah you are doing the right thing'.

Needs a central body or something like that to look in and go and say ... you are doing the right thing, you are meeting the minimum requirements ...

Having an outsider come in and test, audit what you are doing look at your manual and seeing what the manual says and what you are actually doing, or is it just something nice to put in and show people.

Major Idea

Achieves a balance between rules to keep children safe and age appropriate risk taking to enable learning

Subsidiary Ideas

Do not over react to the point where nothing happens

Risk is managed (assessed) but not avoided

Relevant Text

That sort of thing about not sitting at home crossing your fingers (as a parent, worrying about your child's safety) hoping things are going to be OK, knowing that everything reasonable – if something did happen it was a fluke or whatever it was and you could rest a bit easier – God forgive me – if something did happen...I want it to be a stepping stone to reality rather than a place that is so tightly bound that they get out and fall on their face – so there has to be some testing and experimenting and activities and a culture in the place that does get them to learn things – so if they wanted to go abseiling – fine – as long as everything was risk assessed and all that sort of stuff and they did the right thing ...

Was that a reasonable thing to do...you could not do much more than you did, without locking them up all day.

If it was near a river or something all those sorts of things were covered but not to the point where they were wrapped up in cotton wool – reasonable but err on the side of caution.

(If a child drowned) ... I would hope that if that happened I would still allow my child to go to the beach or go canoeing provided all the reasonable steps were put in place I think I could live with myself knowing that I was happy with what they do, they did what they say they are going to do ...

Major Idea

Physical layout and design supports the safety outcome

Relevant Text

(to make it safer) the physical grounds – there are lots of hiding places – line of sight – you have to go around buildings and there are lots of opportunities for children to ‘get away’ with things if they want to...things have been added on –In the ideal world – with a blank canvas – you’d look at all these things. Some of the design is very institutional – for practical and maintenance reasons...

Major Idea

Appreciates the importance for children of good quality and consistent staffing

Subsidiary Ideas

Understands staff shortages might mean short cuts

Manage staff so they last for the long-term – avoid burning out staff

Check references, track history, sight checks

Do not make assumptions when recruiting – see credentials

Relevant Text

Unfortunately in shift based employment you do get caught out some times. The term is starting, you’ve got three applicants and you pick the best of three – and that is not always the best thing to do and you’ve got to weigh up, do you wait another few more weeks into term while staff are working overtime ...And you want to make sure you have consistency in staff, you do not want to think “I’ll use this as a band aid approach, hope they work out”...another new person comes on board.

It is intense when you are working with kids all the time...I tell staff please take your time off, you might not feel like it...have some rest so you come back fresh because if you come back 'narky' it's not good for you or for the kids, you'll burn out, you'll give up the work. So try to pace them out.

(What causes abuse is) if staff are not trained well, if you do not have the right character – some people do not have the character to work with adolescents – you need to be able to pace yourself, not lose your temper... self discipline...not setting yourself up for a situation, paint yourself in and find yourself swearing or grabbing a kid ... it is rare but it does happen...Got to weigh things up and continually put things in context.

The people coming into the role (of providing direct care to children) have quite varied backgrounds and when they start (often) don't have any experience ... something people move into (the career) by accident ...or come via youth work, social work ...the industry has tried to get specific courses in place to raise the standards.

You've done all you can do with the working with children card that has come out recently, a slightly more thorough check, above and beyond the regular police check, again it's not saying you've got someone who is crime free – they might have got away with it – but what more can you do, if they come across in the interview, they are qualified, they are employable – they've got their first aid, you sight them all, you make sure you do all that administrative aspect – you actually check up, check their references and do not just assume – (do not) assume the reference is true and all that sort of stuff – you check up – do everything, so you know you are getting the right people for the job.

Major Idea

Presents and makes overt its safety program to stakeholders, especially parents

Subsidiary Idea

Shares concerns with parents and seeks solutions with them

Relevant Text

(If I were a parent) I'd expect that the people running the place – the staff – management would feel that (being safe) was a priority and (they would) tell me that was what was needed or this is what they do rather than me (as a parent) having to fish it out, because I think it is

obviously an important thing so it is probably the first thing you talk about, as a base, and then you go on from there about sport and recreation and that sort of thing.

Test it out with the kids and the parents...(see if) things are going too far, if we are going over the top here in implementing things – rules –... Go to the parents to air things to test out ideas. You feel better putting something in place if a handful or parents have concurred... if there are any complaints ... We did test this out.

ITERATION

The process of analysis involved iteration of the model if it was necessary. In individual 1's case further iteration was not required. Individual 1 was provided with the model developed and his comments were 'this looks good. Easy to read and comprehensive'. In other cases iteration was required. For example individual 6, an insurer, responded when provided with the model of their interview:

The document is fine for strategies to manage operational risks. But what I am suggesting is, say with the recent ABC child care centre failures, you should have a model to identify this risk and a business continuity plan for the failure. What you have is a model for safe child support centre risk management only. This is good but you need both.

Maybe 2 models should be used:

1. Business continuity model.
2. Operational risk/hazard risk management model.

Consequently I listened to the interview again, reviewed the transcript and developed a second model, which is shown in attachment 10 (Complementary representations), where there are two models for individual 6.

In the case of individual 2, a legal participant, referred to earlier (see page 93 of the thesis), following his request a further discussion occurred where the model representing his interview was discussed. This discussion led to some changes which were then provided to the individual 2 for his consideration and acceptance. In discussion individual 2 said the model initially developed captured comments he had made about the importance of proven reputations and good community standing, but that on reconsideration, because of known

abuse in organisations with proven reputations, such as churches and the Scouts, he had changed his mind on that aspect of child-safe organisations.

In the case of individual 9, a social worker, the comments were:

Looks great, especially the one about the organisation holding the child's best interests as its foremost priority!!!

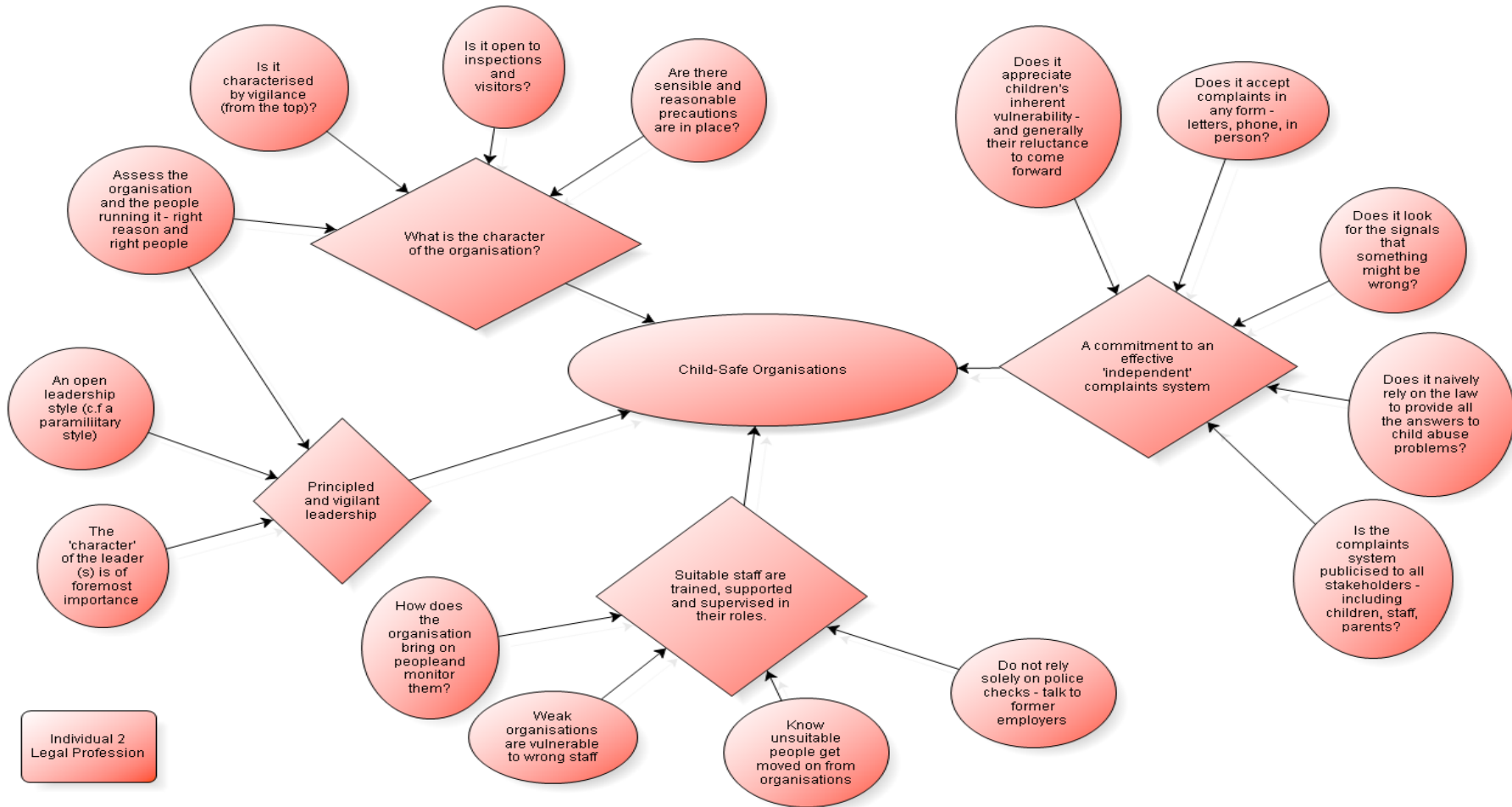
Three suggestions/comments

The bubble that says does not rely on working with children check or other clearances, I think should read Does not reply SOLELY on

CONSTANT COMPARISON

Step 9 of the process (see page 123 of this thesis) set out how interviews were compared with each other. For example, a representation of individual 2's interview follows. Individual 2 is a purposively selected professional, a retired lawyer and judge, active in child protection related activities including providing advice to government authorities about child protection. At the end of the chapter at attachment 11 (A representation of some interviews) are individuals' interview representations.

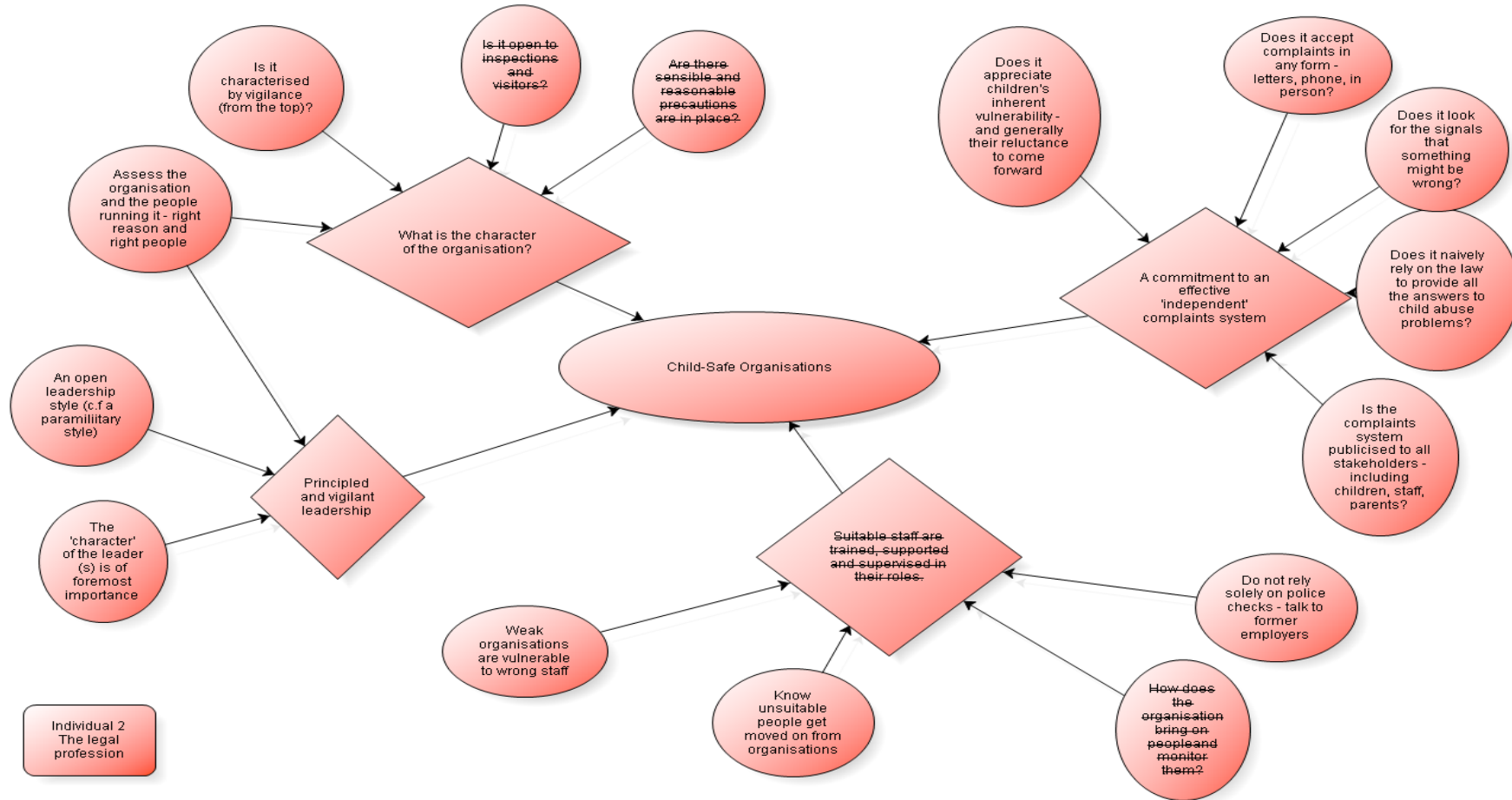
FIGURE 3: INDIVIDUAL 2'S REPRESENTATION



Major themes evident in individual 2's interview, less developed or absent in individual 1's interview, were the emphases placed on the need for an independent complaints system, the overall character of the organisation and the need for a particular style of organisational leadership.

The NVivo software enabled the selected text in the models to be crossed through. This capacity was utilised to create a visual representation of progressive comparisons. For example after comparing individual 2's interview with individual 1's interview and crossing through selected text, individual 2's interview representation was stored as:

FIGURE 4: INDIVIDUAL 2'S INTERVIEW AFTER COMPARISON WITH INDIVIDUAL 1'S INTERVIEW



The items not marked through in individual 2's interview representation and the items in individual 1's representation then became headings to be compared with other interviews. Attachments 10 and 11 contain other individuals' models.

EMERGENT THEMES

In this way, clusters of data from the individual participants were collected. The example below is the cluster associated with risk (examples of other clusters are provided at attachment 12 (Examples of clusters)).

Emergent theme: related to RISK	
Individual	Relevant text
1	Risk is managed (assessed) but not avoided. Do not over react to the point where nothing happens. Documents risk assessment to build cultural and historical understanding. Recognises a human tendency to accommodate to existing practice, and not see it as risky.
2	Are there sensible and reasonable precautions in place?
3	Good quality written orientation information provided with time for parents and children to clarify and question. Ensure the manager's lines of accountability are clear.
4	Safety related data are collected by the organisations and available over time. Services are professional – suitably resourced, clear outcomes and contemporary service models.
5	Minimise opportunities for risk
6	Evidence of a good risk management plan (prevention and contingency). Are risks identified and assessed? Is the organisation is pro-active with respect to risk? Is there a commitment to monitoring safety performance and revision when necessary? What is the incident/accident history? Are data collected?

	<p>Is there evidence about satisfactory processes?</p> <p>How does it compare with other similar organisations?</p> <p>Does the organisation demonstrate OHW&S awareness and compliance?</p> <p>Does the organisation know and comply with the industry standards?</p> <p>Is the organisation adequately insured?</p>
7	<p>Is there on-going development of documentation, e.g. risk strategies</p> <p>Is there evidence of risk assessment and mitigation strategies?</p> <p>Does the organisation comply with legal and community expectations about protecting children?</p>
9	<p>Are staff involved in assessing and addressing identified risk?</p> <p>The organisation does not minimise or deny risk of child abuse.</p> <p>Organisation has identified the risks of abuse for children.</p>

EMERGENT SUB-THEMES

On further examination a number of sub- themes within the risk management theme became evident. For example, evidence of a dynamic, pro-active process aimed at minimising risk, which included risk of child abuse, clarity about the sources of risk, staff involvement in addressing and mitigating risk, risk being managed and not avoided to the point where ‘nothing happens’. The thematic/sub-thematic representation took shape as:

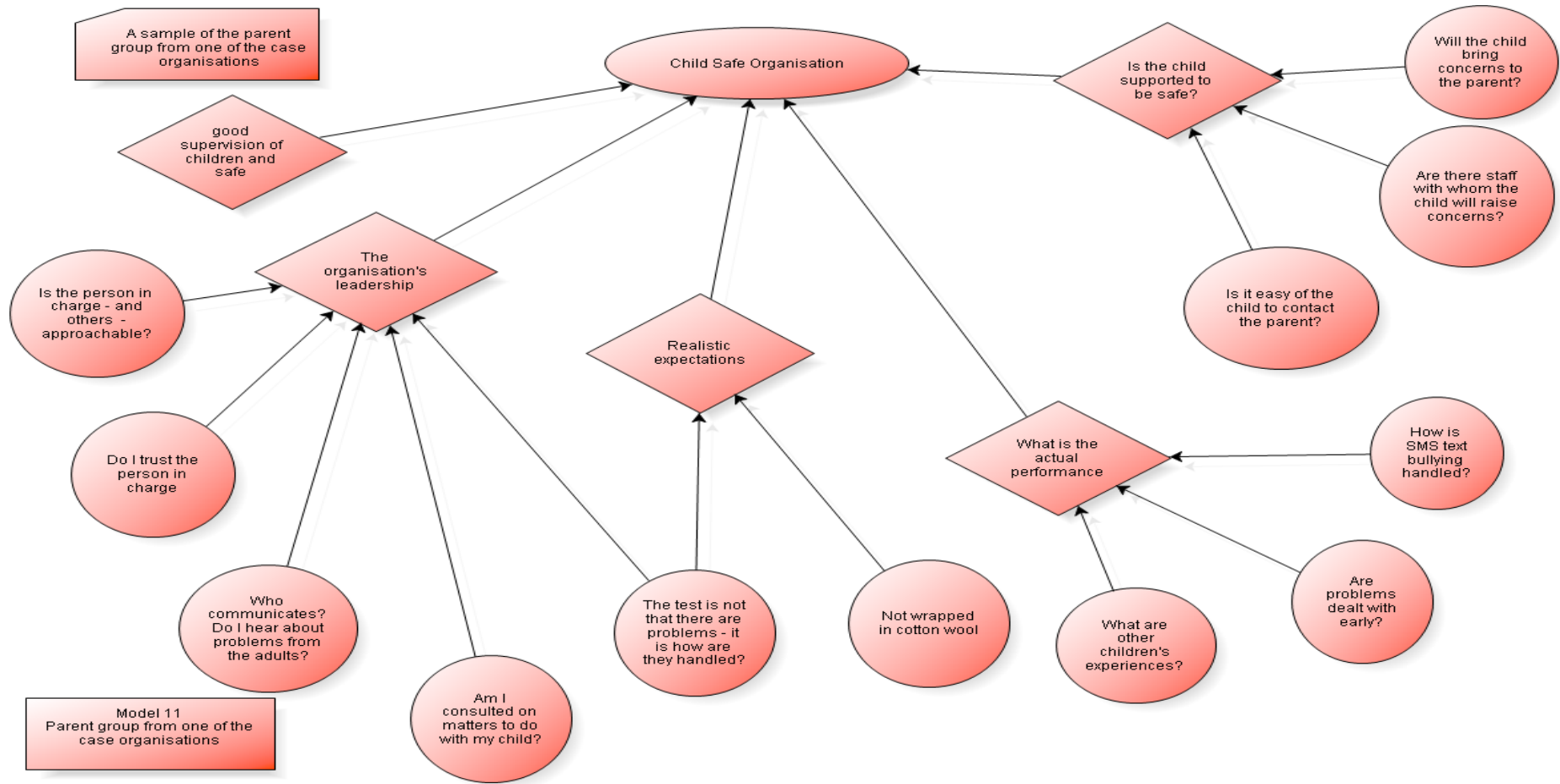
Manages risk:

- Complies with occupational health welfare and safety legislation and requirements;
- Collects data about past safety performance;
- Compares its safety performance with like organisations;
- Creates a stimulating environment for children without endangering them;
- Makes overt its safety focus and program to all stakeholders at the outset of a child’s involvement in the organisation;
- Identifies the risks and sources of risk (including other children, staff and parents) a child might encounter during his or her involvement with the organisation;
- Involves all stakeholders in risk analysis and mitigation;
- Revises risk mitigation strategies if necessary;
- Appreciates child abuse is a risk present in all children’s services;

- Constructs a physical lay-out and design which supports a child-safe outcome and eliminates obvious hazards.

These sub-themes were also identified in records derived from other primary sources. For example, the model which follows (number 11) was derived from a group of parents from one of the case organisations. The parents' group expressed the view that their children 'should not be wrapped in 'cotton wool'.

FIGURE 5: A COMBINED REPRESENTATION OF PARENTS



In this manner themes and sub-themes were developed to represent the data relevant to the research questions and research objectives.

A CHILD-SAFE ORGANISATIONS FRAMEWORK

From my analysis of the interviews, from the stakeholders' perspectives a child-safe organisation can be represented by six themes and 47 sub-themes comprising various value positions, knowledge, practices and processes, and organisational artefacts. The framework is presented with the themes capitalised and the sub-themes listed in bullet point.

A CHILD-SAFE ORGANISATION:

KEEPS CHILDREN'S BEST INTERESTS AT THE HEART OF ITS ENDEAVOR – RESPECTS, NURTURES AND INCLUDES CHILDREN

- Understands children's capacities and vulnerabilities and children's need for affirmation;
- Makes overt the child's rights and particularly their right to safety at the outset of a child's involvement in the organisation;
- Seeks, acquires and is responsive to children's input – including about staff and when reviewing existing policies and rules;
- Demonstrates policies and procedures to support children;
- Supports children to keep themselves safe;
- Understands the complexity of children's peer relationships;
- Ensures it has the necessary resources and processes to provide services to children with special needs.

RESPECTS AND INCLUDES PARENTS

- Provides many opportunities for parents to have input;
- Involves parents in sorting out issues and concerns;
- Makes available testimonies from other parents about their experience of the organisation;

SELECTS CAREFULLY, SUPERVISES, DEVELOPS AND MONITORS STAFF

- Assesses thoroughly staff members' character, skills and knowledge as part of the recruitment process;
- Checks and verifies staff members' credentials, claims and past performance histories;
- Provides supervision and training for each staff member (i.e. paid employees and volunteers);
- Documents the job requirements for staff;
- Does not retain unsuitable staff;
- Ensures each staff member holds a current working with children card.

IS WELL LED

- Professionally run;
- Communicative;
- Models appropriate behaviour;
- Principled, fair, supportive and vigilant leadership.

MANAGES RISK

- Complies with occupational health welfare and safety legislation and requirements;
- Collects data about past safety performance;
- Compares its safety performance with like organisations;
- Creates a stimulating environment for children without endangering them;
- Makes overt its safety focus and program to all stakeholders at the outset of a child's involvement in the organisation;
- Identifies the risks and sources of risk (including other children, staff and parents) a child might encounter during his or her involvement with the organisation;
- Involves all stakeholders in risk analysis and mitigation;
- Revises risk mitigation strategies if necessary;
- Appreciates child abuse is a risk present in all children's services;
- Constructs a physical lay-out and design which supports a child-safe outcome and eliminates obvious hazards.

RESPONDS ACCOUNTABLY TO SIGNALS OF CONCERN AND COMPLAINTS

- Makes public its commitment to responding accountably to concerns and complaints and resolving them in the interests of children;
- Has its complaints system overseen independently of the organisation;
- Investigates concerns and warning signs, even if there is not a formal complaint;
- Is open to receiving complaints made in any form;
- Does not minimise any stakeholder's concerns or complaints;
- Responds to issues reasonably and proportionately;
- Removes blocks to elevating complaints up the organisation's hierarchy;
- The Board of Management is held accountable for the system of resolving complaints.

A METAPHOR – CHILD-SAFE ORGANISATION AS A SWIMMING HOLE OR A BEACH

While the child-safe organisations framework was derived from coding and categorizing data, and generating themes and sub-themes, there remained an uneasy feeling that the framework fell short of representing the depth of the stakeholders' understandings about child-safe organisations and the inter-relationship between the elements of the framework. Also, there was an underlying concern: the child-safe organisations framework could be open to misinterpretation or misuse, being that a claim could be made because the elements in the child-safe organisations framework had been addressed an organisation was child-safe.

Stakeholders had said or intimated an organisation wishing to be child-safe needed to view itself holistically and organically; as a system, capable of being reflected upon and orchestrated. This is consistent with thinking about ways of knowing and experience as continuous (Beilharz 2001). Individual Participant's comments reflective of this precept included:

A set of beliefs harmonised toward the sole purpose of protection and guidance of young children.

It is just that understanding – you learn to listen to look out for the tell tale signs of stress – your gut feel is very important.

People who understand the vulnerability of children and who take multiple steps to ensure their safety.

One participant provided a metaphor:

We look at the glaringly obvious but we don't necessarily look at the general field. So, if you take a football game as an analogy every referee turns up to a melee but they don't necessarily stay on the back-line watching the 'biffing' and watch what's going on when the ball is at the other end of the oval and I think that often happens in the organisation's environment as well

Hunter et al. (2002, 392 - 394) to whom earlier reference was made (see page 124 of this thesis) said a metaphor about adolescent resilience came to her in her research as an 'aha' experience, while watching a brewing storm on a beach in Ghana and that the metaphor she developed was the 'magic' that helped her to make her research findings 'visceral for others'. While the genesis of the child-safe organisations metaphor below is not able to be located at a precise moment in the research project's process it did emerge following immersion in the data and alongside an on-going underlying unease about potential misuse of the child-safe organisations framework, and whether it adequately represented the primary data.

The metaphor therefore is an integral and essential part of the child-safe organisations framework. Of course, the metaphor's value is limited (because an organisation is different from a swimming hole) but it possesses the capacity to stimulate stakeholders' imaginations and discussions. It is offered as a 'question marked' incomplete work, inviting further development.

THE METAPHOR

Sometimes it helps to think about an organisation as something else to clarify how we should relate to it. In this example I have developed an organisation is likened to a swimming hole or beach. Is what we know about keeping children safe at a swimming hole or beach useful in thinking about how we keep them safe in organisations?

BACKGROUND

Australians understand swimming and swimming spots. A billabong features in Australia's unofficial national anthem, 'Waltzing Matilda'. People on farms and

stations are familiar with swimming in rivers, water-holes and dams. We live on an island and many of us live on the coast. Theoretically at least, you can swim anywhere on the 30,000 kilometers of Australia's coast line. None of the Australian states is land-locked. There are over 10,000 beaches. Some are notoriously dangerous. An Australian Prime Minister drowned swimming at an unsafe beach, which on another day might have been safe. Many country towns and communities have a community pool. Notwithstanding there are dangers attached to swimming, few would suggest that Australian children should not swim.

The metaphor is created in the belief that most people will quickly identify features that apply to a swimming hole, swimming spot or beach or part of a river.

WHAT'S UP-STREAM?

There are circumstances outside of the swimming area that affects its safety but not necessarily the appearance of the swimming area. What flows in to the water is an important consideration. For example, a dead and decaying animal nearby; a factory allowing toxic chemicals to run off into drains; the use of fertiliser and chemicals by households in the surrounding area; or a pipe running effluent into the ocean in the vicinity of the beach, when the current is running in-shore -all cause concern.

This is analogous to organisations being impacted upon by community attitudes, some of which are exploitative of children.

DANGERS ARE NOT ABLE TO BE COMPLETELY MITIGATED

Swimming is always potentially dangerous. Young children need to be closely supervised in water. Children are taught how to float and then swim. The responsibility for an infant's safety in the pool is entirely in the hands of someone else. Over time the child needs to assume more responsibility for their own safety. Sensibly, children are taught about water safety, how to respond if they get into trouble in the water and what to do if they see someone else in danger.

This is analogous to the need to impart into children in age appropriate ways strategies to keep themselves safe in organisational life.

SWIMMING SPOTS CAN BE MADE SAFER BUT NOT ABSOLUTELY SAFE

The danger from swimming is not only from the water but from other factors, some of which are easily seen (e.g. visible reefs and snags, other swimmers, blue-bottles) and some of which are hidden from view (e.g. below the water-line reefs and snags, rips, unseen predators, broken glass). A swimming hole might be safe on one occasion but not on another (e.g. high tide) Predators might be present on some days and not others. No one can guarantee a swimming hole is safe from unseen dangers. Steps can be taken to make it safer. For example in some locations life saving equipment is fixed at a site. In others people look out for predators and first aid facilities are available.

This is analogous to the steps proposed to make the organisation safer than it otherwise would be.

SOME SWIMMING SPOTS ARE SUITABLE FOR SOME CHILDREN AND NOT FOR OTHERS

Some swimming spots are notorious for dangerous currents and rescues are common- place. Others are regarded as calm and safe. Some swimming spots are supervised, patrolled or managed by qualified attendants. At these locations incompatible activities are not permitted in the same space at the same time (e.g. wading and board surfing). At some locations rules are in place and swimmers are encouraged to follow them (e.g. at the beach) or they are enforced (at the Council pool). Some locations are loosely managed or are not managed.

This is analogous to considering the features of an organisation appropriate to the particular child.

NOTWITHSTANDING THE DANGERS, MOST OF US WANT OUR CHILDREN TO SWIM?

CONCLUSION

This chapter provided the detail of how the research participants' data were treated and analysed. The chapter primarily addressed the third research objective: Identify the requisite features of a child-safe organisation from the perspectives of relevant stakeholders, including

relevant professional groupings. The chapter also addressed aspects of the fourth research objective: Develop a framework that will provide a stimulus for organisations to assist them represent themselves as 'child-safe' to their stakeholders, while striving to make explicit limitations.

From my point of view this chapter was satisfying because it involved generating new knowledge by taking inputs derived from the research process and applying various methods of analysis to them. Part of the satisfaction resulted from seeing the knowledge product take shape. It was also derived from the unexpected creativity of the child-safe organisation as a swimming hole metaphor. The metaphor is a critical part of the child-safe organisations framework because it destroys any notion that an organisation might achieve a child-safe status. The metaphor drives home the point that no matter what systems are in place, vigilance is required to keep children safe (as safe as they can possibly be kept).

The child-safe organisations framework is derived from the participants' data. It is presented in good faith as a representation of what the participants believed is necessary for an organisation to be perceived as committed to being or becoming a child-safe organisation. The framework is critiqued in the next chapter.

CHAPTER 5: DISCUSSION

INTRODUCTION

This chapter amplifies and probes the child-safe organisations framework which was developed by analysing the project's primary source data. This amplification and probing of the framework further addresses the research questions: What is a child-safe organisation? How can an organisation's child-safe status be effectively represented to relevant stakeholders? In this chapter text is italicised when project participants are quoted.

The child-safe organisations framework set out in chapter 4 of this thesis comprises six themes, 47 sub-themes and a metaphor. The framework's thematic headings are:

A child-safe organisation:

- Keeps children's best interests at the heart of its endeavor – respects, nurtures and includes children;
- Respects and includes parents;
- Selects carefully, supervises, develops and monitors staff.
- Is well led;
- Manages risk;
- Responds accountably to signals of concern and complaints.

If each theme (and sub-theme) comprising the child-safe organisations framework is addressed by a particular organisation, the contention is that the organisation can be described as child safe in the terms of the project participants' expectations as assessed from their interviews. This does not imply participants would conclude the organisation was 'safe' for children, in the sense that harm could not befall them. The project participants' view is that it is simply not possible for an organisation to be absolutely safe for children. This view was summed up by one participant: *I just do not think it will ever be feasible to find 100% safety but there is a lot more that can be done.* Another project participant identified peoples' capricious natures as the reason why organisations could never be safe: *You never know when people are going to change or turn or whatever.* In the sense that it has come to mean over

the research, the phrase ‘child-safe organisation’ means an organisation has committed itself to being ‘child-safe’ and is working toward it.

The child-safe organisations framework respects and represents the project participants’ view that an organisation never achieves safety, in the completely ‘free from danger’ sense of the word, in the following ways: First, the swimming hole metaphor suggests that on-going vigilance and comprehension about the interaction of a myriad of factors are necessary to keep children as safe as possible in organisations. Second, many of the framework’s aspects are dynamic (e.g. creates a stimulating environment for children without endangering them), formative and on-going (e.g. provides supervision and training for each staff member) or reactive (e.g. responds to issues reasonably and proportionately). These aspects of the framework demonstrate a child-safe organisation is committed to on-going monitoring, improvement and development, and to learning from incidents where children’s safety has been or might have been compromised. Such an organisation, committed to learning from these sorts of incidents and near misses, might be described as a ‘learning organisation’ (see Argyris and Schon 1978). A parent stakeholder reflected on these matters in this way: *The test is not that there are problems – it is how they are handled.*

Brackenridge, Pawlaczek et al (2005, 248) created a typology where, in response to child protection initiatives, sporting organisations’ cultures were classified as inactive, reactive, active, proactive or opposed. The pro-active slot in the typology was characterised by statements such as, ‘there is always more to learn; we need to keep this under review; and, we need to learn from others’. These sentiments, that the project of being safe is an on-going organisational task, are consistent with the child-safe organisations framework. A completion tick can never be put next to the task of making an organisation child-safe. A tick can be placed to indicate the process of becoming more child-safe is underway and when milestones are achieved, or when incidents are dealt with satisfactorily or near misses analysed, and additional organisational knowledge accrues.

The child-safe organisations framework’s themes and sub-themes are not proposed with hard and fast boundaries in mind. Bauman’s observation about the non-divisible nature of reality, quoted in Beilharz (2001, 296), is pertinent: ‘No binary classification deployed in the construction of order can fully overlap with essentially non-discrete, continuous experiences of reality’. For example, the concept in the child-safe organisations framework ‘responding

accountably to signals of concerns and complaints’ could be merged with the concept ‘manages risk’. However, these concepts, ‘responding accountably to signals of concerns and complaints’ and ‘manages risk’, are each assigned status as themes in the child-safe organisations framework on a judgment that they were sufficiently separately emphasised in the interviews.

EAST COAST FORUMS

At an opportune time in the research process, when the planned field work was advanced and the child-safe organisations framework had taken shape, an opportunity arose to present the framework and other aspects of this research to three forums in cities on Australia’s east coast (see attachment 13 – Interagency forums). The forums were convened to consider child-safe organisations and the attendees were staff members (including direct care staff, staffs’ supervisors and administrators) of specialised child welfare services, such as private foster care and counseling agencies. Bearing in mind that the staff, administrators and parents who provided data which led to the development of the child-safe organisations framework were not associated with specialist child welfare services, the forums provided an opportunity to ‘test out’ whether the framework resonated with the employees from organisations which had different remits. In Patton’s (2009) terms it enabled consideration of whether the child-safe organisations frame work could be reasonably extrapolated to other organisations.

It was evident from the east coast forums’ discussions that the child-safe organisations framework’s themes and sub-themes were relevant to participants and their organisations. The forums provided an opportunity for those who participated to adapt the framework to their concerns. Attendees who responded to an invitation to provide feedback to an open ended question about the presentation reflected on the framework in the following ways:

Framework (sub-theme) ‘responds to issues reasonably and proportionately’ – crucial in terms of responses to issues and complaints being dealt with in more than one dimensional manner so that learning is on-going;

Framework – I found the sheet to be very comprehensive – but may need to adjust as discussed re: committees and management;

The framework is quite comprehensive, but as discussed I think Board of Management has an overarching responsibility and influence on all levels of organisation and the

development, implementation and use of policies and procedures that relate to child safety from caring to oversee of the caring and programs offered;

Need to include setting clear standards of practice and expectations. I believe the point in the framework document about 'demonstrates policies and practices to support children' is very important and essential to child safe organisations.

Part of the child-safe organisations framework is a swimming hole or beach metaphor. The metaphor aims to provoke in the reader's or hearer's mind, through memories of experiences of swimming as a child, supervising children at swimming spots or imagining such situations, that ensuring swimming environments are as safe as possible requires simultaneous attention to a) different risk factors; b) the way the factors interact; and, c) the situation as a whole. That is, an optimal level of safety (notwithstanding there is always an element of accepted risk) is achieved if one takes both a particular (do you or someone in the vicinity know how to resuscitate a child? can the child swim?) and a holistic view (storms up river might have created new snags in the river? the changing weather patterns might mean new rips will develop off-shore?) of the environment.

The metaphor attracted a range of comments. For some attendees the metaphor clearly resonated, others believed it required adaptation and others found it un-useful:

I found it clear and useful (i.e. made me think about so many influences impacting on children safe). Really made sense to me and it was a really different way of thinking about our day to day role, rather than traditional case study;

I like the metaphor of the swimming hole – I think it is a useful way of facilitating a broader understanding of what you're trying to capture in a way that is not overly sophisticated so is accessible to all or most levels of an organisation;

Thought provoking metaphor, in that clearly delineates peripheral potential risk factors and consideration of ways to keep a child safer. However not necessarily employ it as an example for workers/carers as it may not define or break down specific elements to caring for a child eg psychological, emotional, physical, cultural, spiritual wellbeing and safety;

Metaphor – child-safe organisation as swimming hole or beach a) excludes a number of cultures; b) some people see them as intrinsically dangerous and avoid them; and c) characters not human;

The metaphor is not very helpful. I think a case study would be more useful to the group; there is not much emphasis on a child focus.

From my point of view the latter two comments above demonstrated the value of an individual or group considering the metaphor of a child-safe organisation as a swimming hole (or something else), critiquing it and building from it an alternative for their organisation's consideration.

One respondent's comment about the metaphor – *not overly sophisticated so is accessible to all or most levels of an organisation* – was echoed in follow up interviews. As part of the research process the state-wide services director and the congregation leader, positions referred to earlier (see page 104 of this thesis), were provided with updates about the research's progress. The director commented that he believed the metaphor would be particularly valuable for his organisation's stakeholders, including many parents, who might find the child-safe organisations framework overwhelming without the metaphor. The congregation leader wrote:

Suffice it for me to say that I think it is a wonderful metaphor. I'm thinking of school, a Day and Boarding School like (organisation) – Safe but Not Safe if:

- *The untested water supply from the basement storage has dead rats in it.*
- *A bully is enrolled.*
- *An incompetent teacher staff is employed.*
- *Children Students slide down the banisters instead of walking down the steps.*
- *A sexual predator is not discovered through Police Checks etc.*
- *Use computers for the wrong reasons.*
- *The Life Savers/School Administrators are too tired because of overwork to notice or be aware of unsafe developments.*
- *The place is under-staffed.*

- *Etc etc*

I can think of thousands of examples. A School is only safe if the organisation ensures that all people and all facilities are always supervised by competent supervisors and the Supervisor is also supervised. Some Life Guard has to be responsible for putting out the Flags between which swimming is permitted, but only when the location is safe. So much can change and can change quickly or more importantly “So Slowly” that nobody notices the change until it is too late. I like the metaphor and it is already helping me in terms of what the (Governing Authority) have done, are doing and should be doing in the future.

THE CHILD-SAFE ORGANISATIONS FRAMEWORK’S UTILITY

The framework provided a useful launching point from which the east coast forum participants could think about and reflect on their organisations. This use of the framework, as a starting point for an organisation’s employees, trustees and other stakeholders, to consider their organisation’s requirements to be child-safe is consistent with my view about the appropriate use of such a tool. The child-safe organisations framework is not conceived of as a ‘best practice’ template. Fitz-Enz’s (1997, 97) observation about best practice approaches is apposite: Among the paradoxes that mask the truth about best practice the first is ‘the search for the magic wand. We, as business people, expect to find simple solutions to today’s complex organisation management problems. When we do latch on to an imagined magic wand in the form of another company’s practice all we have done is deluded ourselves’. The child-safe organisations framework is not a magic wand. It is an invitation for an organisation’s stakeholders to consider aspects of their organisation’s child-safe performance, informed by others’ perspectives. The overarching imperative for an organisation to be child-safe is that those responsible for it afford the pursuit priority, and ensure time and space are set aside for the organisation’s stakeholders to come together to reflect on what being a child-safe organisation means to them. The framework is a stimulus for such reflection.

The remainder of this chapter sets about amplifying and probing the child-safe organisations framework. This is undertaken to provide those who wish to use and adapt the framework a critical analysis to call on so they can further consider issues that might be relevant to their

responsibilities. The six themes and selected sub-themes are now critiqued with reference to the primary and secondary source data and the literature.

CONSIDERATION OF THE FRAMEWORK'S THEMES

THEME 1: KEEPS CHILDREN'S BEST INTERESTS AT THE HEART OF ITS ENDEAVOR – RESPECTS, NURTURES AND INCLUDES CHILDREN

The framework's first theme is that children's interests are central to the considerations of a child-safe organisation. Respecting children's legitimacy as individual and collective organisational stakeholders was a common feature of project participants' responses. To be considered child-safe, an organisation is required to understand children's capacities, vulnerabilities and rights, and the complexity of children's peer relationships. The framework encourages aspiration to an organisational climate of affirmation, where a child's intrinsic value is respected and their input is encouraged and heard. The first theme comprises the following sub-themes:

- Understands children's capacities and vulnerabilities, and children's need for affirmation;
- Makes overt the child's rights and particularly their right to safety at the outset of a child's involvement in the organisation;
- Seeks, acquires and is responsive to children's input – including about staff and when reviewing existing policies and rules;
- Demonstrates policies and procedures to support children;
- Supports children to keep themselves safe;
- Understands the complexity of children's peer relationships;
- Ensures it has the necessary resources and processes to provide services to children with special needs.

The child-safe organisations framework places an onus on the organisation to actively seek children's opinions on a range of matters, including about staff, policies and rules, and to facilitate children's development to keep themselves safe. Seeking out and listening to children's opinions, and developing their safe capacity reflects the project's participants' understanding that children's on-going input into what makes and keeps an organisation safe

for them as a group and as individuals is critical, and that to various extents children have their own agency in the pursuit of safety. More fundamentally, the framework requires organisations to think deeply about the way it conceptualises children and the way it anticipates they are able to contribute (see Mason and Steadman 1997).

The framework implicitly acknowledges children's input can be curtailed by not encouraging them to express their opinions, or disregarding or belittling them when they do. The child-safe organisations framework requires the organisation's attention to the individual child's special needs and their safety. It implies that what is safe for a group of children might not be safe for an individual child. It does not presume every organisation is suitable to deliver services to children with special needs. However, it does hold that if the organisation has accepted children with special needs into its program it needs to acquire and develop the resources and processes to provide for them.

The following quote taken from a reflection prepared by one of the project's administrator participants (organisation A) at the completion of his involvement in the project reflects an administration thoughtful about incorporating children in the relevant business of the organisation:

Many (children) came forward with issues they were concerned about. Particularly, once they saw things were acted on. Then more and more came forward. Then, even if no direct action was needed, they were willing to come forward to discuss things. For Indigenous students it was normally done in groups, they talked about the issue or they sorted the issue out in their traditional way (group consultation) first. These meetings and reflection times gave students confidence that their issues would be listened to and, hopefully, if needed be addressed.

This administrator's invitation and encouragement to the children to come forward to discuss matters with him and his leadership team goes to the heart of creating a culture where children are respected, nurtured and included. The administrator actively sought children's input in ways which attempted to be sensitive to their life experience and culture. Achieving this required a respectful appreciation of the children's different cultural norms, including understanding that some longstanding antipathies and family feuds existed outside the organisation's environment. In some instances children to whom the administrator refers were part way through tribal ceremonies marking their passages toward adulthood in their

Indigenous communities. Consequently, it was not always appropriate for all of the children, or for mixed gender groups, to participate in discussions about some matters. By adopting a respectful stance on these matters the children (and Indigenous staff) pointed out to the administrator how some matters should be progressed.

Another of the project's administrator participants (organisation C) continued a longstanding formal administrative structure to accommodate feedback from the children. In this organisation changes in policy and rules or consideration of other matters were able to be commented on by a committee made up of children. Fifteen children were involved in regular formal meetings and they were charged with representing the other 200 children in the organisation. This microcosm of a representative democracy seemed to encourage participation in the organisation, provide opportunities to develop leadership skills and enabled the practice of participative citizenship. From the administrator's point of view, being able to state what he perceived to be the children's point of view on particular matters provided evidence that children were legitimate stakeholders in decisions that affected them and was beneficial to his administration. He believed the representative structure the organisation adopted modeled to parents a process where children's opinions were valued and considered thoroughly as part of a decision making process. This administrator openly wondered how it would be possible to effectively run an organisation without having a transparent process to receive and process children's opinions.

Meaningfully including children in the relevant business of the organisation contributes fundamentally to the tenor of the organisation and to children's experience of effective agency. In particular, inclusion provides children with opportunities to experience participation, decision making, control over what happens to them, and a boost to their self-esteem when their opinions are sought and valued (see Mudaly and Goddard 2006, 154).

A five-level model of children's participation in organisations provided by Shier (2001) is a useful way of thinking about children's participation:

- Children are listened to
- Children are supported in expressing their views
- Children's views are taken into account
- Children are involved in decision-making processes
- Children share power and responsibility for decision-making.

Mudaly and Goddard (2006, 140) argue children's developmental vulnerability is used as the basis for excluding them from participation, notwithstanding children have demonstrated 'remarkable ability in decision making'. Gray's (2002, 27) examination of children's participation in decision making and consultative processes reported that children as young as two years of age are able to take part in consultations. She provides advice about planning and structuring opportunities for children's input:

The key principle for working with children, young people and young adults of different age groups is to use techniques appropriate to the age of participants and facilitators who are able to establish rapport and trust.

- Even very young children can contribute to decision-making if the topic is relevant and appropriate and the facilitator experienced and sensitive.
- Those working with children need to take account of the cognitive and social development of the participants and be prepared to represent their views fairly.
- Adults seeking the views of young people aged 12 to 17 need to offer a range of opportunities and avenues to participate so that all young people feel comfortable being involved.
- Young adults need to be recruited through varied means, because they have moved beyond compulsory attendance at school.
- Where they are taking part in more formal structures such as youth councils, youth forums, advisory and reference groups and governance bodies, their role needs to be clearly articulated, well supported and well integrated into the decision-making process. (Gray 2002, 33)

Australia's courts provide an interesting case study of an institution struggling with how best to incorporate children's opinions into decision making. This struggle is framed by Article 12 of the United Nations Convention on the Rights of the Child (UNCROC) (United Nations General Assembly 1989, 7), which, although referred to in early parts of the thesis, is repeated here for convenience:

1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

Carmody J's judgment in *Murphy & Murphy, Family Court of Australia* [2007] FAMCA 795 at 64-209 (see pages 64 and 83 of this thesis), canvasses many of the issues faced by judicial officers when they consider whether to allow a child to give evidence in court on family matters when there are allegations of child sexual abuse. The judgment considers the contrasting arguments about allowing and not allowing children to give evidence: Allowing children to give evidence is distasteful and harmful to them. Not allowing children to give evidence is misdirected and mistaken about children's enhanced resilience and understanding achieved through participation. This part of the judgment concludes 'arguably it should not be a matter of *if* child victims should be heard but *how*... new structures and methods would obviously have to be found to allow children capable of doing so to properly participate in decisions about their future' (*Murphy & Murphy, Family Court of Australia* [2007] FAMCA 795 at 204).

Notwithstanding Carmody's conclusions, in some circumstances children's participation in some administrative forums, which can deal with matters affecting them, is prevented by law. For example, subsection 103 H of the *Child Support (Registration and Collection) Act 1988* (Cth) precludes children of the parties to an appeal in a child support matter giving evidence to the Social Security Appeals Tribunal.

Arranging for children's input is only half the process in hearing what children have to say. The project's participants were clear that if children are provided with opportunities to participate in the organisation's relevant business, adults need to be willing to listen to them and have the skills to do it. One of the purposively selected research participants said *children tell things in different ways to adults*. A complementary comment from another of the purposively selected stakeholders concerned the 'signals' children send about things that concern them and the need to attend to these signals vigilantly, *the issue .. is 'vigilance' ... to just be aware, to pick up on signals, to encourage children to talk up and to listen to them when they do*. The meaning derived from this comment is about the need to be open to children's ranges and styles of communication; verbal, behavioural, attitudinal,

psychosomatic and emotional. Bannister (1990, 170) says in relation to her therapeutic work with children 'by listening we plant a seed', which is an apt metaphor for the theme's emphasis on both respect and nurturance.

The project's participants were also concerned about individual children being overlooked in a system which failed to recognise and accommodate differences among children. A purposively selected professional social worker expressed concern that in the busyness and accountability of organisational life *agencies lose sight of the child in their working*. She added *a child safe organisation, distinguishes who its client is, that is, regardless of what it does, it realises the child's needs and safety comes first*. Within this comment is the acknowledgment of the primacy of the child's interests with respect to safety, including it being distinguished from the safety of the group.

Concern about the individual child's well-being was reflected in parents' comments: *Children ... don't all fit into the one mould...when you say this to an organisation ... (the organisation's response is) well 'they need to change'*. Another parent described an organisation which he felt, in spite of its supportive rhetoric, was not sensitive to the reasons for his son's problematic behaviour following family illness and break up. *After... my double lung transplant ... my marriage broke down. On my return my wife and I formally divorced. The care, understanding and support for my son at the school were gone, and he was being singled out as a 'trouble maker'*.

While children can be nurtured, respected and included in organisations the capacity of people affiliated with the organisation to exploit children's vulnerability and to censor and control them is a concern expressed by a number of project's participants. This dynamic is also identified in the various Australian Government inquiries into child abuse, referred to in earlier chapters. One purposively selected professional, a lawyer, said *'children are easily preyed upon, very vulnerable and don't complain'*. This view is supported in the literature: 'Children are egocentric and believe they are the cause of events which concern them (Bannister, Barrett, and Shearer 1990, 156). Such egocentrism makes children susceptible to being manipulated by people who abuse them.

While the framework's themes are not set out in priority order, because it would be pointless to address only some of the themes, it is appropriate that the first theme listed addresses children's best interests. The second theme identified concerns parents.

THEME 2: RESPECTS AND INCLUDES PARENTS

Administrators are required to balance the benefit and risk of parental involvement. Viewed critically, an organisation which pursues unthinkingly parental involvement in the provision of programs or services, or ascribes parents ‘insider’ status solely on the grounds that they are parents undermines its claim to child-safety status. An organisation might argue its child-safe organisation status by explaining its denial to parents of an automatic ‘insider’ status, as a sign of respect for the children it serves. The second theme comprises the following sub-themes:

- Makes available testimonies from other parents about their experience of the organisation;
- Welcomes parents and provides opportunities for questions and input;
- Involves parents in sorting out issues and concerns.

In some of the case organisations there was a ‘temptation’ presented to administrators to develop extra staffing capacity for ‘non-core’ activities, especially sporting activities, extra recreational, extra tuition, or camping activities, by calling on the parents and extended family of enrolled children to act as coaches, coaching assistants and more generally to provide extra supervisory capacity. While the roles were limited and parents or extended family members acted under the supervision of a staff member, over time it was apparent supervisory arrangements became weakened. In effect, the distinction between staff and parent (volunteer) became blurred. In most circumstances, where parents are involved in providing services to children, the next theme in the framework; selects carefully, supervises, develops and monitors staff, is applicable.

In Western Australia parent volunteers are exempted from having to obtain a Department for Child Protection working with children card. In parent formed and constituted organisations staffing resources are often solely volunteers – parents and relatives of the participant children. In these organisations it is likely there is an agreement between parents that those from within the parent group and their other children or friends are suitable to coach, supervise and develop the skills of the children participating in a program or activity. In such groups it might be seen as attacking a ‘sacred cow’ to intimate some of the parents and relations are not suitable to supervise, coach or develop their own and other people’s children. However, while it might be debated whether or not most child-abuse occurs in the

family home it is evident a substantial amount of all forms of child abuse occurs in the home and that a percentage of the abusers are parents and relatives. Simply put, if the wrong person is a family member of one of the children and the family member is appropriately credentialed and motivated to abuse children, there are abundant opportunities for them to do so.

The case organisations which participated in the research, a school and boarding hostels, assumed substantial care for children and acted in the place of parents, with the parents' consent, in terms of day to day decisions. All things being equal, the children were likely to be cared for by the organisations' staff for most of the year, for several years, with on-going and regular parental contact and input.

Parents indicated that after they put the work in 'up front', in selecting the organisation to act on their behalf, they then listened closely to their children about the suitability and safety of organisation. From the parents' perspective the 'up front' work to select a suitable organisation was particularly important. One parent described the way she selected an organisation which she considered suitable and safe for her son: *I had to do research on the internet...and then I did an interview process with (the administrator). I was impressed with their website...the parent base seems quite good too. There is a lot of activity from the parents.* Another parent described her process for selecting an organisation suitable and safe for her child as involving obtaining information from collateral sources as well as on-site observation: *Ask other parents... really do your homework and stick around – do not just dump and run, see how ... they deal with your child and other children, when their parents are not around.* Another rated highly the information she could obtain from other parents when choosing an organisation: *Ask other parents what their experience has been, you really need to do some homework – as I have done as a parent – I do not just ring up and book my child in.*

When a board chair was asked what advice she would provide to parents about selecting a child-safe organisation for their child she suggested seeking evidence from other parents already involved with the organisation:

I'd make the suggestion they need to check it out with other parents – (ask) 'how do you feel about the swimming/tennis coach?'. ... It is a bit like buying a house: talk to

the neighbours and say 'look you hear the bad press, is it as bad as that?' Same thing applies: you go to the organisation and say 'how do you find it'?

Another parent who sat on an organisation's Board of Management as a parent representative said her perspective about what she wanted to know and understand about an organisation had changed as she had become more experienced in the affairs of organisations. She now believed the organisation's incident history and its openness about incidents it had dealt with was important. In this sense 'incident' was taken to mean occasions when a child or children were unsafe. She was direct in her advice:

Well, I think if I knew as a parent what I know now I would probably just do a bit more research about the environment they were going into so that I might know about incidents that have happened, although a lot of places don't publicly, for obvious reasons, make any great noise about incidents that have happened but I think even just asking the question 'have you had any incidents where children have been considered to be at threat?' would be an interesting question to ask as a parent – I never thought to ask it

While a number of parents indicated the value of other parents' opinions about organisations as a means of making the initial assessment about whether to allow their child to attend, a purposively selected participant, a board chair, expressed cynicism about the value of organisationally endorsed parental feedback derived from parent surveys. The implication of her comment was that such surveys can become organisational 'marketing' and 'spin'. She said, *I've never been interviewed. It would be interesting to see who they interviewed? Do they interview the prefects and the parents of prefects, members of the first 18?*

An administrator expressed sympathy for parents and the amount of information they were expected to absorb about the organisation as part of the process when making a decision to enrol their child. He said:

I find at that time there is just so much for them to absorb and basically after that we give them a full package that has my phone number and the information on the website and copies of newsletters and copies of year books and that sort of stuff so they can flick through it and I recommend to them once you've absorbed the information just give a call.

The administrator said some parents came back two or three times before they made a decision about whether to allow their child to attend the organisation.

Parents made the point that they hear about the goings on at an organisation from their children and their children's friends. They said thoughtful communication from an organisation's administrators about important matters ensured they had an additional perspective about issues that concerned the children and if they were kept informed they were able to comment meaningfully on these matters to their children.

The parents interviewed derived comfort that their children were able to contact them via phone pretty much when they wished. From the organisations' perspective this was a concrete expression, made available by technology, of providing an opportunity for parents to have input directly into their children's well-being. The children contacted parents with their own mobile phones, via pay phones on site or by using the organisations' phones with staff permission. Each of the organisations wrestled with the downside of children having personal mobile phones. The organisations had each attempted to bar mobile phones with cameras. However, this had become impossible because phones without cameras were not always available or were ineffective in the rural areas where the organisations were located or where the children lived. Phones opened up possibilities of inappropriate photographs and videos of children circulating or being placed on the internet, credit theft and SMS text bullying. In the final analysis it seemed that while policy banning or limiting phones existed, the reality was that the technology had won the day and an array of phones, with and without camera capacity, were in evidence at all sites and on balance were considered beneficial to the children and to the organisation. The policy became one whereby an individual's phone might be confiscated for a period if it was abused, which at one organisation included when the clicking of the texting keys could be heard after 'lights out'.

Each of the organisations encouraged parental involvement generally and required it if there were disciplinary matters to do with their child. The parent participants in this research project indicated they appreciated the opportunity to have input into the organisation that provided services to their children and to be involved with the organisation in sorting out issues of concern or at least being advised how they had been resolved.

Each of the case organisations had structures which allowed parents to self-select to participate in the business of the organisation. Roles for parents included acting as a sounding

board for intended policies and rules, being a parent representative on the Board of Management, working to raise funds or assisting in events planning. Shier's (2001) five level model describing the involvement of children in an organisation, referred to in the previous section, seems adaptable and useful for thinking about the involvement of parents in the case organisations:

- parents are listened to
- parents are supported in expressing their views
- parents' views are taken into account
- parents are involved in decision-making processes
- parents share power and responsibility for decision-making.

Advantages of involving parents in the organisation were various, including: enriching the organisation by building up a participating parent body; raising additional funds; accessing volunteers with particular skills; improving and maintaining public relations; and, as a means of warding off potential criticism (see page 145 of this thesis where a staff member is quoted: *if there are any complaints ... 'we did test this out'*).

One of the purposively selected professional research project participants, a board chair, indicated she understood not all parents wished to be involved in the affairs of the organisations that provided services to their children: *I think a number of parents are probably in a position where they want to be just at arms distance and removed from it ... my children are there ... I've got a little bit of space*. Some parents indicated they did not have the time to be heavily involved even if they wanted to be, for example one mother said, *I don't have a lot of involvement at the school because I work full time*. Inevitably these dynamics lead to an outcome where those who seek involvement have the capacity for involvement and who are prepared to do the work become parent representatives in the eyes of the organisations' administrators on some issues, for the whole parent group.

Some staff perceived parents contributed to the safety of the organisation environment by supporting the organisation's rules and by monitoring its performance. The need for clear communication to avoid misunderstandings came to the fore, one staff member explained, *I've had parents come back and say 'you spoke to my child – what did you say to them?' – and, then I've had parents who have abused the hell out of me because the child has told them something that is not quite true*.

The administrator of organisation B encouraged a parental role in monitoring the quality of the service her organisation offered, while at the same time guarding her time. She said:

The door is always open – we get a bit excited when it needs to be opened at 11 p.m.! The parents can come at any time and they do not have to announce they are coming up – they do not have to ring and book, they do not have to ring and advise us they are coming in. They can come in at any time for a meal, any time at all they can sit down and have a cup of tea they can come in and see the supervisors at work. It is never ‘you must book in, if you want to come up’. If they want to see me I suggest they ring and see if I am in.

The same administrator was attuned to the issue that not all parents were necessarily safe or appropriate for all children. She had clearly identified areas where parents could not go without staff accompaniment: *Some parents have gone straight to the living areas and when I hear I go over there straight away and advise them (they cannot go to the area because) it is a safety issue for their children and we want to keep their children safe.* The administrator described one instance where she invited a parent to discuss their child’s aggressive and abusive behaviour. The administrator said she knew it was going to be difficult to achieve a resolution because the parent fronted the interview wearing a Tee shirt bearing an abusive and profane slogan. One parent participant said that the way organisations handled problematic parents was important indicator to her about its capacity to manage her child.

One of the purposively selected participants, a social worker, raised the issue of child abuse away from the organisation, at the child’s home. She said: *(A child safe organisation) has policies and procedures to reflect what their responsibility should be, if there is reason to suspect that the child isn't safe or well either as a result of the care they receive at the agency or at home.*

A concern expressed by the administrator of organisation B was when parents about whom she had reservations, for example, because of their ‘poor’ parenting standards or alcohol or drug abuse, developed relationships through their children’s attendance at the organisation with other children. The administrator had found herself in the difficult position of wondering how to explain these concerns to the parent of the child who might be advocating to their parents for a weekend or holiday at their friend’s house. The way the problem was addressed was to make general scenarios known to the parent group at the time of enrolment and to

explain the organisation relied on parents to exercise their discretion in allowing arrangements to be made. That is, if such care arrangements were contemplated, it was the parents' responsibility to satisfy themselves about the parenting styles of other parents. The administrator candidly explained to all parents that it was effectively impossible for the organisation to share judgments about parents with other parents. The administrator of organisation C echoed these general concerns and with respect to including parents in the formal structures of the organisation said *you have to be a little careful not to get people on boards of management etc who think just because they have successfully raised 3 or 4 kids they know how to run a boarding school with a couple of hundred kids.*

Clearly the level of involvement of parents in an organisation will depend on many factors including the age of the children who are receiving services, the nature of the services and the willingness of the parents. However, from the project's participants' perspective in pursuing the goal of a child-safe organisation a detailed consideration of the role parents are to play in the organisation is essential.

THEME 3: SELECTS CAREFULLY, SUPERVISES, DEVELOPS AND MONITORS STAFF

This part of the child-safe organisations framework requires an organisation to commit to human resource management and staff development to ensure its staff complement is as child-safe as it can be. The term 'staff' is used broadly to include all those who act on behalf of the organisation, including contractors, volunteers and part-time and casual staff. The third theme comprises the following sub-themes:

- Assesses thoroughly staff members' character, skills and knowledge as part of the recruitment process;
- Checks and verifies staff members' credentials, claims and past performance histories;
- Provides supervision and training for each staff member (i.e. paid employees and volunteers);
- Documents the job requirements for staff;
- Does not retain unsuitable staff;
- Ensures each staff member holds a current working with children card.

A participant's comment, *the quality of the physical environment is important – the qualities of staff and organisational leadership are critical* captures the motivation behind the recommended investment in human resource management and staff development. Such an investment is applicable to all levels within the organisation, including leadership. There is also a hard edge within the child-safe organisations framework with respect to human resource management: 'Do not retain unsuitable staff'.

A number of the research project's participants' comments reflected the belief that child-safe organisations are reliant on individual staff's character, skills and knowledge, and that, to the extent possible, these aspects of a staff member must be assessed at the time of recruitment, and then developed and monitored via on-going supervision and training. Participants' comments on these aspects of recruitment and on-going support of staff included:

Clear duty statements

Referee checks testing character, knowledge and skill

Suitable staff are trained, supported and supervised in their roles

Staff of suitable calibre are trained, supported and respected

(Ask) what is the quality and training of people looking after them (the children)?

Ensuring the organisation is staffed by high calibre staff was frequently assumed to be a pre-requisite for a child-safe organisation. However, a reality evident in many interviews was the pressure on administrators to fill employment vacancies so services could continue to operate. This reality existed within the context of there being a tight labour market in Western Australia during the field work component of the research project and comparatively poor salaries for many direct service positions. For example, several direct care staff in organisation A were considering pursuing employment in the more lucrative mining industry and affiliated services as drivers and cleaners.

One respondent, a board of management member, said *look we do not have the luxury to be too fussy. We were lucky to get the two men involved (to be members of the board)*. Other participants described the pressure on organisations to have staff in place at the commencement of a cycle of service (e.g. a school term). Both employers and employees understood this pressure potentially led to a 'lowering' of standards. One staff member

recounted in interview a selection process that clearly short circuited the organisation's formal procedures. Another said he was '*offered the job because the manager was desperate for employees*'.

Most of the non-teacher staff interviewed as part of the research project who were directly supervising children, many of whom also supervised other staff, were not required to possess qualifications or undergo training prior to commencing employment or prior to the completion of a probationary period. A review of several internet advertised vacancies for generic child care positions, for example boarding supervisors, child care assistants and house parents, confirmed that these types of positions are not subject to minimum qualification standards. Some advertisements imply that following employment some form of credential might be required. However, several staff members from the case organisations said this requirement was not consistently followed up and there was usually no time limit within which the credential needed to be obtained.

The Australian, state and territory government 'myfuture' website provides the following information about the entry level requirements for 'house parents': 'you can work as a house parent without formal qualifications, but employers usually require at least Year 10. You will probably get some informal training on the job' (Myfuture n.d.). The skills/ knowledge/ qualification component of an advertisement for a resident boarding assistant at a school in Queensland read:

Skills/knowledge/qualifications:

- Prior experience in a boarding school is not necessary but may be an advantage.
- Basic computer skills including a preferred knowledge of Microsoft Word, Excel and Outlook, or the ability to readily learn and absorb training.
- It is expected that the Resident Boarding Assistant will become a member of the Australian Boarding Schools Association (ABSA).
- It is anticipated that the Resident Boarding Assistant will be prepared to undertake relevant professional development. This may include the Diploma in Residential Care facilitated through ABSA.
- Blue Card: All school non-teaching staff must possess a current Positive Notice (Blue Card) issued under the *Commission for Children and Young*

People and Child Guardian Act 2000. If a Blue Card has been obtained, a copy must be provided. If not, an application must be arranged through the School before any offer of employment can be confirmed. Employees are required to meet the cost of the application fee (currently \$60.00) and the costs of renewals as required.

- First Aid:

Beyer, Higgins and Bromfield (2005, 43 - 45; see also Bessant 2007, 45 and 49) identify lack of qualification as a systemic issue in the education and welfare sectors and as one of a number of organisational risk factors. They say 'anyone can practice as a youth worker for example. While there are now formal professional registration processes affecting teachers and psychologists, there is no equivalent for youth workers, social workers or community development workers in Australia'.

However, professional registration, credentials and training do not mean that staff will not abuse children (see Sullivan and Beech 2002). That child abusers with or without qualifications have the capacity to 'fool' organisations and people intent on protecting children is something easily overlooked. When these matters were discussed at the east coast forums several participants indicated that when selecting staff, provided an applicant had the necessary government clearance, they relied primarily on their 'gut instincts' to determine whether or not the applicant was suitable to work with children. While these comments did not intimate the forums' participants believed perpetrators were 'easy' to identify Sullivan and Beech's (2002, 163) conclusion that the suggestion 'professional perpetrators are easy to identify is at odds with the reality' is salutary.

Also, with respect to child sexual abuse, there can be lessened vigilance directed toward female staff and female recruitment because of a mistaken presumption that females do not sexually abuse children, or that it occurs so rarely it is extra-ordinarily unlikely. Key findings from Hunt's (2006, 7) report to Child Wise include: Police reports reveal that in Australia females perpetrate 1% to 6% of all reported child sexual abuse; between 5% and 31% of all female perpetrated child sexual abuse occurs in an organisational setting; and, females can and do perpetrate child sexual abuse of their own volition. Hunt (2006, 42) recommends child-safe policies be gender neutral in recognition that both males and females perpetrate child sexual abuse.

The spirit of the part of the child-safe organisations framework which promotes supervision for each staff member is that supervision is provided positively as a matter of course and not reactively, in response to identified problems. That is, people providing services to children should as a matter of course have regular opportunities to reflect on their work with children, receive feedback about their development needs and other relevant matters. The case organisation administrators would each have agreed with this sentiment. However, throughout the project my observation was that this intention was easily subverted by the demands of other tasks.

It seems that unless the responsibility for on-going supervision and support of staff is systemically developed, considered positively and delegated throughout the organisation it would be hard to achieve what was intended in this part of the framework in the case organisations. The evident pressure on administrators to respond to exceptional and unpredictable human resource and associated management issues meant some tasks, such as providing supervision to a well performing staff member or ones not insisting on it, were rushed, deferred or cancelled. It seemed in the organisations that participated in the research many staff were unlikely to genuinely enter into supervision unless it was with someone in the organisation who had the 'power' to make decisions and who was seen as authoritative. The consequence was that the people who were most sought out and preferred to provide supervision were the ones most likely to have to respond to unanticipated and exceptional demands.

Examples of unanticipated and exceptional demands possibly relevant to child-safe organisations experienced by the case organisations' administrators in the period of the research project are detailed below. Each administrator had off-site human resource expertise they could call on for advice. However, in these cases once the advice was received the administrator was left to resolve the concern. As well, in the first example below the administrator was at odds with the advice provided by the human resource professionals.

EXAMPLES OF EXCEPTIONAL DEMANDS ON ADMINISTRATORS

- a) Challenging his employing authority's directive to 'stand down' two Indigenous employees when it was revealed to the employing authority that these staff had criminal records from a time prior to their employment.

- b) Counseling a staff member employed in an ancillary role (e.g. groundsman) who had forged an association with one of the children attending the organisation and who was intending to have the child stay over at his house for a weekend, with the child's parents' permission.
- c) Investigating a report that a staff employed in an ancillary role had entered the children's sleeping area late in the evening.
- d) Investigating a complaint made by a member of the local community that one of the organisation's staff members who had driven children to a sporting event in a nearby town behaved unprofessionally because he filled in the time while the children were at the event at the town hotel drinking 'light' beer.
- e) Responding to a situation where after a young person was hospitalised, an ancillary staff member, a contracted cleaner, went outside anything envisaged in the person's job description and visited the young person in hospital.
- f) Deciding whether a staff member's partner could assist the staff member in extra-curricular activities/outside working hours activities, and, if so, whether 'working with children cards' were required.
- g) Handling a situation where children placed for work experience continue to 'hang out' and help at the work experience site following completion of the formal placement.
- h) Negotiating with the contracted bus service provider following complaints about the behaviours of bus drivers.
- i) Establishing boundaries between past program participants and current ones. This situation came about because the organisation had a policy of 'being open' to young adults who had participated in the organisation's program as children. Originally envisaged as a form of 'after care', a problem emerged when it was rumored one of the 'graduates' was inviting current participants back to her house.

While a number of the scenarios described above might be benign, the point of their inclusion is to demonstrate that unless the administrator took them seriously and understood they might not be benign, he or she might have failed in their duty of care to the children for whom they

had responsibility. The child-safe organisations framework's emphasis on documenting job requirements for staff is aimed at answering the questions: 'Who in this organisation 'works with the children'? 'What is the limit of their role'?

The child-safe organisations framework makes the bald statement, 'do not retain unsuitable staff'. Such a statement is not contentious only if there is a foolproof way of deciding who is 'unsuitable', which in many cases there is not. Such a judgment is rarely easily arrived at. My interpretation of the project's interviews would hold that the intention of the respondents was that staff should not be retained if they were considered to be unsuitable by a suitable administrator and that this opinion was endorsed by the administrator's superiors. This line of logic leads to the question, who guards the guards? That is, who oversees those making the decisions to move on people who are unsuitable? In the Australian system of industrial relations, which is the ultimate arbiter of an organisation's human resources practice, some cases are resolved in either state or federal industrial relations tribunals. Judgments from these tribunals are available (<http://www.austlii.edu.au/>) and are revealing in terms of the dilemmas faced by administrators and employing authorities. Reasonably, there are high thresholds set for misbehaviour before an employee can be dismissed for misconduct. Within the child-safe organisations framework the sentiment that unsuitable employees be moved on was in the context of participants' understanding the underlying reality was that often it was nearly impossible to require people to resign from an organisation or to dismiss them. The intimation then was that if someone is not suitable to the administrator or others responsible for the organisation, strategies must be identified to get the staff member to move on, for example, through 'encouragement' or 'close' supervision. One of the purposively selected professionals summed up a situation he was aware of in this way:

They did not confront him with the weight of the criminal law or anything like that. It was not reported to the police. It was made known he was no longer welcome. And he went, without contest ... it was just made known that it was known and he went. Which moved the problem effectively to somewhere else.

Another example was provided by a long-standing board member at a board of management child-safe organisation workshop. It seemed to me the board member regretted the organisation's management of the incident, which she described as 'chicken':

The parent complained about his (a staff member's) advances to this little...boy, small boy, (12 years old) and we did find there had been other incidents in other areas. He had not worked for us for very long but we just took the chicken way out and got rid of him ... so he is probably in the system doing likewise. ... we did not want to face up to the consequences we just did the easiest thing for us which was get rid of it.

These data challenged my prior understanding which was that 'responsible' individuals and organisations would, if they could, move to protect children whether they believed they had a duty of care for them or not. On an initial analysis it seemed to me that the organisations in the examples above were allowing people they had reservations about to move onto other children's service organisations, thereby possibly endangering other children. However, what became increasingly evident on further examination and discussion was that organisations did not believe they had an effective line of action open to them to respond effectively to situations where they had employed people they had come to believe might be dangerous to children. At this time in Western Australia the (legal) options open to the organisations to act protectively in the two cases above seemed to include the following actions or combinations of them: a) confronting the individual with any concerns about their behaviour; b) counseling them about their future behaviour; c) referring them elsewhere for counseling; d) making a record of the incident for future reference, should there be future concerns; e) limiting their role with children; f) subjecting them to close supervision; g) (attempting to) dismiss them; h) reporting any concerns about the employee to the police (noting, on the evidence provided, a prosecution would have been unlikely) or to the child welfare department (the child welfare department's protocols would have been to refer the matter to the police, because it was not a complaint about intra-familial abuse); suggesting they leave the organisations; and, i) withholding or providing a negative testimonial about the person's performance.

In other Australian jurisdictions additional alternatives might have been available to an organisation to deal with employees they believed might abuse children. In New South Wales the Ombudsman has legislative responsibility for making sure 'designated' agencies deal 'thoroughly' with allegations of abuse. In the two examples provided by the research participants, cited above, if the case organisations had been in New South Wales and not in Western Australia, this legal obligation to report the suspected abuse would have roped in one of the organisations and not the other. In Victoria and New South Wales systems are in

place in limited instances for some employment related transgressions (i.e. when there is not a criminal record) to prohibit a person from working with children, as it is legally defined.

Generally, however, in Australia, there are limited means available to most children's organisations to assist them to act meaningfully with all children's interests at heart when child abuse is suspected or discovered – unless criminal behaviour is involved, reported to the police and pursued by them to a point where the person is charged or convicted. Put simply, in Australia, unless a person has a criminal record for a relevant serious charge it is unlikely that the person would be seriously hampered if they wanted to continue working with children. If they were hampered in one Australian jurisdiction they could effectively free themselves of the constraint by relocating to another Australian jurisdiction.

A benefit for the organisation if it allows a person suspected of child abuse to leave the organisation with the matter being 'swept under the carpet' is that its reputation, at least in the short-term, is unsullied. The person suspected of abuse is unlikely to complain about the organisation which allowed them to leave and it is possible the person will keep quiet about having worked there. As well, there are major potential disbenefits for an organisation if it encourages police to pursue criminal charges or it attempts to dismiss the employee – including negative publicity, a possible erosion of the organisation's reputation in the eyes of the community and a subsequent loss of custom. These concerns were implicit in a statement from a senior staff member in one of the organisations when he said *'our place runs on word of mouth and just needs a poor incident or something to be handled poorly'*.

A risk associated with 'sweeping a matter under the carpet' is that further down the track it will come to light that the organisation did not act responsibly to protect children. However, a standard response when this occurs is for the current day administrator to separate themselves and their organisation from a past abusive era by making a general statement to the effect that because of improved screening processes such abuse could not happen now. Two examples follow: First, in 2004 the South Australian *Advertiser* newspaper reported the Principal of (name deleted) School in Adelaide had established a 'hot line' to deal with inquiries following the announcement that a teacher/staff member had been charged with abuse of students over a 12-year period prior to 1987. The article reported the man *'allegedly befriended the boys at the school and on school camps. He then took them on private camps'*. The Principal claimed *'it was almost inconceivable for this level of offending to occur today*

because many measures are in place to detect people who prey on children. These include police checks on all teaching staff and volunteer declarations' (Hunt 2004). Second, when Senator Stephen Fielding revealed his past abuse by a scout master, Scouts Victoria responded: 'Scouts Victoria executive manager Alastair Horne said he had contacted Senator Fielding's office to offer support. He said aspiring Scout masters were now subjected to police checks and Justice Department clearances before working with children' (Munro 2009). Whether it is intended or not, the effect of these 'it can't happen here now' responses is to assure people these (and similar) organisations are safe. It is noteworthy that Bloom (1992) suggests that the single greatest impediment to adequately protecting residential clients from sexual abuse is the attitude that 'it can't happen here'.

In the situations described by the research participants, where sexual abuse or 'grooming' for sexual abuse was identified or suspected the 'abuser' was 'moved' on. In effect the (suspected) abuser had a warning shot fired across his (or less likely, her) path and, if the suspicion was correct and they are not deterred, they are free to pursue their career in another setting with the knowledge that they need to be more astute about the way they approach children. In this manner the system trains a potential abuser and allows them to refine their deception skills.

Of course there are exceptions. In 2008 in Perth, a college principal reported a teacher to the police after students found the teacher's i-pod containing pornographic images of fellow students. The principal wrote to the parents after the teacher pleaded guilty to various charges. The letter in part stated:

Dear (name deleted) College community

I am taking this opportunity to inform you of the matter involving a coaching assistant that occurred last year...it is important for our entire community to be informed of this matter. ...

Briefly, on 2 August, 2007 an i-pod belonging to a casual part-time coaching assistant at (name deleted) College was found to hold inappropriate and offensive images. These images were of our students, taken without their knowledge whilst they were in a toilet cubicle. ... This employee was immediately stood down.... I would like to take this opportunity to reassure the (name deleted) College community that all

appropriate checks were conducted prior to the employment of Mr (name deleted).
(Parent, personal communication, 15 October 2008)

The principal's choice to portray the offender as 'a casual part-time coaching assistant' warrants examination. The portrayal reflects a particular approach to public relations that is misleading. The person is portrayed as not an 'insider' to the organisation. It is implicit that an 'insider' would never do such a thing. The abuse is portrayed as being perpetrated by a 'bad apple', a person who 'slipped through the cracks and fooled the gatekeepers' (Hall 2000). The portrayal of the person as an 'assistant' might also imply the staff member's influence with the children at the college was less than that of a staff member. It might imply that 'part time and casual' staff members are not subject to the rigorous selection procedure full-time and not casual staff members are subject, notwithstanding 'appropriate' checks were conducted. A few months before the abuse was discovered the abuser was portrayed differently, as a valued member of staff. The College's newsletter advised: 'Mr (name deleted) skills as a photographer were invaluable on the day as he captured images of grandparents and grandsons as a memento of the occasion'. Elsewhere there was information about the abuser's long association with the College. He was an 'old boy' and formerly a prize winning pupil.

Western Australian administrators' options in reporting suspected abuse can be compared with the options presented to their colleagues in the United Kingdom. In the United Kingdom in 2009 there is an opportunity for organisations' administrators to submit the names of employees considered unsuitable to work with children for consideration to a barred employees list known as the *Protection of Children Act (PoCA)* list. The administration of the PoCA list and its form is to change in 2010, when responsibility for vetting the children's and vulnerable person's workforce will be transferred to an Independent Safeguarding Authority (*Independent safeguarding authority: Our role* 2009). The history and operation of the PoCA list is explained.

1.1 The *Protection of Children Act 1999* came into force in October 2000 and introduced the *Protection of Children Act (PoCA)* List in which the Secretary of State has a duty to record the names of individuals who are considered unsuitable to work with children.

1.2 All regulated child care organisations (as defined in the Act) have a statutory duty to refer the names of those individuals who fulfil certain criteria making them unsuitable to work with children for possible inclusion in the PoCA List.

1.3 The Act also permits other organisations, such as voluntary organisations, sports clubs and scout associations to refer names for possible inclusion in the PoCA List.

1.4 The effect of inclusion in the PoCA List is that child care organisations, which are obliged to check names of prospective employees against the list (through the Criminal Records Bureau) before offering employment, will be told whether or not an individual is listed in the PoCA List.

1.5 Child care organisations proposing to offer individuals employment in child care positions must not employ individuals whose names are included on the PoCA List or List 99 (on the grounds that they are unsuitable to work with children) and must cease to employ such individuals in child care positions if they subsequently discover that they are included on these Lists. In fact, under the Criminal Justice and Court Services Act 2000 it is an offence to knowingly offer work to or to employ in a so-called “regulated” position (which includes child care positions) an individual who is disqualified from working with children, either by virtue of being included on one of the Secretary of State’s Lists (the PoCA List or its equivalent in Scotland, or List 99) or a disqualification order from the court; and individuals who apply or offer to work, accept work or continue to work with children in such positions will be committing a criminal offence and can face prosecution if they are so disqualified.

1.6 The Act ensures that any person included in the PoCA List is also barred from working in a child care position in the education sector i.e. the person’s name will also be included in List 99 – the list maintained by the Department which prevents individuals from

carrying out work to which Section 142 of the Education Act 2002 applies.

1.7 The definition of employment is wide so that a child care position refers to work with children in all sectors irrespective of whether the work is paid or unpaid, and whether or not it is under a contract. (Department of Education and Skills, 2005)

Whether the New South Wales Ombudsman's or the United Kingdom's PoCA list processes actually reduce the prevalence of employment related abuse is not known. Viewed critically it is possible a consequence of tightening up the responsibilities and supervision of 'regulated services' might result in a displacement of abusers (and abused) to other organisations or elsewhere in the community. From one point of view the solution might be to 'rope in' more agencies to be regulated or to expand definitions of working with children. However, given the huge number of organisations providing services to children, coupled with the knowledge that those who are known to abuse children in organisational environments includes adults (and other children) in a wide range of capacities, it becomes likely that such a system is not feasible. On this point it is noteworthy that in New South Wales Ombudsman's annual report (2006 - 07, 115) information about 'class or kind' determinations was provided, which removes the obligation on regulated agencies to report 'low-risk reportable' allegations.

Gill (2007, 48) is critical of the United Kingdom's program to vet abusers on other grounds: the likely poor efficacy and high cost. He contends the system is fundamentally flawed:

The danger is that policymakers may focus excessively on attempts to insulate children from all adults who might possibly harm them, and to neglect other ways of helping children to keep themselves safe from abuse, or to cope when abuse happens.

It would be reckless for an organisation to appoint staff to work with children without attempting to assess them, including checking their credentials and their referee reports. In Australian law, if child abuse followed a reckless appointment an organisation might be held to be negligently and vicariously liable for the abuse. The concepts of negligent and vicarious liability in the school context are explained in *New South Wales v Lepore* [2003] HCA 4.

A school authority may have been negligent in employing a particular person, or in failing to make adequate arrangements for supervision of staff, or in failing to respond

appropriately to complaints of previous misconduct, or in some other respect that can be identified as a cause of the harm to the pupil. The relationship between school authority and pupil is one of the exceptional relationships which give rise to a duty in one party to take reasonable care to protect the other from the wrongful behaviour of third parties even if such behaviour is criminal. Breach of that duty, and consequent harm, will result in liability for damages for negligence. (*New South Wales v Lepore* [2003] HCA 4 at 2)

An employer is vicariously liable for a tort committed by an employee in the course of his or her employment. The limiting or controlling concept, course of employment, is sometimes referred to as scope of employment. Its aspects are functional, as well as geographical and temporal. Not everything that an employee does at work, or during working hours, is sufficiently connected with the duties and responsibilities of the employee to be regarded as within the scope of the employment. And the fact that wrongdoing occurs away from the workplace, or outside normal working hours, is not conclusive against liability. (*New South Wales v Lepore* [2003] HCA 4 at 40)

However, a consequence of organisations not wanting to retain unsuitable staff can be the provision of misleading references for people an organisation wishes to move on. In the research project's interviews administrators had tales of receiving misleading or inflated references about prospective employees from their current employer. The consequence of providing misleading references on behalf of a person who later abuses children is being considered by the Supreme Court of Queensland. In *VMT v The Corporation of the Synod of the Diocese of Brisbane & Anor* [2007] QSC 219 at 3 - 7 the judgment recorded the plaintiff's claim

[3] In her claim the applicant alleges that Strudwick was employed as a teacher at the Toowoomba Preparatory School and that in late 1980 Robert Brewster who was the headmaster of the school, was approached by the mother of two female students with a complaint that Strudwick had inappropriately touched her daughters. As a result of the complaint the headmaster arranged a meeting with Strudwick and confronted him with the allegations. Strudwick tendered his resignation from the school which was accepted.

[4] *Strudwick* however was provided with a written reference dated 10 September 1980 by the headmaster Brewster. This reference was in very positive terms and stated that he left the school with the school's blessing and that:

"He has also captured the enthusiasm of his pupils demonstrating at all times his deep concern for their welfare and progress as well as maintaining the highest possible standards".

[5] The reference did not disclose the allegations of misconduct and *Strudwick* applied for employment as a teacher with the Queensland Department of Education. On 12 September 1980, two days after the reference was given, he was interviewed by two employees of the Department. He was classified as being suitable for employment and commenced employment with the Department of Education on 6 October 1980 and was employed at several schools in the Darling Downs area.

[6] From 7 March 1983 to 25 August 1998 *Strudwick* was employed as a teacher at the Harlaxton State School. The applicant was a student at the Harlaxton State School from 1980 to 1986 and *Strudwick* was her teacher from 1983. From 1983 to 1992 *Strudwick* sexually abused the applicant.

[7] The applicant essentially claims that the provision of the reference by the headmaster enabled *Strudwick* to secure employment as a teacher with the State of Queensland. This employment then brought him into contact with the applicant three years later and the abuse commenced. The applicant therefore claims that there was a breach of a duty owed by the respondent to the applicant and as a result of the breach of that duty she was sexually abused. The applicant claims she has been significantly injured as a result of this breach. The evidence indicates that she suffers from the chronic static psychiatric illnesses of post-traumatic stress disorder and dysthymic disorder. The applicant alleges that the breach of duty caused the post-traumatic stress disorder which she suffered as a result of the sexual abuse.

In *HWC v The Corporation of the Synod of the Diocese of Brisbane* [2009] QCA 168 at 51-54 the Court considered a defense offered by the South Australian Government that under its *Education Act 1972* it had no duty to protect children outside of its borders, in the following terms.

[51] The second and third defendants argue that under the *Education Act 1972* (SA), no duty of care was owed by the Minister for Education or the State itself to ensure

that pupils in other States who might suffer abuse at the hands of sexual predators were protected from them. To frame the question in this way is to deflect attention from the case actually put by the plaintiff against these defendants. That case is not based merely upon the omission of the South Australian authorities to take steps positively to protect pupils in other States from Knight's predatory inclinations, but also upon the circumstance that the withdrawal of the notice of dismissal, allowing Knight to resign as a teacher, and the fourth defendant's positive reference in favour of Knight, served to suppress the truth about Knight's sexual proclivities at the risk of harm to children with whom he might come into contact in the future. [52] It is, therefore, wrong to argue, as these defendants did, that the gravamen of the case against them is one of omission only. This is a case where it is said that the powers conferred on the South Australian authorities were wrongly exercised so as to suppress the truth about Knight's harmful proclivities. In suppressing the truth, these defendants were, at least arguably, giving a misleading picture of Knight which might be relied upon by those whose responsibility it was to ensure that pupils were not exposed to teachers who were known to be sexual predators. And the suppression of a true picture of Knight's predatory proclivities was apt to extend to allow persons who, like Mr Case, are given some adverse information from other sources, to conclude that it is reasonable to discount that information. Whether or not such persons were within South Australia or not is beside the point.

[53] The absence of registration as a teacher in South Australia would have been a substantial gap in Knight's application for employment both inside and outside of South Australia. At the very least, such a lacuna in his curriculum vitae could have been expected to excite sceptical inquiry by those to whom Knight applied for employment as a teacher.

[54] For these reasons, I would not be disposed to disagree with the conclusion of the learned primary judge that the plaintiff has a sufficiently arguable case of negligence against the second, third and fourth defendants to satisfy s 31(2)(b) of the Act.

In response to the issues raised above, and others, several Australian states and territories have legislated to screen their working with children's workforces. Berlyn (2009) from the Australian Institute of Family Studies have provided detailed information about the different children's workforce screening systems operating in Australia. When Berlyn et al. (2009)

published their article a person wishing to work with children was required to obtain a relevant state or territory working with children card if the work was in New South Wales, Queensland, Western Australia, Victoria or the Northern Territory.

The final sub-theme in this part of the child-safe organisations framework is that each staff member holds a current working with children card. It is a concern that under the current fragmented system of working with children checks a person could be disallowed from working with children in one jurisdiction but permitted to work with children in another. However, in 2009 the Council of Australian Governments committed the Community and Disability Services Ministers' Conference to introduce a nationally consistent approach to working with children checks (Protecting children is everyone's business: National framework for protecting Australia's children 2009-2020, 2009), which might resolve this and other concerns.

In Western Australia the working with children card is issued to a person by the Department for Child Protection after their criminal record is reviewed. Under certain circumstances a person with a relevant criminal record would not be issued with a card and is then prevented from working with children, in the manner that working with children is defined in the legislation. To 30 June 2009, 212,009 cards, including 4,757 renewals, had been issued and 103 decisions made to not issue cards (Department for Child Protection 2008, 36; 2009, 28). Because of the exemptions available to individuals (parents, juveniles), various administrative issues (not being able to obtain complete criminal records from many jurisdictions, changed identities) and the success of appeals to the courts against decisions to not issue cards, Budiselik, Crawford and Squelch (2009, 351) concluded that while the checks contributed to a child-safe organisation they were a 'low order tactic' of doubtful utility.

Unfortunately, there appears to be no simple (or complex for that matter) way of discerning a person's character. People who are dangerous to children will from time to time be employed by some children's service organisations. It is doubtful investments in psychometric testing, more thorough screening and interview processes, including referee checks, will ever provide certainty about people's future behaviours. Administering child-safe children's organisations needs to be predicated on a belief that it is possible people with a motive and propensity to abuse children will continue to be employed.

The metaphor component of the child-safe organisations framework aims to trigger an individual's thinking and analysis about child-safe organisations in a holistic way. However, the metaphor also lends itself to thinking about aspects of the framework in a detailed way. The investment in worker screening can be thought of in terms of a sign at a swimming hole which reads:

This swimming area is safe because it is protected by netting which keeps dangerous creatures out of it.

You'll be pleased to know and no doubt feel much more relaxed about swimming here because we've worked hard and almost blocked one of the entry points for these dangerous creatures.

An alternative sign, pointing out the limitations of being assured by the original sign, might read:

This swimming area is partially protected by netting which keeps some dangerous creatures out.

Over the last few decades other ways have been discovered by which dangerous creatures enter this swimming area and several swimmers have had close shaves or been injured as a result.

We've started a process to make the swimming area safer. However, be sensible and keep your own eyes open to the conditions here. You can do this by ...

Organisations would be foolhardy and acting illegally if they overlooked the need to ensure its employees have complied with the law and obtained the necessary permit to work with children. However, the overwhelming message from the literature and those who issue the cards, is that while the cards keep some patently unsuitable people from working within organisations they do not in any way indicate whether a person who has a card is suitable to work with children (for example see Budiselik, Crawford, and Squelch 2009; Institute of Child Protection Studies 2005; *The working with children check: Working to protect our children* 2005).

Every participant who took part in the project identified the critical role the quality of staff play in making an organisation child-safe. Most participants suggested proper recruitment procedures along with the on-going monitoring and supervision of staff would increase the

likelihood that only suitable staff were employed and retained in a children's service organisation.

THEME 4: IS WELL LED

A parent representative board member participant identified trained, supported, monitored and accountable leadership as a critical aspect of child-safe organisations. This participant said organisation leadership is *based on who are the administrators; are they effectively being trained; are they being held accountable; are they constantly being monitored? They need to know that they are accountable; they need to know where to go to get help; and, they need to have supervision and training, and it needs to be updated.* The fourth theme comprises the following sub-themes:

- Professionally run;
- Communicative;
- Models appropriate behaviour;
- Principled, fair, supportive and vigilant leadership.

A purposively selected professional participant, an organisational administrator (in this case a deputy administrator), described the values he attempted to impart through his leadership role in his organisation:

It is a human relationship; it is based on a Christian gospel values; and everything is personal. I do not think any words can describe what a trusting personal relationship is and that you've got to have that quality of trust, open communication, a sense of caring, a sense of compassion, a sense of wanting to serve and through that sense of this is what you are trying to do for that person – they will reflect that back. And they will see a genuine commitment toward them and in response there will be a genuine commitment back.

Leadership figured prominently in many of the participants' assessments of child-safe organisations. The words 'leader' and 'leadership' did not generally refer to a single position. Although, the deputy administrator quoted above said he saw leadership residing in the organisation's chief executive officer, as the person carrying delegated authority to manage the organisation. His rationale for this was because the chief executive officer had the authority to set the organisation's agenda. A parent participant, who was also a board

member, believed an organisation's agenda could be set by other than its leaders but that having the leaders committed to the child-safe outcome was critical, *because they the ones who are genuinely able to set the agenda more easily than anyone else in the organisation.*

Some respondents, particularly parents, used the words 'leaders' and 'leadership' to refer to all staff utilising opportunities to exercise organisationally permitted initiatives in relation to children. For the purposively selected professionals and the non-parent stakeholder groups the words 'leader' and 'leadership' were generally used to refer to those who carried formal authority within the organisation. A purposively selected (lawyer) professional's comments suggested strong individuals were needed to provide leadership, *it has got to be leadership which is a) not concerned with its own fate... where things are covered up because if they are not covered up heads will roll and b) strong enough to stand up to the strong guys.*

At some of the east coast forums there was a strong emphasis on organisations' leaders modeling the child-safe behaviour they expected from their staff. The deputy administrator quoted earlier probably best described the sort of modeling staff were looking for from their leaders, he said it was about *the openness to say I made a mistake and I learnt from that mistake ...I have fortunately or unfortunately found the power of making an apology ... – if a child sees a staff member being a little bit open and being sensitive to them, they might be more sensitive to others.* This leader applied similar openness in response to a question about being asked by parents whether there had been incidents where children's safety had been compromised at the organisation which he represented. He said *my response is 'yes we do have incidents and yes we do have a policy and practice in place to deal with those incidents and that we are not perfect and yes I'd hope that, whilst there are incidents, we do have people with the suitable qualifications, skills and experience to deal with them to nip things in the bud'. These are the phrases I use quite regularly -and 'early intervention'.* Another sort of modeling occurred at organisation A where the administrator's office had a line of sight into it from children and staff passing by.

From a different perspective a board member participant described the danger of disingenuous leadership: *I think if leadership is strong in their belief, and in their strategy and implementation of policy then they can really drive the message. But if there is a weakness in the leadership people can say you don't believe that! Practice what you preach! You don't honestly support that do you?*

A parent interviewed as a result of snowball sampling (see page 103 of this thesis) demonstrated the degree of scrutiny to which organisation's leaders are subject and the danger for children who do not have parents looking out for their child's interests when there is an unsuitable leader. She said, *the principal has been a concern at the school and even though he has abated a little the deputy principal has picked up the bat... If the principal ever, ever, went near my children or you know (verbally) abused them in that way they'd be devastated ... well as long as they don't go near my kids.*

A number of parents interviewed indicated they valued direct communication from the organisation's staff when there were matters of concern about their children. One parent said, *if there is a problem we are rung immediately or told as soon as possible. Problems are sorted as soon as possible.* Another said, *the supervisor kept me in the picture and this was reassuring.* In two of the case organisations the administrator required each parent to be contacted and provided with a general update by a staff member within the first six weeks of the child entering the program. In the other organisation contact was made when it was considered necessary, reactively.

The parents interviewed generally identified that the organisation's culture was established by the organisations' leadership. That is, while a particular act of communication might not come from the organisation's designated leader there was recognition that such contact reflected the culture of the organisation, and that the culture was set by the organisation's leadership. These parents saw the act of communication by the individual staff member as those staff enacting leadership within established parameters.

These views about leadership were shared by the deputy administrator quoted earlier in this section, he said *first of all it is the leader of the organisation seeing the issue as being extremely important – because if your leader of the organisation sees it is important it would then come down to the administration team.* A purposively selected (lawyer) professional respondent similarly stated the leadership's responsibility was to provide the fundamental value settings for the organisation, and coherence: *It has got to come from the top. The directors, the board ...all subscribing to a set of beliefs that all harmonise toward the sole purpose of protection and guidance of young children.*

Administrators in the case organisations managed a complex set of responsibilities and for them to be principled and vigilant in respect of child-safety matters was not straightforward:

some responsibilities were in tension. An aspect of this tension became evident when organisations were struggling to attract or retain children in the program. Administrators were responsible for recruiting children and their parents as customers. None of the case organisations had a guaranteed enrolment base and the levels of enrolment and future forecasts figured as a concern. A reduced number of enrolments implied resource cuts and possible program closure. The ‘business’ reality was the administrators needed to seek and encourage enrolments and to do that they presented their organisations in the best possible light. This reality was expressed by a staff member (a deputy administrator) in one of the case organisations: *we are in a service industry for all intents and purposes, we are in the bums on seats business – reputation determines the number of bums on seats.*

The administrators’ presentation to parents of what the organisation could offer to children was a key aspect in determining whether children would be enrolled at the organisation. One purposively selected professional, a board member, advised parents to *keep in touch with the people in the organisation who have a duty of care for their child and to not be lulled into a false sense of security.* One staff member from a case organisation said he had listened to his administrator’s presentation about the organisation and described it as ‘bullxxxx’. In response to positive feedback about the presentation he said the staffs’ cynical reaction was that they must have been told a good set of lies.

While parents are asked to make a full disclosure about their child’s history and whether there are any reasons why the child should not be accepted into the organisation a reciprocal obligation is not placed on administrators to declare if they are ‘concerned’ about aspects of their organisation. Two situations which tease out the complexity of this consideration about which I am aware of from my work as a consultant or prior employment are:

- 1) An organisation outsourced to a bus company the task of transporting children for whom the organisation had a duty of care. The organisation’s administration had on the basis of several complaints developed concerns about the bus contract, in particular a) the behaviour of some drivers who had been reported to roughly manhandle and verbally abuse children b) drivers putting misbehaving children off the bus, and c) the drivers’ inability to adequately supervise the children being transported and to protect some children from being harassed and bullied. It was beyond the

organisation's resources to provide staff to travel on all of the buses with the children or to deliver the service itself. The transport service contributed to the program's viability. A process was entered into with the contractors and over several months the issues were canvassed. If parents had known of the problems that the organisation was concerned about they might have made alternative transport arrangements for their child or withdrawn them from the organisation's program until the problems were resolved.

- 2) A person responsible for a child-care centre was charged with accessing child pornography via the internet. The person intended to defend the allegations. The person was charged and the matter was listed to proceed by summons. Officers of the government department responsible for licensing child care services were of the view that the centre ought to advise parents whose children attended the child care centre about the charges. The person who was the subject of the charges indicated if the parents were advised his business was ruined and he would pursue legal action against the department if the parents were told and the business folded. The department's legal advice was that it was not appropriate to inform the parents until the matter came to court.

As well as the examples above, when a particular issue was in focus, it was evident in the project and from other experience that organisation administrators face periodically difficult situations where they were a) dissatisfied with the level of resources provided to their organisation; b) worried about the level of stress experienced by staff because of work-related demands; c) concerned about the level of staff absences through illness or other reasons and d) concerned about the performance and quality of some staff, and e) fearful for the safety of children in the program because of the behaviours of other children. However, when the program's staffing level or viability is at stake because of the level of enrolments it is not in the interests of the organisation's future for the administrator to share these concerns with parents or the broader community. Concerns might be the subject of an administrator's board briefing, depending on the relationship between the administrator and the board. Generally the administrator is expected to identify and clarify concerns and redress them in the shortest

period. For whatever the period prior to the resolution might have been parents, other than those in the ‘know’, have operated in a ‘false sense of security’.

Another set of pressures on an organisation’s leader concern disputes between children and staff members. One staff member expressed her expectation of how she should be treated by her leaders when she was in conflict with a child: *someone who backs you all the way*. When queried whether the staff member ought to be backed if they were in the wrong the staff member replied *‘they support you regardless’*. In the context of this staff member’s comment an observation from a parent that codes of conduct seemed to be directed toward parents and children rather than framed to capture the interactions between all members of the organisational community made sense.

THEME 5: MANAGES RISK

Central to this part of the child-safe organisations framework is a distinction between the concepts of hazard and risk, and an acceptance that risk is an inevitable and necessary component of life. The case organisations were neither seeking nor providing an ‘avoid risk at all costs’ experience, because ultimately the cost of such a ‘risk free’ philosophy was considered to be opportunities for a child’s development. The fifth theme comprises the following sub-themes:

- Complies with occupational health welfare and safety legislation and requirements;
- Collects data about past safety performance;
- Compares its safety performance with like organisations;
- Creates a stimulating environment for children without endangering them;
- Makes overt its safety focus and program to all stakeholders at the outset of a child’s involvement in the organisation;
- Identifies the risks and sources of risk (including other children, staff and parents) a child might encounter during his or her involvement with the organisation;
- Involves all stakeholders in risk analysis and mitigation;
- Revises risk mitigation strategies if necessary;
- Appreciates child abuse is a risk present in all children’s services;
- Constructs a physical lay-out and design which supports a child-safe outcome and eliminates obvious hazards.

Some activities within the case organisations were permitted notwithstanding avoidable risk. For example, at organisation A:

- Horse riding was permitted. Children were tutored in horse riding and once adjudged competent they were permitted to ride off into the surrounding bush in the company of other children.
- Children, under the legal driving age, were assigned driving responsibilities around the property.

These activities were deemed to be acceptable, though they clearly contained elements of risk and potential liability that the organisation could have avoided by not permitting the activities. The activities were permitted because they taught children skills relevant to living in remote communities, stations and farms. These activities were supported by the parents of the children attending the organisation. Notwithstanding these risky activities were permitted there was clearly a responsible approach to minimising foreseeable hazards associated with them. For example the children who wished to horse ride were instructed about how to ride and were required to wear appropriate clothing, including a helmet.

Providing opportunities for these experiences, notwithstanding there were risks, was consistent with the idea that children should not be wrapped in cotton wool. One staff member reflected on what sort of experience that was provided, *I want it to be a stepping stone to reality rather than just a place that is so tightly bound that when they get out they fall on their face – so there has to be some testing activity or a culture in the place that does get them to learn things through experiences...as long as it is risk assessed.*

This part of the child-safe organisations framework also makes overt a linkage to occupational health, welfare and safety law and principles. Occupational health legislation in Western Australia is concerned with making work places safe for employees (see sections 5(a) and (e) of the *Occupation Safety and Health Act 1984 (WA)*). Non-employees present at work sites or who ‘are part of the work process’ are secondary beneficiaries of safer work environments.

Several interviewees considered that children’s service organisations needed to comply with the requirements of occupational health legislation to be child-safe. While it was unclear whether some respondents believed the legislation applied directly to the children

(non-employees) one of the purposively selected professionals participants, an insurer, who was also a parent, understood the primary focus of the legislation was employees and he described clearly why he thought employee safety, health and welfare was important for children: *it is important the people have the appropriate training; it is a good work environment for them; there are good OSH procedures in place because if the staff who are looking after the children are looked after, then you'd think it would have a beneficial outcome for them (the children).*

It is worth considering whether occupational health legislation provides a model for child-safe organisations. Such legislation imposes significant obligations on organisations. The Western Australian Act provides roles for elected delegates and committees (see part 1V of the *Occupation Safety and Health Act 1984*), and government inspectors (see Part V of the *Occupation Safety and Health Act 1984*). As an example of the enforceable occupational safety expectations Australian governments' have of organisations, the following template 'guide to inspecting the workplace' has been copied with permission from the West Australian Government Department of Commerce website (*Government of Western Australia: Department of commerce: Guide to inspecting the workplace* n.d.). The purpose of including this table is not so it can be closely analysed. Rather the purpose is to demonstrate the level of investment the state makes in attempting to create safe working environments for employees.

OSH System Checklist							
Do you have	More information						
An OSH policy <table style="margin-left: 100px;"> <tr> <td>Yes</td> <td>No</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td colspan="2" style="text-align: center;">N/A</td> </tr> </table>	Yes	No	<input type="checkbox"/>	<input type="checkbox"/>	N/A		<ul style="list-style-type: none"> • SafetyLine magazine Small Business April 07 • More detailed information - WorkSafe Plan
Yes	No						
<input type="checkbox"/>	<input type="checkbox"/>						
N/A							
Elected safety and health representatives <table style="margin-left: 100px;"> <tr> <td>Yes</td> <td>No</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td colspan="2" style="text-align: center;">N/A</td> </tr> </table>	Yes	No	<input type="checkbox"/>	<input type="checkbox"/>	N/A		<ul style="list-style-type: none"> • Bulletins: Electing safety and health representatives 05/2005 ; Safety and health
Yes	No						
<input type="checkbox"/>	<input type="checkbox"/>						
N/A							

<p>and/or an OSH committee <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p>	<p>representatives training 12/2005; Establishing safety and health committees 7/2005</p> <p>Safety and health representatives – frequently asked questions</p> <ul style="list-style-type: none"> • More detailed information – <ul style="list-style-type: none"> - Guidance Note: <i>Formal consultative processes at the workplace</i> - SafetyLine Institute Readings: Safety and health committees; Safety and health representatives
<p>Hazard identification checklists and risk assessment tools</p> <p>Yes No N/A</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p>	<ul style="list-style-type: none"> • <i>The First Step</i> Priority areas section of website Safety topics area of the website • More detailed information <p>SafetyLine Institute Reading: Inspections, checklists and procedure audits</p>
<p>Hazardous substances register and Material Safety Data Sheets (MSDS) for all chemicals</p> <p>Yes No N/A</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p>	<ul style="list-style-type: none"> • <i>The First Step</i> • More detailed information <ul style="list-style-type: none"> - Guidance note: <i>Provision of information on hazardous substances at workplaces, MSDS's</i> - SafetyLine Institute Readings: Material Safety Data Sheets; Hazardous substances management; Identification of hazardous substances in the workplace

<p>Hazard report form</p> <p>Yes No N/A</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p>	<ul style="list-style-type: none"> • <i>The First Step</i>
<p>Accident / incident report form</p> <p>Yes No N/A</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p>	<ul style="list-style-type: none"> • <i>The First Step</i> • More detailed information <ul style="list-style-type: none"> - Bulletins: Tips for investigating accidents and incidents 2/2007 - SafetyLine Institute Readings: Accident recording and analysis
<p>Access to the WorkSafe Small Business Assistance program</p> <p>Yes No N/A</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p>	<p>Free independent consultation service for businesses with 20 or less full time employees. For more information contact WorkSafe on 9327 8777 or visit our website at: www.worksafe.wa.gov.au</p>
<p>An induction program</p> <p>Yes No N/A</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p>	<ul style="list-style-type: none"> • <i>The First Step</i> • Website information on new and young workers in the workplace • <i>New to the Job</i> induction DVD available from WorkSafe • More detailed information - SafetyLine Institute Readings: Induction/on the job training
<p>Emergency and first aid procedures</p> <p>Yes No N/A</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p>	<ul style="list-style-type: none"> • Code of Practice: <i>First aid, workplace amenities and PPE</i> • Guidance note: <i>Preparing for emergency</i>

	<p><i>evacuations in the workplace</i></p> <ul style="list-style-type: none"> • More detailed information - SafetyLine Institute Readings: Emergency workplace evacuations; Workplace first aid
<p>A violence and bullying at work policy and procedures</p> <p>Yes No N/A</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p>	<ul style="list-style-type: none"> • Guidance note: <i>Dealing with bullying in the workplace: a guide for workers</i> • More detailed information - Code of practice: <i>Violence, aggression and bullying</i>
<p>A resolution of issues procedure/grievance procedure</p> <p>Yes No N/A</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p>	<p>The Occupational Safety and Health Act – Section 24. Available: www.slp.wa.gov.au</p> <p>Guidance Note: <i>Formal consultative processes at the workplace</i></p>
<p>Ongoing training in OSH and a way to record training undertaken across the organisation</p> <p>Yes No N/A</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p>	<p>In addition to inductions and initial training, training should occur when there is a new task is introduced to a worker and to refresh a worker’s skills and knowledge.</p> <p>WorkSafe Community Education Officers may be available to give free presentations at your workplace on safety issues for groups of more than 10 people. Community Education Officers are not able to conduct in-depth training courses. For more information email shreps@docep.wa.gov.au or phone WorkSafe on 9327 8777.</p>
<p>Processes to manage</p> <p>Yes No N/A</p>	<ul style="list-style-type: none"> • Bulletins: Labour hire industry and duty of care 6/2005

contractors and labour hire arrangements <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Host employers / clients 6/2006 Agents providing workers to clients 7/2006 <ul style="list-style-type: none"> • More detailed information <ul style="list-style-type: none"> – Guidance Note: <i>General duty of care in Western Australian workplaces</i>
An ongoing plan to monitor and improve OSH in your workplace Yes No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> N/A	<ul style="list-style-type: none"> • <i>The Next Step</i> • More detailed information <ul style="list-style-type: none"> – <i>The WorkSafe Plan</i>
Access for workers to OSH information Yes No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> N/A	www.worksafe.wa.gov.au http://www.publicsectorsafety.wa.gov.au/ Contact the WorkSafe Library on tel

Layton's report into the child protection system in South Australia recommended to the Government there that it view protecting children in children's service organisations in a manner similar to occupational health and safety. Subsequently the South Australian Government amended its child protection legislation and created an obligation for organisations to provide child-safe environments (see page 49 of this thesis).

It seems that Australian governments accept the creation of a 'safe' workplace for employees requires legislative prescription, a centralised reporting of incidents system, penalties, ongoing education, coordination, substantial support and inspectorates. Presumably the antecedents to this type of legislation included agitation by employees and their representative bodies and other advocates because of historical accident/incident rates and an acceptance that some employers would exploit employees and recklessly endanger them, in the pursuit of profit or through carelessness. Arguably these are the sort of conditions that exist in a range of children's services now: Known levels of past abuse are unacceptably high

and unaddressed. A service's profitability is increased by dangerously poor staff ratios or by employing unqualified or very young staff at lower salary rates.

Whether within the South Australian legislative initiative there is the beginning of a child-safe organisations' administrative apparatus applicable to Australia remains to be seen (South Australia has led national and international initiatives on behalf of children in other instances, in particular the operation of the first children's court in the late 1800s). Currently however, notwithstanding the South Australian amendment (see also the *Community Services (Complaints, Reviews and Monitoring) Act 1993* (NSW) administered by the New South Wales Ombudsman), punitive court judgments (e.g. *Cox v State of New South Wales* [2007] NSWSC 471) and government managed employee record screening, the creation of child-safe organisations relies largely on rhetoric and organisations' goodwill.

Several of the headings in the 'manages risk' section of the child -safe organisations framework might be clustered under the headings, 'situational control' or 'situational prevention'. From a child protection perspective, in the sense of preventing child abuse, a body of literature about situational crime control (see Wortley and Smallbone 2006) and crime prevention through design (see Crowe and Zahm 2000) is relevant. Beyer, Higgins and Bromfield (2005, 1) write 'the 'situational crime prevention' model provided a useful framework for extending the prevention of child maltreatment in an organisation setting beyond individual-based risk assessment and risk management strategies'. Later they say 'a situational crime prevention approach is about creating *safe environments* rather than creating *safe individuals*' (ibid, 13).

Leclerc, Proulx and McKibben (2005, 194) describe some aspects of the strategy in detail:

Youth-oriented organisations and school administrators could implant situational measures preventing child sexual offending. One such measure might imply that access to unsupervised areas be restricted or monitored. For instance, sports coaches would not be permitted to go to competitions or on trips alone with a group of children, or use the same changing room and shower. Nor would a school teacher be permitted to be alone with a child in a room with locked door or covered windows without a school administrator being informed. Also, isolated places should not exist in settings where adults work with children or, at least, be kept to a minimum. These kinds of measures are simple and can be effective in preventing child sexual abuse if

organisations make sure they are rigorously followed by every employee. Furthermore, if all employees adhere to the rules and are personally involved in structured supervision procedures, they may be more willing to intervene in potentially inappropriate behaviours (see Bringer, Brackenridge, & Johnston, 2002). Thus, adults who seem to prefer the presence of children to adults and have a special or intimate relationship with certain children could be more easily identified and deterred from getting a job that requires them to constantly be around children. These propositions are in accordance with recently adopted government proposals in the province of Quebec (Canada), aimed at reducing the number of victims of sexual aggression (Gouvernement du Québec, 2001).

Krugman (1998, 477) characterised his work to prevent sexual abuse in the Scouts in the United States as a simple, public health approach: ‘we looked at the epidemiology of where boys were being molested, they were almost all molested on overnight trips. And so the Scouts changed a single rule in 1989. No overnight trips unless one or two other adults went along. The number of incidents of sexual abuse of boys in the Scouts dropped’.

The extent of the measures suggested by Leclerc, Proulx and McKibben, and Klugman might be considered in relation to comments made by Furedi, Gill and others (see page 13 of this thesis) who generally argue there is an over-reaction to the spectre of child abuse and that ultimately measures to make environments safe rob children of what they need to develop and grow.

At the case organisations the attitudes staff held about their vulnerability to allegations of child abuse, or improper conduct contributed to the way administrators managed risk. For example, at one organisation visited prior to the research project it was noticeable that children changed their clothes outside of change rooms in various semi- public locations within the organisation’s perimeter. In exploring the reasons for the behaviour it became evident many staff were uncomfortable about entering the children’s communal change rooms and shower areas and that some children felt uncomfortable about changing clothes in these areas without a supervisory staff presence.

Some staff were reluctant to enter change room areas because they feared they could be characterised by the children as ‘perving’ on them and then be subject to rumor and innuendo, or worse still, subject to false allegations of abuse. In discussion it became evident

staffs' fears were often grounded in examples they had heard or read about. For example, an article entitled "Teachers fear abuse witch-hunt" by Dylan Welch published in the *Australian* on November 17, 2003 provides support for staff that choose to be risk averse:

A Queensland man, who declined to be named for fear of persecution, was a well-liked teacher with more than 20 years of experience when he was accused of sexual abuse by two former students in 2001. He spent months going through an emotionally and financially trying adjudication process, and was shunned by many of his colleagues and friends. He was eventually acquitted and cleared of any wrongdoing, but the incident left an indelible mark on his reputation. "Terrified" that he might be treated as a pariah by his ex-colleagues and students, he decided against returning to the profession and instead took as a job as a tree-lopper.

A male staff member at organisation B described an incident where he said he had been accused of touching a girl's breasts:

A girl here came in high on drugs and I knew she was high on drugs – she was screaming and carrying on – I said 'you have to stop'. She 'chested up' to me and said 'I am going to fight you' and I backed away until Jacqueline (another female staff member) could see me. I said Jacqueline 'watch' and I grabbed her (the girl) and sat her down in the office and shut the door (in Jacqueline's office) – the first thing she (the girl) said (was) 'you touched my breasts I'm going to sue you for sexual assault' – I said 'fine, Jacqueline make a note of it' and walked out. She (the girl) said 'where are you going'? I said 'I am going to ring the Police – she said 'why?' I said 'you've accused me of sexual assault and I cannot deal with you. I am going to demand a drug test on you and get the police up to deal with it'. She said 'oh no, I want to talk to my mum', and that was the end of it.

Perhaps it is the fear that these sorts of reports invoke that explained this description of an incident by another of the project's respondents:

It can get to the ridiculous. My daughter goes to an all girls' school and they have a male sports teacher. I was at a swimming carnival or time trial and a girls was blubbering under the water and he would not jump into the water to get her and he said 'I can't touch her you'll have to get her'. So I dive into the water fully clothed

and I am saying to this male teacher afterwards 'this is bloody ridiculous, I do not have the qualifications you have and you're not allowed to dive in the water to help her?' – 'oh could be construed as inappropriate handling'. So on one hand people are using it as an 'out' to almost negate their responsibility for child safety but on the other hand are we wanting them to be so strict about it so there isn't any possibility that child safety is compromised.

THEME 6: RESPONDS ACCOUNTABLY TO SIGNALS OF CONCERN AND COMPLAINTS

A number of the research project's respondents envisaged a child-safe organisation as one which not only responded to complaints but actively sought feedback so emergent problems could be identified and responded to. One of the project's participants said, *I'd want to make it clear that if anyone has any complaints there is an easy avenue for (lodging a) complaint which will be taken seriously. And that everyone knows that including both the staff and the customer.* In a way which complements this sentiment McHugh J said in *New South Wales v Lepore* [2003] HCA 4 at 164 education authorities are 'not totally helpless to prevent students from assaulting and sexually abusing students' and that among the things a school might do to prevent abuse is to 'encourage teachers and pupils to complain to the school authorities and parents about any signs of aberrant or unusual behaviour on the part of a teacher'. The sixth theme comprises the following sub-themes:

- Makes public its commitment to responding accountably to concerns and complaints and resolving them in the interests of children;
- Has its complaints system overseen independently of the organisation;
- Investigates concerns and warning signs, even if there is not a formal complaint;
- Is open to receiving complaints made in any form;
- Does not minimise any stakeholder's concerns or complaints;
- Responds to issues reasonably and proportionately;
- Removes blocks to elevating complaints up the organisation's hierarchy;
- The Board of Management is held accountable for the system of resolving complaints.

Olssen and Chung (2004) provide an insight into the Anglican Diocese of Adelaide, an organisation which developed a dysfunctional attitude toward complaints. With respect to the

management of child abuse complaints, prior to the establishment of a professional standards committee in 2003, Olssen and Chung (2004, pp 2 – 4) catalogued a number of problems including: (a) a potential to minimise abusive behaviours as a ‘misinterpretation’ by the complainant or ‘oversensitivity’ by their parents, (b) that the first priority seemed to be one of protecting the Church at all costs, even to the extent, on some occasions, of warning complainants that they could be sued for defamation if their complaints could not be ‘substantiated’, and (c) doubting the child making the allegation which ‘privileged the alleged perpetrator’s version of events’, which generally involved a denial of the accusations.

There is a challenging path to be negotiated in setting up a complaints system as it is suggested in the child-safe organisations framework, given its potential to clash with established legal and industrial principles and conventions. In examining policy documents made available as part of the research project and others which are available on the internet it is evident that many complaints policies are reasonably framed and informed according to legal and industrial conventions, which are predicated on natural justice and due process. For example, one document provided by one of the case organisations in part read ‘anonymous and unsubstantiated complaints shall not be investigated’. If a complaint concerns the way a child has been treated then the requirement that the complaint be substantiated and not anonymous as pre-requisites to its investigation is at odds with the views of the research project’s participants, because such criteria suppress complaints and favour abusers. There is much literature to indicate that many allegations of child abuse by children will be unsubstantiated, if ‘unsubstantiated’ means there is no physical evidence of the abuse or no one else, other than the child and the abuser, have observed it. Additionally, there is the possibility that serial unsubstantiated complaints about the same individual can be ignored because none of them is substantiated. While this might sound unlikely, Olsson and Chung (2004, 2) noted in the Adelaide Diocese of the Anglican Church that ‘complaints and concerns were treated as single, one off incidents, and not considered as possibly being part of a broader pattern of behaviour that might involve more than the one victim’. Not investigating anonymous complaints might be based on the tradition that an accused person has the right to face their accuser, which has both biblical and common law origins.

The potential for a clash between the legal system and a complaints management system was made clear in the Supreme Court of New South Wales in the case *Hedges v Australasian Conference Assn Ltd* [2003] NSWSC 1107 which considered among other matters the

process of investigating allegations of sexual impropriety at school or church, the requirements of natural justice and the right of the person affected to be informed of charge. In *Hedges v Australasian Conference Assn Ltd* [2003] 1107 NSWSC 102 Young CJ was particularly critical of the approach taken by the church appointed investigator, a social worker, and described it as amateurish and inadequate. Young CJ set out 14 errors in the way the matter was handled, including a) the plaintiff was never informed of the precise charge against him, b) the plaintiff, who was not allowed legal representation at his “interview” and was denied permission to tape it. He was, despite his request, not given a transcript of his interview, and c) the PSC (professional standards committee) acted both as the authority which authorised the investigation and also the adjudicator.

In *Carter v NSW Netball Association* [2004] NSWSC 737 at 147 Palmer J considered the State may have thrown too heavy a burden on voluntary organisations to police child abuse under the *Commission for Children and Young People Act 1998* (NSW) (*CCYP Act*). Palmer J refers favourably to *Hedges v Australasian Conference Assn Ltd* [2003] NSWSC 1107 and provides the following description and consequences of disciplinary proceedings into allegations that Ms Carter had abused children:

The disciplinary proceedings pursuant to which the Plaintiff was entered on the database of the Commission as a child abuser were riddled with injustice and illegality, from their very initiation by a complaint tainted by fraud and deception to their conclusion in a decision founded upon a one-sided investigation, a manifest denial of procedural fairness, and numerous breaches of the Defendant’s contractual obligations to give the Plaintiff a proper and fair hearing. The results of proceedings of such character have, nevertheless, passed into record under the *CCYP Act* and their consequences have already had, and may well continue to have, a devastating effect on the Plaintiff’s emotional health and reputation and, potentially, upon her future livelihood.

This part of the framework, which relies on an organisation having a complaints system, is now probed further by examining a particular complaints and grievance process for the Kuyper Christian School (Prins and Webb 2005), which is available on the internet (permission via personal communication with the principal, Mark Collett, 13 August 2009). Placing policies on the internet ensures stakeholder accessibility and is generous, as it

provides an opportunity for organisations to learn from each other. The Kuyper Christian School provides a set of policy documents (<http://www.kuyper.nsw.edu.au/policies.htm>) including policies addressing child protection, code of conduct, complaints and grievances (conflict resolution), managing student behaviour, pastoral care, prevention of discrimination and student welfare. The policies are interlinked and the introduction to the child protection policy states ‘this policy is to be read in conjunction with the child protection procedures, student welfare policy, employment policy, and sexual harassment policy of the Kuyper Christian School’. When there are several policies addressing the same issue, albeit from different perspectives, there is the potential for policies or their procedures to contradict each other, which was apparently the case in *Jason Wilson and Department of Education and Training* [2000] NSWIRComm 20 referred to earlier (see page 81 of this thesis).

All of the Kuyper Christian School policies emanate from a biblical frame of reference and each policy examined is placed in context by a carefully chosen and relevant biblical extract. The spirit behind the writing is unambiguously Christian: Christian tolerance, love and forgiveness are promoted:

Scripture indicates the nurture of children is a great responsibility given to the community with specific responsibility given to their parents. The family is the most important agency for nurturing children (Deut 6:4-7, 11:18-21 Ps 78)...

It is the staff’s responsibility to love the children in their care. This love will guide staff’s actions and direction as they stand in the place of parents. ‘*Love does not delight in evil, but rejoices with the truth. It always protects, always trusts, always hopes, always perseveres.*’ 1 Corinthians 13:6,7 (NIV)

The complaints and grievance (conflict resolution) policy is not directly cross referenced to the child protection policy. If someone approaches the principal with a complaint the principal needs to determine if it is a child abuse matter. If it is a child abuse matter several courses of action are open to the principal unless the allegation is about sexual abuse of a child under 16 years of age in which case the principal is bound to report the matter to the state agency. The principal is the critical person in determining how matters are dealt with. Extracts from the complaints and grievance (conflict resolution) policy with commentary interspersed follow. The first extract reads:

Student Welfare refers to the mental, physical, emotional and spiritual well-being of the student. Accordingly, the provision of student welfare policies and programs is essential in developing a sense of self-worth and fostering personal development. Because of the comprehensive nature of the school curriculum, student welfare will be affected by a range of matters.

It is noted that some school-based activities will be subject to a variety of 'policy areas'. It is also noted that each policy is not mutually exclusive, that is, there are implicit and explicit interrelationships between many policies.

This extract establishes the complaints and grievances (conflict resolution) policy is directly linked to student welfare and their mental, physical, emotional and spiritual well-being.

The second extract reads:

Christians are called upon to resolve disagreements amongst themselves. If we have a concern about, or complaint against another believer, the first step is to take it to the person directly and deal with it in a Christ-like manner. If the matter is still not resolved other believers are to be called upon to assist in finding a resolution to the issue.

This extract recognises that it is not always feasible for disagreements to be resolved between the protagonists. A child abuse victim who acts on this policy and approaches an abusive staff member in the first instance might be covered into silence. If not, Leahy's (n.d.) findings that in sport power differences between staff also come into play are apposite. Leahy (ibid) says:

The apparent lack of systemically sanctioned accountability in relation to the power of the coach-perpetrator appeared to influence other adults in the competitive sport environment. These included coaching and other support staff or volunteers who were not as senior in the competitive sport hierarchy as the perpetrator. This was especially notable in the elite sport context ("cause we were so elite and no one ever questioned what we were doing").

In a school context the advice that 'other believers are called upon' to resolve the issue might not be effective. Other believers might also be covered into silence or influenced by the alleged abuser's religious or professional status, compared with the child's status. This is not fanciful. An article in the *Australian* 'Betrayal of trust' (McKenna 2009) set out a situation

where a well respected and senior educator was later exposed as an abuser. Prior to the educator's exposure as an abuser he was highly regarded. McKenna's (2009) article described his retirement ceremony, before the abuse was revealed: 'Hundreds of parents, students and fellow staff at the Toowoomba Primary School gathered to pay tribute to a veteran educator and the "child protection officer" after more than 40 years of serving the Catholic Church' (ibid).

In the Toowoomba case (above), allegations about the mismanagement of complaints against the teacher by the school authorities are similar to those raised by Olsson and Chung (2004) in their examination of failures in the Adelaide Anglican diocese to deal with abuse prior to 2003. For example, in the Toowoomba case McKenna (2009) reported complaints by children about the teacher were 'watered down' by the principal and officials from the Catholic Education Office. Olsson and Chung (2004, 2) found: 'there was a potential to minimise the abusive behaviours as a "misinterpretation by the complainant'. McKenna (2009) writes the principal admitted at his trial he reasonably suspected the teacher had sexually abused at least one girl, but that the matters were kept secret from the police. The dynamic outlined by Herman (1992, 7) in domestic violence cases is apposite:

It is very tempting to take the side of the perpetrator. All the perpetrator asks is that the bystander do nothing. (The perpetrator) appeals to the human desire to see, hear and speak no evil. The victim on the contrary, asks the bystander to share the burden or pain. The victim demands action, engagement and remembering.

In the Toowoomba case the teacher's abuse came to light only after the girl approached her parents. The teacher, in this case the school's 'child protection officer', was charged with multiple offences against 13 children (McKenna 2009).

This Kuyper Christian School policy extract relies on the actors in a situation coming together maturely and in good faith. However, in child abuse situations the assumption all the actors are operating in good faith can play into the hands of someone who is not. A staff member interviewed as part of the project told of a situation where she believed a staff member had threatened a child about a trivial matter. According to the interviewed staff member the threatening staff member had told the child that if the threat was passed on to anyone else he would know that the child could not be 'trusted' and that the staff member would deny the threat had been made. The child had told the interviewed staff member what

had happened in confidence. The staff member to whom the child reported the incident believed the child and did not know what advice to give the child, or whether to act on their behalf. In preventing child abuse, policies which are framed with the presumption that all of the participants in the process will behave in Christian, virtuous or ethical ways have not stood the test of time, even if it is a reasonable presumption for most of the people involved.

A third extract reads:

If Board Members are approached by parents with a complaint, they must always insist that the parent speak with the staff member concerned, and if still not satisfied, then the matter must be taken up with the appropriate senior staff.

Where a question, grievance, complaint, claim or dispute which relates to the association's employees arises the following procedure will apply:

The person discusses the matter directly with the person concerned with a view to reaching agreement regarding the matter.

If agreement is not able to be reached, the matter should be referred to the immediate supervisor for resolution through discussion with the party/parties concerned.

If agreement is not able to be reached following this step, the matter should be referred to the Principal for resolution through discussion with the party/parties concerned.

If the matter is not resolved within ten (10) days or the person feels the matter is inappropriate to be discussed with the immediate supervisor, the employee may refer the matter, with full details, to the Principal.

The presumption that complainants should have to resolve the matter locally and as close as possible to the person complained about runs the risk of forcing a less powerful person to face up to a more powerful one in an environment where they do not feel protected. The net effect of these policy dictates can be to suppress complaints. An abusive staff member can properly emphasise the spirit behind the first paragraph of the extract above to their victims and reiterate the question 'if you have any complaints about me you are required to tell me'. While people who feel empowered might bypass the policy dictates it is important to

remember that overwhelmingly the literature points to scenarios where abusive staff target the least empowered child or family. Additionally, the option to bypass the chain of command and raise the matter with the principal is placed toward the end of the policy. The wording in the last paragraph is ambiguous. Read literally the policy provides no alternative to raising the matter directly with the staff member involved. That is, the matter can only be taken up with the staff member's supervisor if agreement is not able to be reached.

The fourth extract for consideration reads:

The Principal will endeavor to resolve the dispute to the satisfaction of all parties. The Principal must give the complainant a response within seven (7) days of it being referred or notify the complainant that the Principal is referring the matter to a dispute resolution mediator.

Conflict Resolution – Mediation

The dispute resolution mediator will be a person nominated by the Board or the Principal and agreed by the aggrieved party(ies).

A matter may be referred, in writing with full details, to the mediator by:

the complainant: if the complainant is not satisfied with the Principal's response referred to in point above:

the complainant: if the matter relates to a direct supervisor(s); or

the Principal: if the Principal determines to refer the matter.

The mediator shall, in determining a dispute:

give both parties an opportunity to be heard;

not be bound by the rules of evidence but may inform himself or herself on any matter in any way that is just;

will make a decision on the matter within fourteen (14) days of the matter being referred.

The onus on the complainant to commit matters to writing if they are not satisfied with the Principal's handling of the matter is potentially another source of deterrence for complainants, for example, for those with poor literacy skills. The complaints and grievances policy does not seem to have children in mind. It might be that there is another policy or

procedure to respond to children's complaints or it might be that children are expected to come forward with a complaint through the medium of an adult or a family member. If this is the case the expectation that children will complain to their parents who in turn will further their complaint to the authorities warrants examination. In relation to the Gavin Hopper case *R v Hopper* [2005] VSCA 214 one woman explained why as a girl she had not reported Hopper's behaviour to her parents: 'the last thing I would talk to my parents about was sex' (Elder and Russell 2004). Additionally estimates of child sexual abuse are consistently reported as occurring at high levels within families, for example, as high as one in four girls and one in six boys (Brackenridge 2001, 6). If these figures are accurate or even approximate it is able to be deduced that a number of children are required to rely on an abusive family member to advocate on their behalf.

The consideration of a policy document removed from its context can give a misleading impression of how a policy is implemented. The administrator of organisation C might well have had this in mind when after reflecting on his interview's representation he stated: *I think the most important point of the entire document is the "Get to know the children" bubble. If you know the kids in your care well, their families & their backgrounds you have a much better chance of getting them through the difficult high school years.*

CONCLUSION

In this chapter the child-safe organisations framework was critiqued. The purpose of the critique was to address the latter part of the fourth objective; striving to make explicit the child-safe organisations framework's limitations.

The critique was informed by a wide range of primary and secondary data sources, which had been identified throughout the period of the research project. The choice of data sources is inevitably reflective of my interests and pre-understanding. It is anticipated others will draw upon different material and different understandings to elaborate the limitations of the child-safe organisations framework, and extend it. Acceptance that different researchers coming from different standpoints and experience will produce different knowledge is consistent with the constructivist and interpretivist epistemological, ontological and methodological underpinnings of the research, and the cycle of further refining what is known as knowledge.

The research project has now within its own terms addressed the four research objectives:

- I. Explore the child-safe organisation discourse.
- II. Identify the framing underlying the strategies promoted as the means of building child-safe organisations.
- III. Identify the requisite features of a ‘child-safe’ organisation from the perspectives of relevant stakeholders, including relevant professional groupings (social work, administration, law, and insurance).
- IV. Develop a framework that will provide a stimulus for organisations to assist them represent themselves as ‘child-safe’ to their stakeholders, while striving to make explicit limitations.

The purpose of addressing these research objectives was to answer the two research questions: What is a child-safe organisation? How can an organisation’s ‘child-safe’ status be effectively represented to relevant stakeholders? The answer to the first question ‘what is a child-safe organisation?’ is blunt: In the sense that a child is safe, child-safe organisations do not exist. Throughout the research the phrase ‘child-safe organisation’ has come to mean an organisation has committed itself to being ‘child-safe’ and is working toward it.

Organisations can be more or less safe. The challenge to makes the organisation ‘more safe’ rather than less safe is complex. One aspect of this complexity is because of the devil in the detail of ‘what is safe’. Risk, and the chance of being not safe, permeate life and are necessary for human development. The answer to the second question is an organisation can be represented to be child-safe when it performs as a child-safe organisation. That is, its stakeholders are performing synergistically to deliver a shared outcome. The child-safe organisation’s framework is not the representation of a child-safe organisation it is a stimulus or a loose script for that performance.

The questions answered, the fundamental task of the research project is complete. The final chapter summarises the project, reflects on my PhD journey and makes recommendations for future research.

CHAPTER 6: CONCLUSION

INTRODUCTION

This research project set out to answer two research questions: What is a child-safe organisation? How can an organisation's child-safe status be effectively represented to relevant stakeholders? The research questions were framed and answered from within interpretivist epistemic and ontological traditions. Three organisations and over 100 individuals assisted in the research project, including 35 who were individually interviewed. From their input, relevant literature, and other secondary data sources, a child-safe organisations framework was developed and critiqued. The research project was initiated with the intention of contributing to children's protection and the framework is offered as a stimulus to organisational stakeholders to assist them think about and shape child-safe organisations, and as a loose script for enactment.

This concluding chapter does three things: It provides an overview and summary of the research project. It reflects on my PhD journey. It offers recommendations for future research. The overview and summary section of this chapter commence with an examination of the data which informs Australia's child protection policy. It then summarises the thesis.

OVERVIEW AND SUMMARY

After Henry Kempe (*Kempe* 1962) described the *battered baby syndrome*, in Australia child abuse has been primarily associated with family. Statements of the ilk, 'most child abuse occurs within the home' (*Student information kit - child protection* 2009) are made frequently by those seeking to give attention to the problem of child abuse and seeking to reduce its rates. The Australian Institute of Health and Welfare provides annual reports to the Australian governments and the Australian community about the nation's rate of family located child abuse (e.g. Australian Institute of Health and Welfare 2010). However, rates of child abuse in organisations, for example, child abuse in schools, hospitals, sporting clubs, and recreation clubs, are not regularly reported on to the Australian governments and community.

The 'Protecting children is everyone's business: National framework for protecting Australia's children 2009-2020 (2009), released by the Council of Australian Governments in 2009, commences by posing a question, 'what is the problem?'. Its response to the question commences, 'in 2007-08 there were 55,120 reports of child abuse and neglect substantiated by child protection services'. This section of the national framework continues noting it is promising that there was a reduction of substantiations of child abuse from the previous year, notwithstanding the number has doubled over the previous 10 years. The data used to support the framework are taken from the Australian Institute of Health and Welfare's 'National child protection Australia 2007 – 2008 report' (Australian Institute of Health and Welfare 2009).

The 'Protecting children is everyone's business: National framework for protecting Australia's children' (2009) is built around six supporting outcome statements and associated strategies. A strategy directly relevant to this research project is, 'develop a nationally consistent approach to working with children checks and child safe organisations across jurisdictions' (ibid, 18). While it is unclear what is intended in the phrase 'nationally consistent approach' it seems evident the Council of Australian Governments has chosen to not pursue organisation-located abuse data collection as a strategy to either quantify the problem of organisational abuse or as a means of reporting on whether the strategy is effective. The decision to not pursue data collection about incidents of organisation-located child abuse and neglect, if such a strategy was considered, might be in response to differing jurisdictional policies and the consequential problem of acquiring comparable inter-jurisdictional data.

Differing jurisdictions' policies and consequent incomparability of jurisdictions' data are problems which dog the Australian Institute of Health and Welfare's national child protection data collection. The Australian Institute of Health and Welfare's 'National child protection Australia 2008 – 2009' (Australian Institute of Health and Welfare 2010) report commences: 'statutory child protection is a state and territory government responsibility and there are significant differences in how jurisdictions deal with and report child protection issues. Statistical comparisons should therefore be treated with caution' (ibid, 1). The first data table in the report, 'notifications, by type of action, states and territories 2008-09', is qualified: 'New South Wales figures are not comparable with other jurisdictions' (ibid, 11). Notwithstanding the qualifications to its data set out by the Australian Institute of Health and Welfare and other problems such as the omission of many cases of extra familial abuse (Bromfield and Higgins 2004, 28) the Council of Australian Governments 'Protecting

children is everyone's business: National framework for protecting Australia's children 2009-2020' (2009, 6 - 7) quotes the data authoritatively at the outset. This reinforces the notion that Australian child abuse and child neglect is quantifiable and quantified. This is not the case.

The extent of child abuse and neglect in Australia in families and in organisational settings is unknown and there is not a reasonable estimate to call on. The Australian Institute of Health and Welfare national annual child protection reports are effectively partial workload measures for the Australian state and territory child protection departments, not a measure of the quantum of child abuse in Australia. The quantum of reported abuse to these departments rises and falls according to policy decisions (for example, whether there are mandatory child abuse reporting laws and the way initial abuse reports are classified prior to a finalised investigation) and the amount of resource assigned by governments to child abuse investigation.

Notwithstanding there are not data upon which to estimate the amount of organisation-located child abuse, there is today widespread awareness about such abuse. This awareness has grown in the latter parts of the twentieth century, initially about past institutional abuse and then, through the Wood Royal Commission into the New South Wales Police Service (Wood 1997), about organisation and community based paedophilia.

Prior to the Wood Royal Commission children who had been cared for in institutions and children's homes alleged systematic and serious physical and sexual abuse, and exploitation and neglect. From the late 1980s victims of past institutional abuse increasingly spoke out. Several Government inquiries into institutional care investigated the victims' speaking out and authoritatively confirmed widespread physical, sexual and emotional abuse and neglect by 'carers' in children's homes, missions and orphanages (e.g. Australia. Senate Community Affairs References Committee 2001; Forde 1999; Mullighan 2008). These inquiries' findings were given additional meaning as victims' published autobiographical accounts of their abuse and its impact on their lives (see pages 36 and 37 of this thesis). The Australian community's awareness about past child abuse in child care institutions appears to have culminated with the Prime Minister's apology in November 2009 to the 'forgotten' Australians and former child migrants (Rudd 2009).

Smith (2008) challenges widespread beliefs about the extent of past institutional abuse, at least in the United Kingdom. He argues social work leaves itself open to a future allegation of

naivety by accepting conclusions about systemic institutional abuse because such conclusions are based on poor processes. To him the profession has effectively become consumed in a modern day witch-hunt in which social work has 'failed to adopt a suitably critical stance on the subject'. He raises the possibility that suicides by alleged victims of institutional abuse might follow their difficulty in maintaining false narratives (see page 40 of this thesis).

Given the findings of various governments' inquiries (e.g. Australia. Senate Community Affairs References Committee 2001; Forde 1999; Mullighan 2008), churches' inquiries (e.g. Olsson and Chung 2004), individuals' testimonies (see pages 36 and 37 of this thesis), the Prime Minister's apology (Rudd 2009), and organisations' own admissions (e.g. Coldrey 1993), it is reasonable to conclude that in Australia Smith's views are not widely supported.

The 1994 Wood Royal Commission into the New South Wales (NSW) Police Service (the Wood Royal Commission) gave momentum to concern for children's safety in all children's service organisations, especially with respect to sexual abuse. It recommended the creation of a New South Wales' children's commissioner with the powers to screen the working with children workforce (Wood 1997, 1245). Its recommendation to screen the children's organisations' workforce has been partially enacted in several Australian states. In Western Australia (WA) in 2006 the *Working with Children (Criminal Record Screening) 2004 Act* (WA) was passed. As a consequence in WA all employees and volunteers (excluding those exempted) engaged in legislatively defined child related work are required to possess a working with children card (see Budiselik, Crawford, and Squelch 2009). None of the Australian states or territories has been able to implement the vision of the Wood Royal Commission's recommendation which was to screen the children's workforce for 'unsuitable' people (see page 46 of this thesis).

As well as developing workforce screening measures, the NSW Children's Commissioner (NSW Commission for Children and Young People 2004 - 2005) and later other state, territory and federal agencies (in Western Australia, the Department for Child Protection's Working with Children unit), have been promoting the concept of child-safe organisations. In 2005 the Community and Disabilities Services Minister's Conference released the: 'A national framework: Creating safe environments for children – Organisations, employees and volunteers' (Community and Disability Services Ministers' Conference 2005). Also in 2005 South Australia amended its *Children's Protection Act 1993* to the effect that South

Australian children's service organisations are obligated to establish and maintain child safe environments (see page 49 of this thesis). In 2009 the Council of Australian Governments released the 'Protecting children is everyone's business: National framework for protection Australia's children 2009-2020' (2009) which included a commitment to a nationally consistent approach to working with children checks and child-safe organisations.

These developments, described above, have resulted from what is proposed in the thesis to be a child-safe organisations movement. This movement is committed to promoting to all children's services organisations the necessity that they become child-safe organisations. The movement comprises government, church bodies, insurers, not for profit non-government organisations and consultants and its members are bound by two shared beliefs: There are risks of harm to children present in organisations which provide services to children. These risks are able to be lessened if organisations adopt child-safe strategies. Their advice is framed broadly by good management, children's rights, child protection or injury reduction perspectives.

Alongside protagonists for child-safe organisations there are those who fear a focus on child-safe organisations is a symptom of society's unproductive preoccupation with fear. To these authors, adults' obsession with keeping children safe becomes in itself a dimension of danger for children and childhood (see page 13 of this thesis) because it leads to children being unnecessarily restricted and ultimately under-developed.

While this thesis did not set out to answer the question posed within its title 'Child-safe organisations – A wise investment?', the title was selected with the aim to engage the reader at the outset and have them hold the question in their mind. The word 'investment' was chosen because in context it is capable of evoking different considerations, including those from personal, administrative and policy perspectives. The personal consideration includes asking oneself whether 'child-safe organisations' warrants an investment of career. The administrative and policy perspectives warrant consideration of questions about the allocation of scarce welfare resources and the social work profession's involvement?

From a cost-benefit perspective, whether the investment in 'child-safe organisations' is efficacious appears unanswerable currently because of the absence of a) accepted definitions about organisation based abuse b) inadequate baseline data and c) ignorance about the quantum of investment. This leads to the consideration of whether the investment is 'wise'?

That is, notwithstanding the absence of metrics to determine efficacy does investing in child-safe organisations stand as an evidently necessary strategy as part of Australia's response to preventing child abuse?

The Council of Australian Governments' commitment to a nationally consistent approach to child safe organisations *Protecting children is everyone's business: National framework for protecting Australia's children 2009-2020*, 2009, 18) indicates the Australian governments' answer to the question about whether 'child-safe organisations' is a wise investment' is 'yes', though the question of degree of investment is at this stage unknown.

With the above as background, the questions the research sought to answer were: What is a child-safe organisation? How can an organisation's 'child-safe' status be effectively represented to relevant stakeholders? There were several assumptions underpinning the research questions, most notably that the objects of the research – childhood, organisations, safe – are socially constructed and changing concepts: languaged into being in a time, place and context. The project was also limited because children were not included as stakeholders and primary data were not obtained from them. As well there was critical intent behind the project, that being children can be better kept safe in organisations.

Within the context of assumptions, limitations and intention, and choices made to guide the research project, the research concludes that while an organisation would be foolish to claim status as a 'child-safe organisation', it can be 'more safe' than less safe. Part of the difficulty in pursuing the desire to be safe is that reflective consideration needs to be given to what it means for a child to be safe, in the light of their developmental needs.

METHODOLOGY

While it would be difficult to succinctly list all of the influences which have shaped the project's methodological choices, Alvesson and Skoldberg's (2000) book 'Reflexive methodology' and Kincheloe's (2001, 2005) articles about the bricolage were particularly influential. Alvesson and Skoldberg (2000, 7) identify data oriented methods; heremeneutics; critical theory; and, poststructuralism and postmodernism as the four currents of methodology and philosophy of science and the reflective areas 'in which the social science researcher should be engaged – regardless of the specific methods he or she prefers'. The research process can be described as: data have been collected, interpreted and categorised (data

orientated methods); subjected to examination hermeneutically (hermeneutic method) and linguistically (post-structural method), and critiqued (critical method).

In conceptualising this research from a bricoleur's viewpoint, and planning and responding to the research's questions, objectives and challenges by selecting methodological and method responses from among a wide array of options within the bricolage, the topic, 'child-safe organisations' has received several illuminations.

Strategies consistent with data orientated approaches to social research, where the data are elicited from research informants and analysed in traditional ways, and theories developed, has provided a child-safe organisations framework. In addition in this part of the research there was an analytic innovation where data derived from each interview was represented to the participant as a conceptual model for further iteration. That is, a second order analysis of the interview yielded a model which was then provided to the interviewee to determine whether it resonated with them as a fair representation of their understanding of a child-safe organisation.

However, I felt a sense of unease or dissatisfaction with the product at the end of data orientated approach referred to above and consistent with hermeneutic approaches to research a metaphor was developed as a way of providing a lens through which to view the framework. The metaphor evolved over the period of the research and was a result of the questions which underpin hermeneutic analysis: what is the relation of the meaning of this part of the framework to the meaning of the whole of the framework? Does each part relate to the whole, does the whole relate to each part? What was my understanding prior to developing this part of the framework, and what is it now?

While the metaphor, a literary flourish, was derived from a methodology different from that used to develop the framework it is a part of the framework. That is, as intellectual property it would be incorrect to call the framework without the metaphor the "child-safe organisations framework".

The framework is not an apodictic offering. It is understood, indeed anticipated, that the framework will have limited relevance to many organisations. Indeed, from this research's standpoint it would be a concern if an organisation merely adopted the framework, without considering its contextualised circumstances and needs. At best, the framework aims to be a

point or embarkation, a point of connection or a stimulus for those wishing to think deeply about whether an organisation is safe for children.

Additionally, the traditions of hermeneutics were called upon throughout the research as a means of examining and sharing my own journey from child to adult and from social work practitioner to social work researcher. This sharing was done with a generous intention. It was not done or needed to be done as a therapeutic remedy or as a means of settling unresolved issues. It was done from the perspective of looking back on a successful career and a satisfying personal life, and intending to share insights and thoughts with a new generation of social workers.

Those strategies consistent with critical method were called upon in the thesis' discussion chapter to examine in detail weaknesses inherent in the framework. The critique of the child-safe organisations framework in chapter 5 of the thesis is developed by drawing on comments made by a) participants (e.g. an organisation can never be totally safe because you never know when people will *'turn'*), b) observations (e.g. the incentives for organisations' administrators to always present the best possible face of their organisation), c) court judgments (e.g. *Carter v NSW Netball Association* [2004] NSWSC 737), inquiries (e.g. Olsson and Chung 2004; Layton 2003) and newspaper reports (e.g. McKenna 2009). A wide-range of data was called upon to reinforce the complexity of the research topic.

Consistent with post-structuralism and post-modernism I looked deeply into the words used in the phrase 'child-safe organisations' and how words and phrases are processed. I teased away at meanings, concluding an absurdity and a danger are packed into the phrase 'child-safe organisations'. The absurdity is found in the close examination which shows that as an organisation lays claim to being child-safe, it is not safe. That is, the status 'child-safe organisation' can never be ascribed. It is dangerous because the label builds on a traditional use of the root phrase 'child-safe', which has been associated with parents reduced anxiety and lessened vigilance, because the product which followed the root phrase implied the product was safe for children. That is, organisations which wish to be 'child-safe' need to constructively engage parents and encourage their vigilance. However, the phrase 'child-safe organisation' arguably reduces vigilance.

The child-safe organisations framework follows:

A child-safe organisation:

- Keeps children's best interests at the heart of its endeavor – respects, nurtures and includes children;
- Respects and includes parents;
- Selects carefully, supervises, develops and monitors staff;
- Is well led;
- Manages risk;
- Responds accountably to signals of concern and complaints.

The metaphor asks the reader to think of an organisation as a swimming hole or beach and poses the question: Is what we know about keeping children safe at a swimming hole or beach useful in thinking about how we keep them safe in organisations?

With the understanding that it is not a 'magic wand' the child-safe organisations framework has been presented to organisational stakeholders on several occasions. In each case those who have engaged with the framework have found little difficulty in utilising it and identifying how it might develop to suit a particular situation or concern. That the framework has a practical application and acts as a springboard for reflexivity and reflection about child-safe organisations satisfies the project's critical intent; to provide a useful contribution to child protection.

THE RESEARCHER'S JOURNEY

This section of the chapter is partly personal. It develops further my auto-ethnographic record from a perspective different than that provided earlier (see pages 117 - 121 of this thesis). This section also aims to encourage social work practitioners to contribute their acquired knowledge and expertise to the profession by way of academic research, and to explain my understanding of the nexus between research and practice.

In considering undertaking a doctoral research program in social work my recollection of academic social science research was from a research practice unit taken in the final year of my undergraduate social work program at Western Australia's Curtin University (then the Western Australian Institute of Technology) in 1974. This research component of the social work course was firmly grounded in the scientific method, reflecting the day's predominant attitudes toward valid knowledge and its generation. The research practice

component of the undergraduate program emphasised constructing measurable hypotheses, using statistical tools to quantify people's attitudes and to identify and measure differences between groups following 'interventions'. Behavioural analysis and modification were also powerful forces at the time. Social work students were taught Skinnerian operant conditioning techniques: the use of different reinforcement schedules in extinguishing 'undesirable' behaviours and promoting 'desirable' ones.

While positivist framing was invoked as far as valid 'scientific' knowledge was concerned, such framing did not set the tone for the whole course. For example, students read and reflected on Fromm's (1955) 'The sane society', Erikson's (1951) 'Childhood and society' and Sillitoe's 'The loneliness of the long-distance runner' (1959) which narrated the inner life of a youth placed in a British borstal. On graduation, as a social worker employed in a Christian Brothers' child care institution, Erikson's (1951) life-stage theory and Kelly's (1955) personal construct theory were particularly useful in helping to explain and interpret children's behaviours and as a framework for discussions with parents about their child's issues.

Behaviour modification was the lingua franca of the Western Australian residential child care institutions' scene in the 1970s, and behaviourism framed programmatic and research design in these settings. Applied behaviour analysis techniques learned as part of the undergraduate program were useful to a beginning practitioner. These techniques emphasised detailed attention to observing behaviours, identifying behavioural antecedents and behavioural consequences, and recording them prior to developing programs to respond to a child's difficult behaviours, such as self mutilation or violence.

After a period as a social work practitioner my career 'progressed' and I was appointed to supervisory and senior management positions in Australia in state and territory government child and family welfare departments. Later I provided social work consultancy services.

In preparation for enrolment in the doctoral program I dusted off notebooks that I thought might assist me in preparing to undertake research. One of the notebooks that I found interesting but did not think would be useful to my research endeavor summarised a number of books read following my graduation. The note book recorded readings in child psychiatry (Barker 1971), personality (Storr 1972; Laing 1969, 1977) therapy (Perls 1973; Szasz 1961; Koppitz 1968; Kübler-Ross 1969), moral development (Kohlberg 1978, 1971),

management (Neill 1960; Drucker 1974) and social action (Friere 1970; Illich 1971). Many of these authors contributed knowledge to their areas of professional interest and academia in ways not consistent with the scientific method. With respect to behaviourism I recorded a quote from Kohlberg (1971), 'many of us feel that the study of cognition by American child psychology failed to progress for two generations because of inadequate epistemology, sometimes called logical positivism or behaviourism'. Kohlberg and these other authors provided a thoughtful counter point to behaviourism's dominance.

Kohlberg and other authors (Bettelheim 1950; Trieschman, Whitaker, and Brendtro 1969) offered the beginnings of what I wanted to know and understand in a quest to become a competent child and family social work practitioner, and also in terms of understanding social work practice in the context of employing organisations. These authors' works were often broad and theoretical and would not have been classified as 'research' according to the scientific method espoused by my undergraduate research practice lecturers. It is likely students would have been told these authors were of interest as theorists who postulated interesting beliefs and unproven theories, which may be true, but which needed to be tested by the scientific method before what they proposed could be considered 'knowledge'. In effect this meant that the well-spring of knowledge which resonated and shaped me as a social work practitioner was not valid knowledge in the way that I understood academic knowledge was generated.

At the outset of the doctoral research my interest in research philosophy and methodology was clearly secondary to my interest in child-safe organisations and other aspects of child protection and family welfare. To some extent developing a proficiency in research, as I understood 'research' to be, was the 'cross' that I was prepared to bear to achieve an ends. In this case the ends were both a doctoral qualification and the opportunity to attempt to make a contribution to child protection and family welfare. However, as the research progressed, my interest in the philosophy of research and different ways of generating academically acceptable meaning and knowledge drew level with my interest in child protection and family welfare. My supervisors encouraged wide reading and it was inevitable that these readings dealt with the philosophy of knowledge: What is knowledge? What role does it serve? How might it be created? Can it be represented? The research literature became more interesting and a debt of gratitude was owed to supervisors and the many authors who when sharing their knowledge in discussion, journals and books set out

as best they could their epistemological, ontological and methodological biases and assumptions. In addition the exchanges on the University of Georgia's qualitative research for the Human Sciences (qualrs-1@listserv.uga.edu) were stimulating and informative. Over the period of the doctoral program the sort of researcher I wanted to be and how I wanted to contribute to the progress of child and family welfare were clarified. The earlier readings described in my notebook were directly relevant to this framing of research and knowledge generation.

My aim was to work as a reflexive researcher. In the context of this project that meant to weave together an approach that reflected practice knowledge acquired in child protection and family welfare over my career, to not become bogged down in the minutia of data orientated methods or obsessed with measurement, to understand the role of language and politics in shaping what I was looking at, and to facilitate the production of a contextualised child-safe organisations framework. Alvesson and Skoldberg (2000), and Kincheloe (2001, 2005) were saying that was what researchers of the social were required to do – to look at a research object from many angles – and they provided guidance about how to do it.

Lather (1993) questioned what research validity means in an era when the traditional foundations for research are eroded or no longer in existence. While questioning whether validity was possible she did not shy away from the need for a researcher to think deeply about it. Thinking about what makes a research project valid, within its own terms, resonated with my desire to produce research which was viewed as trustworthy (Denzin 2009) by my social work and other professional colleagues.

The research task for me was partly about learning a new language and becoming comfortable with the usage and nuances of words, phrases and theories. Toward the end of the project, earlier incomprehensible literature became comprehensible. As understanding of the research language and concepts grew, conversations with my experienced research supervisors about research philosophies, methodologies and techniques became accessible and enjoyable.

Inevitably I selected a body of literature to guide my research project that reflected my interests. I was attracted to writings that identified the problematic natures of truth and representation, the ambivalent meaning of language, words and phrases, the role of

metaphor, and the historiography of child protection and family welfare in Australia. Increasingly I became more confident in my constructivist epistemological understandings and ontological positioning, though wrestling to incorporate life-long strong spiritual convictions. Well into my doctoral program one of my supervisors gave me an article that dealt with such contradictions:

Each of us takes part in a number of different networks of conversations, in most cases switching with ease between them regardless of their inherent contradictions. In this way, Maturana suggests that we each live in a set of realities which he calls the *multiversa*. The different domains of reality are constituted in language and are thus social. They have developed from the co-ordination of the co-ordinations of actions of groups of people over time and thus have a historical and cultural content. There is no grounding to our views; indeed, Maturana and Francisco Varela themselves say:

All we can do is generate explanations, through language, that reveal the mechanisms of bringing forth a world. By existing, we generate cognitive 'blind spots' that can be cleared only through generating new blind spots in another domain (Maturana and Varela, 1992, p. 242). (Bilson 2007, 1375)

With all that as background the most exciting aspect of my doctoral program has been to be exposed to the array of qualitative epistemological, ontological and methodological thinking which is at large today, and enjoy the way these approaches capture the complexity of human being and interaction which is fundamental to social work practice and management. As a developing social work researcher it was not my desire to become completely absorbed in a particular methodology (here is the solution: what is the problem?). A social work practitioner is a researcher of people and the social, not in the sense of doing something to someone, but working alongside individuals, groups and communities as cooperative inquirers or action researchers, skilled in the methods of interviewing and representation, understanding the importance and restrictions of language and comfortable with cultural and personal diversity.

Kincheloe (2001, 2005), an educator, provides for me a unified vision of social work practice, as practitioner and researcher. The social worker as a bricoleur: working alongside individuals, groups and communities to construct with them an appropriate means to address issues, concerns or problems. This is where I am at, invigorated as a

social worker and wishing I could revisit some parts of my social work career with a contemporary understanding of research philosophy, methodology and technique.

PRACTICE SKILLS AND KNOWLEDGE

While the skills of interviewing, representation and appreciating the importance of language were directly relevant to the research, other skills and knowledge I acquired throughout my practice career have also been called upon to research child-safe organisations.

On several occasions throughout my practice career I had been taken 'off-line' to participate in special purpose teams charged with examining matters of concern to my then employing agency. These experiences taught the benefits of being immersed in projects and the way projects come into being as a series of time limited tasks or actions. So with this background, for this research project detailed task lists and time lined action plans were prepared and refined.

One task that has remained on the lists throughout the project was rehearsing what the project was about to a range of audiences (colleagues, friends, forums), other than my supervisors. This was done partly to assess reactions to the project's importance and the shape it was taking, and to reinforce my own understanding of what I was attempting to achieve. This process of re-presentation was similar to that undertaken in my social work practice and consulting career. As a practitioner in preparing for a meeting, or to represent an organisation, present to potential client, or give evidence about a particular case in a court or inquiry, it is necessary to be thoroughly familiar with the case you intend to make or the evidence you intend to give. It is necessary to consider from all angles the sorts of challenges and inquiries that are likely to be presented, and at the same time invite and be open to unanticipated challenges and inquiries. My initial presentations about the project, rehearsed alone or in front of trusted colleagues, were often clumsy and in need of refinement. However, each presentation led to increased knowledge and subsequent presentations became more intelligible, comfortable and considered. This was my experience in describing what my research was about.

Immersion in a project or case involves daily hermeneutics (see Alvesson and Sköldberg 2000) and reflection. That is, generating and turning over questions relevant to the purpose

of the project and the tasks at hand. This was also the way the research project unfolded. Questions recorded throughout the project included: What is the purpose of protecting children in their families (traditional child protection) and in organisations (child-safe organisations), if they are unsafe elsewhere in the community? Surely there is no limit to the areas children should be protected? Are we so constrained by the legal ‘duty of care’ notion that we cannot conceive of a child-safe community – because such an outcome is not any individual or entity’s duty of care? Today, from when does a child spend time in other than ‘family’ or ‘organisation’ contexts? Is the focus of child abuse prevention evolutionary: Have we started by focusing on regulating children’s employment, then their lives in families, then in regulated child-care organisations and now in children’s service organisations generally? Was the furore about the Henson photographic exhibition of nude children (Adams 2008) relevant to child-safe organisations? Is the Council of Australian Governments’ intention to implement a national approach to working with children checks and child-safe organisations (Protecting children is everyone's business: National framework for protecting Australia's children 2009-2020, 2009), whatever that means, practical and desirable?

As well as retrieving and reviewing material stored in my notebooks I was able to reflect on an acquired body of knowledge about the way organisations operate and my own experiences as a social work practitioner. This material provided me with an insider’s view to some child abuse events that were locally notorious at the time, and included:

- Briefings about child and family welfare related matters, including organisational child abuse cases, for state agency chief executive officers and government ministers;
- Minutes and other records from various committees of inquiry and implementation (e.g. into particular child care institutions, particular programs and particular issues, dealing generally with child and family welfare and child protection);
- Newspapers’ coverage of events that occurred at the time.

In reviewing these materials the children’s welfare agenda’s capriciousness was evident: priorities are set and momentum to bring an event or cause into the public’s focus or to orchestrate social change is generated or attenuated, depending on the small and large ‘P’

political forces, alliances, commitments and priorities that are in play and according to the interests of the critical players.

RECOMMENDATIONS FOR FUTURE RESEARCH

It would be inconsistent with the tenor of this thesis to attempt to direct the detail of what future research into child-safe organisations ought to occur. Social action orientated research to further child-safe organisations is best developed cooperatively with other committed researchers, social work practitioners and stakeholders (parents, organisation administrators and other stakeholders). However, critical research can promote the prominence of issues (see page 16 of this thesis) and making research about child-safe organisations accessible is one strategy available to promote dialogue about what it means for a community to aspire toward child-safe organisations.

A cooperative inquiry methodology (see McArdle 2002; Reason 1997; Heron 1996) is an approach that is relevant to such a venture, requiring an initial spark of leadership to get an inquiry in process and on-going support and commitment to sustain it. Inevitably, in the context of such a cooperative inquiry group an individual's appreciation of issues is deepened and one's nascent ideas develop in the context of other's input.

By way of analogy, momentum to respond to child-sexual abuse in the Australian community and in Australian families was facilitated in the 1970s and 1980s by feminist research and social action which included telephone surveys or 'ring-ins'. Concerted efforts were made to understand the extent of the problem of child sexual abuse, categorise it and publicise it by providing an opportunity for adults to disclose their childhood sexual abuse experiences. Past victims' responses to these opportunities to disclose their abuse and the way the responses were presented to the community and decision makers by those who researched the issue left policy makers in no doubt that there was a problem that needed to be addressed. Decision makers were convinced that the problem was not only historical, but that action needed to be taken to prevent it occurring. With this in mind there are three lines of inquiry I would propose for consideration to a cooperative inquiry group focused on furthering knowledge about child-safe organisations.

FIRST LINE OF INQUIRY

The first line of inquiry proposed involves a general qualitative study (see Merriam 1998) where the stories of people who have experienced organisation related abuse are collected and organised thematically, so that categories of abuse and indicators of prevalence can be further developed. Two beliefs are driving this first theme for research.

First, the intra-familial categorisations of child abuse; physical abuse, sexual abuse, emotional abuse and neglect, and to a lesser extent, witnessing domestic violence, are firmly established in Australia. These categorisations are reinforced through the way child abuse data are collected. It is contended a) these abuse categories are not sufficient to describe the sorts of abuse and dangers that confront children in organisations and b) utilising these categories obscures a richer understanding of where organisational risk for children lies. For example, from the typology developed earlier in the thesis (see pages 77 - 89 of this thesis) it might be possible to develop descriptions of child-unsafe organisations through the lenses of good management, child protection, children's rights and injury reduction. However, it remains to be seen whether a meaningful thematically derived set of organisational abuse/danger categories is possible.

Second, from a social action perspective, while the Australian governments have committed to a national approach toward child-safe organisations (Protecting children is everyone's business: National framework for protecting Australia's children 2009-2020, 2009, 18), better descriptions of the problem and indicators of the prevalence of the problem of child-unsafe organisations and organisation-located abuse are ultimately necessary, so the problem as it is perceived can be stated clearly and progress in dealing with it can be measured.

SECOND LINE OF INQUIRY

The second line of inquiry recommended focuses on developing richer understandings of how children experience and think about child-safe organisations. While this research project baulked at including children as participants because of anticipated ethical hurdles and the limited scope of the project, other researchers operating under the auspice or in partnership with appropriate organisations or government agencies could embark on developing a

cooperative research program, involving children from the outset. The New South Wales Commission for Children and Young People's partnership with the University of Western Sydney in producing the series, 'Ask the children' (Ask the children - NSW Commission for Children and Young People n.d.) provides particular examples (NSW Commission for Children and Young People 2007) of the access to children that might be available to researchers in further exploring child-safe organisations. Daly (2009) provides another example of a qualitative research partnership between the James Cook University and Queensland's Department of Families which involved children not only as research subjects, but also as co-designers of the research.

THIRD LINE OF INQUIRY

Still in the context of a cooperative inquiry, the third line of inquiry suggested is the analyses of relevant court decisions from child welfare, children's rights and social work perspectives to advocate for child-safe organisations. Healy (2005) identifies law as one of the dominant discourses shaping social work service delivery. The law and other discourses shape the context within which social work is practiced. Social work achieves some of its purpose by understanding and influencing its practice contexts: 'One of my intentions in this book has been to enhance our capacities, as social workers, to actively use and influence the ideas that shape the institutional contexts of practice and the formal base of social work itself' (Healy 2005, 216). In the vein suggested by Healy this line of inquiry proposes social workers first aim to understand and then influence the courts and the way they determine organisations are to be child-safe.

The Australian courts are playing a significant role in requiring organisations to be child-safe. The Austlii website (<http://www.austlii.edu.au/>) makes available judicial decisions and supplementary information (legislation, explanatory memoranda and second reading speeches) relevant to child-safe organisations. The potential for 'desk top' research to track and review judgments and present findings relevant to child-safe organisations is unparalleled.

For example, the decisions of the States' Administrative Tribunals (e.g. the Western Australian State Administrative Tribunal, the Victorian Civil and Administrative Tribunal, the Queensland Children Services Tribunal, the Administrative Decisions Tribunal of New

South Wales) are published on the Austlii site in cases where people appeal the decisions of the states' screening authorities to deny them working with children cards. These judgments frequently showcase judicial officers' reflections about aspects of child-safe organisations. If appealed the superior court's reflection on the judgment is available on Austlii for further consideration. In a case dealt with by the Western Australian State Administrative Tribunal with respect to the issuance of a working with children card to a man who had previously been charged with child sexual abuse the President of the Tribunal commented:

The age of a person at the time an offence was committed or was alleged to have been committed may reasonably be considered relevant on the basis that, amongst other things, if the applicant were relatively young at the time, he or she may have outgrown a certain immaturity they then had and may possibly be considered, taking into account other factors, unlikely to engage in such conduct again.

In this case, at the time, the applicant was a person who was no longer "young" – he was 34 years of age. However, maturity does not always sit comfortably on the shoulders of 34-year-olds. The applicant has produced a number of references to support his personal and professional character, which suggest that, at least in recent years, a range of people appear to consider him to be mature enough to work with children.

What perhaps can be said is that there is some difference between a 44-year-old man - who is properly to be referred to as approaching "middle age" – and a 34-year-old man, who is still gaining experience in life, even if no longer "young and immature". This is a factor, but not one that on its own determines the application. (*C and Chief Executive Officer, Department for Community Development*, [2007] WASAT 116 at 101 - 103)

In this decision an important issue canvassed is whether child-sex offenders ought to be given second chances to work in organisations that provide services to children, because of the person's immaturity at the time of the offence.

In *HWC v The Corporation of the Synod of the Diocese of Brisbane* [2009] QCA168 the issue that might be examined is the effect of the statute of limitations on adults who were abused as children in seeking legal redress from organisations for their abuse. In this case one argument

mounted by the Anglican Church and the South Australian Government to prevent a person from pursuing their claim against them was that the person did not take legal action within an allowed period, in this case one year from when the fact that the abuse had a deleterious effect on him became known.

The defendants argue that it is indisputable that, as early as 1988, the plaintiff had the means of knowledge of the likely deleterious impact upon him over time of the abuse suffered by him. While that may be so, as we have seen the plaintiff has the benefit of two important findings by the learned primary judge. These were, first, that it was not unreasonable of a person in the position of the plaintiff not to have come to a settled appreciation that the abuse he had suffered was going to have the debilitating effect upon him which eventuated in 2002, and, second, that he did not come to that appreciation until that time. (*HWC v The Corporation of the Synod of the Diocese of Brisbane* [2009] QCA 168 at 43)

An issue from this decision that might be explored in detail is how the courts accommodate the issue, that adults, as past victims of childhood abuse, might be ambivalent about pursuing action against an offender for whom they once held feelings, even after they came into the knowledge that the abuse might have a deleterious impact on them.

LAST WORD

Striving to make children safe so they are protected from people who would harm them or who are careless about their welfare, and that they are nurtured and supported to achieve their potential reflects the best rhetoric of Australia's leaders and social work. Such sentiments can be understood both as a pursuit for a socially just community and an appreciation of the need for cultural reproduction and emulation.

In 1998, in America, Richard Krugman said something that until recently might have been applicable in Australia:

We have massive media coverage and many public officials wringing their hands after a terrible (*abuse*) case, but then interest disappears, and people don't want to talk about it. I'm still hoping that at one of the President's news conferences, someone like Wolf Blitzer (*a television news journalist*) will stand up and say, "Mr President, what is your child protection policy?" What should we be doing about

the problem of child abuse in this country?" Unless someone asks that question, we will likely never have a policy (*italics added*). (Krugman 1998, 475)

In Australia with the Council of Australian Governments' release of the Protecting children is everyone's business: National framework for protecting Australia's children 2009-2020 (2009) it seems the Prime Minister and the state and territory leaders have responded to the question: What should we be doing about the problem of child abuse? While it is appropriate to critique the Council of Australian Governments' framework and aim to improve it, it is also important to acknowledge the step taken to ensure Australia's child protection system gets what it deserves: Being overseen and supported by the top level of government.

That Australia's peak intergovernmental body has taken charge of setting a national agenda for reform in child protection is encouraging and possibly heralds an era of substantial progress. It aims to transform Australia's child protection by adopting a public health model, where:

Priority is placed on having universal supports available for all families (for example, health and education). More intensive (secondary) prevention interventions are provided to those families that need additional assistance with a focus on early intervention. Tertiary child protection services are a last resort, and the least desirable option for families and governments. (*ibid*, 7)

The Council of Australian Governments claims its framework 'represents an unprecedented level of collaboration between Australian, State and Territory governments and non-government organisations to protect children. Placing children's interests firmly at the centre of everything we do' (*ibid*, 5).

My own experience and accrued knowledge tells me the examples of rhetoric above are similar to much that has gone before and to be cautious about the governments' capacity to implement national reform in child protection. Aside from inter-jurisdictional issues I have observed some attempts to transform the state and territory child protection systems in the way described above flounder for various reasons. For example: Government and the not for profit sectors' inability to provide a range of viable family support services state-wide because of work-force shortages or lack of financial resources. The political reaction (often driven by the public/media reaction) which follows a child abuse case 'gone wrong'

(because an officer invoked a family support response, rather than a child protection response) often leads to the application of 'precautionary' or tertiary child protection responses.

However, and more optimistically, I know that the statement above emanating from the Council of Australian Governments is important. Getting child protection and family welfare matters, including child-safe organisations, on to the Council of Australian Governments' agenda is a feat. That the Council of Australian Governments has delegated implementation of its proposals to the Community and Disability Services Ministers Conference (ibid, 35) and intends to receive annual reports on progress from them provides the child-safe organisations movement an opportunity to progress its vision.

However, notwithstanding pending national recommendations and decisions, from this project's findings organisation's stakeholders are urged to initiate local action and to adopt a 'warts and all' understanding of the hazards endangering children, including making them 'safe'. Stakeholders are encouraged to seek the time, space and resources to effectively engage with other stakeholders in a process of reflection and action about their organisation. The products of this research, the child-safe organisations framework and its critique, can assist in this process.

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ATTACHMENTS INDEX

Attachment 1: The development of a critical incident report based on an incident that occurred while the researcher was on-site	271
Attachment 2: Information organisational stakeholders	274
Attachment 3: Information purposively selected stakeholders	276
Attachment 4: Interview formats for organisation stakeholders	278
Attachment 5: Purposively Selected Professionals – interview schedule.....	283
Attachment 6: Workshop format for organisation C’s Board of Management	285
Attachment 7: Presentation to organisation B’s local Board of Management	287
Attachment 8: Open ended questionnaire sent to parents by organisation B’s administrator	294
Attachment 9: A sample of parent concerns recorded by organisation A	298
Attachment 10: Complementary representations.....	299
Attachment 11: A representation of some interviews	301
Attachment 12: Examples of clusters.....	310
Attachment 13: Interagency forums	316

ATTACHMENT 1: THE DEVELOPMENT OF A CRITICAL INCIDENT REPORT BASED ON AN INCIDENT THAT OCCURRED WHILE THE RESEARCHER WAS ON-SITE

Critical Incident* or Critical Incident (near miss) report

*A critical incident is an incident which has resulted in an injury to a child or an adult or might have resulted in an injury to a child or an adult; or that has or has the potential to reflect poorly on the organisation's reputation in the community.

Date:

Staff member reporting the incident:

Brief description of the incident:

Classification:

Urgent: Staff member makes a verbal report to a member of the leadership team and later documents the incident.

Not Urgent: Staff member made a written record of the incident and places it in the incident file for examination in due course

Leadership team follow up

e.g. people interviewed and information considered:

Parents notified/not notified:

Conclusion:

Learning:

Action

CRITICAL INCIDENT REPORT – EXAMPLE FOR DISCUSSION AND REFINEMENT AT STAFF MEETING

Date: 12 February 2007

Staff member reporting the incident: Frank

Brief description of the incident:

At 5 p.m. Janice Smith advised me that she thought Mary Jones was having a fit or convulsing. She was laying on the grass near the girls toilets. I attended Mary. She was conscious but shivering. She was sun-burnt. I talked to her and established that she was able to answer questions. I sent Janice off to fetch Ms Brown, the girls' supervisor, and together we escorted Mary to her bed.

Mary had been at the municipal pool for the day and appears to have been affected by the heat of the sun.

Classification:

Not Urgent: Mary was in good hands with the supervisor and I was satisfied that if further action was required it would have been taken.

Leadership team follow up

People interviewed and information considered:

Girls' supervisor

Healthline's advice

Staff member who supervised the students at the municipal pool

Mary Jones

Parents notified: It was decided that it was not necessary to notify the parents of the incident immediately. However they will be advised of the incident in the regular parent contact.

Conclusion:

Mary had become dehydrated.

She had spent a lot of the day in the pool and was seen to drink only soft drink.

No drugs or substances were involved.

The girls' supervisor acted appropriately and contacted Healthline to discuss Mary's symptoms and on their advice monitored Mary and assisted her to re-hydrate.

Mary recovered quickly and showed no ill effects. She attended school the following morning.

Learning:

The temperature on the day was about 40 degrees. Outings for young people when the temperature exceeds 36 degrees need to be planned to accommodate the effects of extreme heat. Because the first few weeks of the first term are likely to be hot new staff need to be made aware as part of their orientation how to mitigate the effects of hot days. This information is relevant not only for the students but also for themselves and their families. Soft drink is not an effective way of remaining hydrated on hot days.

Action:

Prepare a note for staff about outings and hot days.

Run it through the staff meeting to see whether staff wish to add further to it and as a means of having the issue discussed.

Include the information in the induction pack for staff.

Include information for all new students about their responsibility to drink water, wear hats, have block out etc and that there is no excuse for dehydration.

Find out whether venues students will be taken to have suitable water.

Ensure there are enough water containers for when water needs to be carried as part of the kit.

Thank Frank for the report and his action.

ATTACHMENT 2: INFORMATION

ORGANISATIONAL STAKEHOLDERS

GPO Box U1987

Perth WA 6004

Project Title: Child-safe organisations: A wise investment?

General Information

To help you to make an informed decision about whether or not to participate in this research into 'child-safe' organisations the following information is provided.

The research focuses on organisations providing services to children of secondary school age. It is part of my Curtin University of Technology doctoral studies program. Several organisations providing services to young people, including (organisation's name), have agreed to be 'cases' for the research. The research examines:

- The way staff, parents, administrators and other professionals (e.g. lawyers, insurers, Social Workers) think about 'child-safe' organisations;
- What strategies are effective in making an organisation 'child-safe'; and,
- How an organisation might best represent itself as 'child-safe'.

If you agree to participate there will be a 45 minute to an hour interview. The interview will be about your experience of organisations which provide services to children generally and (organisation's name) specifically. The questions explore what you think makes an organisation safe for children and what makes it is less safe.

A doctoral thesis will be written as a result of the research. It will be bound, published and stored at the University. It will be available to researchers and other interested people.

In addition a summary report will be provided to (person/position in charge) of (organisation's name) to ensure any risks I am made aware of at (organisation's name) through the conduct of the research are passed on to those in charge of the organisation.

In each case your confidentiality will be respected and particular comments will not be attributed to any individual. If you'd like to have a copy of the transcript I make from the interview to review or amend it, you are welcome to do so.

My supervisor is Associate Professor Frances Crawford from the Department of Social Work & Social Policy in the Division of Humanities. If necessary you can discuss the research with

A/Professor Crawford, her contact details are via telephone on 9266 3340 or via e-mail on f.crawford@curtin.edu.au.

This study has been approved by the Curtin University Human Research Ethics Committee (Approval Number HR 81/2007). The Committee is comprised of members of the public, academics, lawyers, doctors and pastoral carers. Its main role is to protect participants. If needed, verification of approval can be obtained by either writing to the Curtin University Human Research Ethics Committee, c/- Office of Research and Development, Curtin University of Technology, GPO Box U1987, Perth, 6845 or by telephoning 9266 2784 or by emailing hrec@curtin.edu.au.

Bill Budiselik (William.budiselik@postgrad.curtin.edu.au or 0419977266)

ATTACHMENT 3: INFORMATION

PURPOSIVELY SELECTED STAKEHOLDERS

GPO Box U1987

Perth WA 6045

Project Title: Child-safe organisations: A wise investment?

General Information

To help you to make an informed decision about whether or not to participate in this research into 'child-safe' organisations the following information is provided.

The research is focussed on organisations providing services to males and females of secondary school age. It is part of my Curtin University of Technology doctoral studies program. Several organisations providing services to young people have agreed to be 'cases' for my research. The research examines:

- The way staff, parents, administrators and other professionals (e.g. lawyers, insurers, Social Workers) think about 'child-safe' organisations;
- What strategies are effective in making an organisation 'child-safe'; and,
- How an organisation might best represent itself as 'child-safe'.

If you agree to participate there will be an hour to an hour and a half interview. The questions will be orientated to exploring what you think makes an organisation safe for children.

A doctoral thesis detailing the research will be published and stored at the University. It will be available through the library to other researchers and interested people.

In addition risk reports will be prepared for the organisations which have agreed to be 'cases' for the research. These reports will outline risks identified in their organisation as a result of the interviews with the organisational stakeholders -- parents, staff and administrators.

I would like to identify in the thesis the various professionals who participate in the research, as this will add to its credibility. I would like to list your name in an appendix of the thesis to acknowledge you and to indicate your participation.

If you'd like to have a copy of the transcription I make from the interview to review or amend it, you are welcome to do so.

My supervisor is Associate Professor Frances Crawford from the Department of Social Work & Social Policy in the Division of Humanities. If necessary you can discuss the research with A/Professor Crawford, her contact details are via telephone on 9266 3340 or via e-mail on f.crawford@curtin.edu.au.

This study has been approved by the Curtin University Human Research Ethics Committee (Approval Number HR 81/2007). The Committee is comprised of members of the public, academics, lawyers, doctors and pastoral carers. Its main role is to protect participants. If needed, verification of approval can be obtained by either writing to the Curtin University Human Research Ethics Committee, c/- Office of Research and Development, Curtin University of Technology, GPO Box U1987, Perth, 6845 or by telephoning 9266 2784 or by emailing hrec@curtin.edu.au.

Bill Budiselik (William.budiselik@postgrad.curtin.edu.au or 0419977266)

ATTACHMENT 4: INTERVIEW FORMATS FOR ORGANISATION STAKEHOLDERS

Semi Structured Interview format – Parents

Introduction: As the information sheet indicated this interview will take no more than an hour. If an hour is up and the interview is not completed I'll interrupt the interview and establish whether it is convenient to continue or whether we should cease the interview because of the time commitment. I have a small digital voice recorder to tape the interview. Are you comfortable with me recording the interview? (RESPONSE)

I'll transcribe the interview and you are welcome to have a copy of it so you can review and amend it, if you'd like to.

As a researcher I am very concerned to assure you that the information you provide will be confidential. I'll not keep a record of your name associated with this interview. I'll use a code so I can access the correct transcript to provide to you.

Now you've had an opportunity to read the information sheet and clarified any questions are you happy to sign the authority for me to interview you?

I'll start the interview by asking you some questions about organisations generally:

1. Would you take a minute and think about the sorts of organisations that provide services to children that you have had experience with for example schools, drama clubs, sporting clubs, youth groups, leisure clubs and camping programs. I'd like to make a list of them.
2. Do you think any of those organisations were particularly 'child-safe' or particularly 'child-unsafe'? Can you tell me about that?
3. How would you (or how would you tell others to) go about selecting an organisation that is 'safe' for children?
4. What do you think makes an organisation 'safe' for children?
5. What do you think makes an organisation 'unsafe' for children?

Now I want to talk to you more specifically about (organisation's name)

6. Do you think (organisation's name) is particularly 'safe' or particularly 'unsafe' for children?
7. What do you think makes (organisation's name) 'safe' for children?
8. What do you think makes (organisation's name) 'unsafe' for children?
9. Are there any things that you think make (organisation's name) unsafe that you'd like brought to the attention of those in charge?
10. What would be the two or three things (or more) you'd do if you were able to, to make [organisation] 'safer' for children?
11. If (organisation) was going to represent itself to parents as safe, what would it take to convince you that it was?

Now I want to talk to you about child abuse and child maltreatment, not specifically in relation to (organisation's name), but generally.

12. When you hear of 'child abuse' or 'child maltreatment'; what comes to your mind and what sort of abuse or maltreatment do you think of?
13. Do you think organisations need to be concerned about child abuse or child maltreatment? If so, why? If not, why not?
14. I've finished my questions and I'd really be interested to hear if you've got anything else you'd like to add?

Semi Structured Interview format – Staff

Introduction: As the information sheet indicated this interview will take no more than an hour. If an hour is up and the interview is not completed I'll interrupt the interview and establish whether it is convenient to continue or whether we should cease the interview because of the time commitment. I have a small digital voice recorder to tape the interview. Are you comfortable with me recording the interview? (RESPONSE)

I'll transcribe the interview and you are welcome to have a copy of it so you can review and amend it, if you'd like to.

As a researcher I am very concerned to assure you that the information you provide will be confidential. I'll not keep a record of your name associated with this interview. I'll use a code so I can access the correct transcript to provide to you.

Now you've had an opportunity to read the information sheet and clarified any questions are you happy to sign the authority for me to interview you?

I'll start the interview by asking you some questions about organisations generally:

1. Before we commence would you take a minute and think about the sorts of organisations that provide services to children that you have been employed by and personally and I'll make a list of them?
2. Do you think any of those organisations were particularly 'child-safe' or particularly 'child-unsafe'? Can you tell me about that?
3. How would you (or how would you tell others to) go about selecting an organisation that is 'safe' for children?
4. What do you think makes an organisation 'safe' for children?
5. What do you think makes an organisation 'unsafe' for children?

Now I want to talk to you more specifically about (organisation's name)

6. Do you think (organisation's name) is particularly 'safe' or particularly 'unsafe' for children?
7. What do you think makes (organisation's name) 'safe' for children?
8. What do you think makes (organisation's name) 'unsafe' for children?
9. Are there any things that you think make (organisation's name) unsafe that you'd like brought to the attention of those in charge?
10. What would be the two or three things (or more) you'd do if you were able to, to make [organisation] 'safer' for children?
11. If (organisation) was going to represent itself to staff as safe, what would it take to convince you that it was?

Now I want to talk to you about child abuse and child maltreatment, not specifically in relation to (organisation's name), but generally.

12. When you hear of 'child abuse' or 'child maltreatment'; what comes to your mind and what sort of abuse and maltreatment do you think of?
13. Do you think organisations need to be concerned about child abuse or child maltreatment? If so, why? If not, why not?
14. I've finished my questions and I'd really be interested to hear if you've got anything else you'd like to add?

Semi Structured Interview format – Administrators

Introduction: As the information sheet indicated this interview will take no more than an hour. If an hour is up and the interview is not completed I'll interrupt the interview and establish whether it is convenient to continue or whether we should cease the interview because of the time commitment. I have a small digital voice recorder to tape the interview. Are you comfortable with me recording the interview? (RESPONSE)

I'll transcribe the interview and you are welcome to have a copy of it so you can review and amend it, if you'd like to.

As a researcher I am very concerned to assure you that the information you provide will be confidential. I'll not keep a record of your name associated with this interview. I'll use a code so I can access the correct transcript to provide to you.

Now you've had an opportunity to read the information sheet and clarified any questions are you happy to sign the authority for me to interview you?

I'll start the interview by asking you some questions about organisations generally:

1. Before we commence would you take a minute and think about the sorts of organisations that provide services to children that you have been involved with administering and personally and I'll make a list of them?
2. Do you think any of those organisations were particularly 'child-safe' or particularly 'child-unsafe'? Can you tell me about that?
3. How would you (or how would you tell others to) go about selecting an organisation that is 'safe' for children?
4. What do you think makes an organisation 'safe' for children?
5. What do you think makes an organisation 'unsafe' for children?

Now I want to talk to you more specifically about (organisation's name)

6. Do you think (organisation's name) is particularly 'safe' or particularly 'unsafe' for children?
7. What do you think makes (organisation's name) 'safe' for children?
8. What do you think makes (organisation's name) 'unsafe' for children?
9. Are there any things that you think make (organisation's name) unsafe that you'd like to see changed?

10. What would be the two or three things (or more) you'd do if you were able to, to make [organisation] 'safer' for children?
11. If (organisation) was going to represent itself to staff as safe, what would it take to convince you that it was?
Now I want to talk to you about child abuse and child maltreatment, not specifically in relation to (organisation's name), but generally.
12. When you hear of 'child abuse' or 'child maltreatment'; what comes to your mind and what sort of abuse or maltreatment do you think of?
13. Do you think organisations need to be concerned about child abuse or child maltreatment? If so, why? If not, why not?
14. I've finished my questions and I'd really be interested to hear if you've got anything else you'd like to add?

ATTACHMENT 5: PURPOSIVELY SELECTED PROFESSIONALS – INTERVIEW SCHEDULE

Semi Structured Interview format – Professionals

Introduction: As the information sheet indicated this interview will take no more than an hour and a half. If the time is up and the interview is not completed I'll interrupt the interview and establish whether it is convenient to continue or whether we should cease the interview because of the time commitment. I have a small digital voice recorder to tape the interview. Are you comfortable with me recording the interview? (RESPONSE)

I'll transcribe the interview and you are welcome to have a copy of it so you can review and amend it, if you'd like to.

The tape and the transcript will be important artefacts associated with the research. They will be stored securely and kept confidential.

Now you've had an opportunity to read the information sheet and clarified any questions are you happy to sign the authority for me to interview you?

1. Before we commence would you take a minute and think about the sorts of organisations that provide services to children that you have been involved with personally or professionally and I'll make a list of them?
2. How would you (or how would you tell others to) go about selecting an organisation that is 'safe' for children?
3. What do you think makes an organisation 'safe' for children?
4. What do you think makes an organisation 'unsafe' for children?
5. What would your professional advice be to a client organisation which sought your advice about promoting itself as 'child-safe'?
6. If an organisation was going to represent itself to you as being safe for children, what would it take to convince you that it was?

Now I want to talk to you about child abuse and child maltreatment

7. When you hear of child abuse or child maltreatment; what do you think of?
8. How do you think organisations need to be concerned about child abuse or child maltreatment?

9. I've finished my questions. I'd be really interested if there is anything else you'd like to add?

ATTACHMENT 6: WORKSHOP FORMAT FOR ORGANISATION C'S BOARD OF MANAGEMENT

Workshop Title: Organisation C – a child-safe organisation

Introduction,

Purpose of workshop, outline of process and opportunity for clarifying questions

Responsibilities/ elements of child-safe organisations

In groups or 2 or 3 consider:

As an individual board member how do you think about your role/responsibility in ensuring or contributing to a child-safe organisation C?

What elements/factors/things do you think make organisation C child-safe?

What elements/factors/things potentially make organisation C child-unsafe?

Feedback to the group and brief discussion

The Board's contribution to a child-safe organisation C.

How does the Board ensure or contribute to a child-safe organisation C?

Is there more the Board might do to creating/maintaining a child-safe organisation C?

If so, what would these things be?

Feedback from the groups and discussion.

How organisation C presents itself a place which is safe for children?

What convinces you organisation C is child-safe?

Do you think there are additional things the organisation C could do to present itself as a child-safe? If so, what sort of things?

Feedback from the groups and discussion. (15 minutes)

Child maltreatment and child abuse

In groups of 2 or 3

When you hear the phrases child abuse and child maltreatment, what comes to your mind?

Do you think organisation C needs to be concerned about child abuse and child maltreatment?

If so, why and how?

Do you think the Board needs to be concerned about child abuse and child maltreatment?

If so, why and how?

Feedback and discussion

Conclusion, questions and thanks

ATTACHMENT 7: PRESENTATION TO ORGANISATION B'S LOCAL BOARD OF MANAGEMENT

Performance Indicators

Factor	General description of the factor	How measured within the organisation			Tasks
		Red – area of concern	Amber – to be monitored	Green - satisfactory	
Leadership	<p>Overtly committed to the pre-eminence of the value that every action must be in the particular child's best interests.</p> <p>Development of a vision which is shared about what the 'safe' organisation looks like and is comprised of</p> <p>Preparedness to invite scrutiny, maintain an 'open' organisational environment and to listen to /act on complaints and concerns</p> <p>An effective influence with staff and the organisation's community</p>				
Areas of concern clearly identified for	<p>Areas of potential risk identified and publicised</p> <p>Physical plant and equipment</p>				

all	<p>Visitors</p> <p>Vehicles</p> <p>Animals</p> <p>Intended physical, emotional, sexual abuse and neglect</p> <p>Peer/child</p> <p>Staff/child</p> <p>Community member/child</p> <p>Child/child (self harm)</p> <p>Family/child</p> <p>Unintended abuses</p> <p>e.g. Overtraining, harsh punishments, unrealistic expectations, neglect</p>				
Priorities of the organisation	<p>The provision of a 'safe' environment is a genuine priority and resources are provided to achieve the outcome</p>				
Human Resources management and practices	<p>Professionally acceptable approaches to recruitment, induction, training, professional development, succession planning, stress management and supervision.</p>				

Quality of people	Those who deal with children and who have a responsibility for the organisation have a good understanding of forms of 'child abuse' and are emotionally/morally strong enough to prevent it/report it if they have concerns that it is occurring.				
Participative risk management	Members of the organisational community participate according to their roles				
Resilience of population served	Appreciating all children can be both resilient and vulnerable; identifying for special care particularly vulnerable individuals				
Knowledge and awareness of parents and guardians	Investment by the organisation in 'teaching' the parent/guardian's role in achieving a 'safe' environment				
Effective engagement of parents and guardians	How the organisation engages parents and guardians				
Effective engagement of children	How the organisation engages children				

Transparency - policies and procedures	Policies and procedures are 'on the table'; they accurately describe the operation of the organisation. Critical policies and procedures – for example complaints policies and procedures have reporting indicators attached to them.				
Supervision of staff Supervision of children					
Physical plant and layout	An occupational health welfare and safety mindset is acceptable. A situational crime prevention approach is understood and embraced				
Documentation	Each of the factors has a documentary history				
Recording and reporting systems	Relevant information about 'child safety' is captured and reported to the appropriate level within the organisation				
Monitoring of performance and double loop learning	When information about child safety is reported it is assessed and questions are asked about what the information for the organisation's systems				See attachment 1

Community context and priorities	The community within which the organisation is located is understood inasmuch as it impinges on the 'child safe' organisation goal				
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Monitoring discrete factors does not necessarily provide a good indication of when a system is vulnerable to abuse or risky practices. It is clear the organisation becomes less safe when: critical staff leave; staff tire toward the end of an intense period of engagement (e.g. toward the end of the term); new staff come on board; children are being admitted to the program; there is ill-feeling between staff

There is a concept which I think is potentially useful to you, which is termed the 'vulnerable systems syndrome'. Basically the notion is that systems which are not vulnerable can become so when certain features become evident. Good leaders have an intuition about this and a set of variables can probably be teased out for your organisation to assist you confirm your intuition and to take action.

It could also provide an additional report for you to the Board on a 1/4ly basis, with some amendments, perhaps?

Less Vulnerable

Most Vulnerable

No staff turnover-----High staff turnover

All staff inducted/orientated -----No staff inducted/orientated

Critical staff available-----Critical staff on leave

Succession planning for critical positions* in place-----No replacements available

Low or nil sick leave -----High sick leave

No complaints -----High level of complaint

High level of satisfaction reported-----Poor levels reported

Positive staff meetings/full attendance-----Negative meetings/absences

All children provided with protective behaviours-----No children provided with PB training

No critical incidents/near misses-----Many critical incidents/near misses

No exclusions -----Many exclusions

No outstanding OWH&S issues-----Several outstanding OHW&S issues

*Critical positions are

ATTACHMENT 8: OPEN ENDED QUESTIONNAIRE SENT TO PARENTS BY ORGANISATION B'S ADMINISTRATOR

Dear parent by name,

You will know that the organisation B wants to keep its physical and emotional environment as safe as possible for children, staff and families. To this end we are participating in research to better understand what makes an environment safe and what keeps it that way.

Your child may have told you the organisation B has embraced a 'real justice' model for resolving disputes and that recently we surveyed students about their lives at the organisation B, including asking them about whether they felt supported and safe. You might like to talk to your child about the 'real justice' model we use at the organisation B. We also think it is important we understand parents opinions about their child's life at organisation B.

We have decided to trial a process where parent opinions and concerns about the environment here are captured systematically so they can be assessed, addressed and reported on. Through this process we hope to develop a deeper understanding of what you think makes the organisation B safe and what else you think we need to do.

We have developed a form which we hope will make it easy for parents to jot down bouquet, suggestions and concerns. I've filled out a couple of examples from past experience to give you an idea of the sort of information that would be useful to us – and the way I would assess and act on it.

Would you have a look at the attached comment sheet/form, fill it in and return it to the organisation B in the enclosed envelope for by the commencement of the new term. Should you prefer, for whatever reason, to direct comments to the Chair of the Board just mark the envelope accordingly and I'll ensure the Chair personally receives the feedback.

Thank you in anticipation.

Organisational Administrator

June 2008

Parent Concern and Opinion Feedback sheet

Parent:

Date:

Would you like to be contacted about this bouquet, suggestion or concern? Yes/No (please circle)

Best time and number for contact

Bouquet

I wish to make the following comment about something at organisation B that I think works well to keep the children safe:

Suggestion

I wish to make the following suggestion about something at organisation B that I think might make the organisation B safer:

Concern

I wish to raise a concern about something at organisation B that I think makes it unsafe:

EXAMPLES

Bouquet

I wish to make the following comment about something at organisation B that I think works well to keep the children safe:

I appreciate knowing that I will be contacted by one of organisation B staff within the first 6 weeks of term just to give me an update on how my daughter has settled in. It is a good thing that contacts occur whether there is a problem or not because it is reassuring to hear from an adult who has responsibility for my child. It is important that I know she is emotionally secure and coping.

Administrator's Assessment

We would be interested to hear from other parents about whether they feel similarly. There is quite a bit of work involved in keeping up this level of contact. Should the contact within the

first 6 weeks only occur for year 8 students, or all new students or for all students? We will ask that the matter be discussed at the July Parents and Friends meeting.

Suggestion

I wish to make the following suggestion about something at organisation B that I think might make organisation B safer:

As you know many parents drive long hours to either drop off or pick up their children or to visit them. Sometimes they have other younger children with them. I think it would be a good idea if there was a recovery area set aside at organisation B for parents – where they could have a rest, a cup of tea and a snack. This would mean that they would be less tired driving and have a more relaxed visit with their child.

Administrator's Assessment

We will ask that this suggestion be considered by the Parents and Friends Association. It is quite common for arrangements to be made for hospitality for parents – however if there was support we could develop the currently unused ... area.

Concern

I wish to raise a concern about something at organisation B that I think makes it unsafe

I am concerned because my daughter has told me she was bailed up by a dog. She was scared of them and the dog was not under control. She thought the dog belonged to a visitor or a staff member and it was allowed to roam the place.

Administrator's Assessment

There are rules for anyone bringing dogs onto the campus. They are not permitted to roam. However recently a visitor allowed his dog more freedom than is permitted and it roamed the school for a couple of hours and then wandered to organisation B. As soon as the supervisor was advised he contacted the owner to come and fetch the dog.

The visitors' pack has been updated to advise visitors that their dogs are to be under control at all times. Staff have been reminded similarly..

I wish to raise a concern about something at organisation B that I think makes it unsafe

Recently when he was in town John was roughed up by a group of kids. He told me that he had gone to town with a couple of others but they had become separated and he was cornered by some of the boys from school but not from organisation B. He said he was very frightened and his mobile phone was damaged because they grabbed it from him when he tried to ring the organisation B.

I know John does not have to go to town. But surely there should be some follow up about the behaviour of these other boys?

John will be angry with me if he knows I have raised the matter with you so I'd prefer it if you did not mention to him that I have raised it. Is there anything that can be done about this problem?

Administrator's Assessment

Rang John's mother and discussed the incident further. Agreed I will not approach John unless he approaches me. However the incident was talked about at organisation B prior to his mother reporting it. It appears as though John and the boys got into a slanging match. The other children from organisation B separated from John because they said 'he would not pull his head in' and he kept baiting two boys not from organisation B. No one knew the boys and it is possible they were visiting other families in the town.

I have invited the OIC from the police to visit organisation B to sit down with us and talk about the issue. I will attempt to get a handle on the size of the problem and then if necessary arrange for the police to talk to the student group as a whole.

ATTACHMENT 9: A SAMPLE OF PARENT CONCERNS RECORDED BY ORGANISATION A

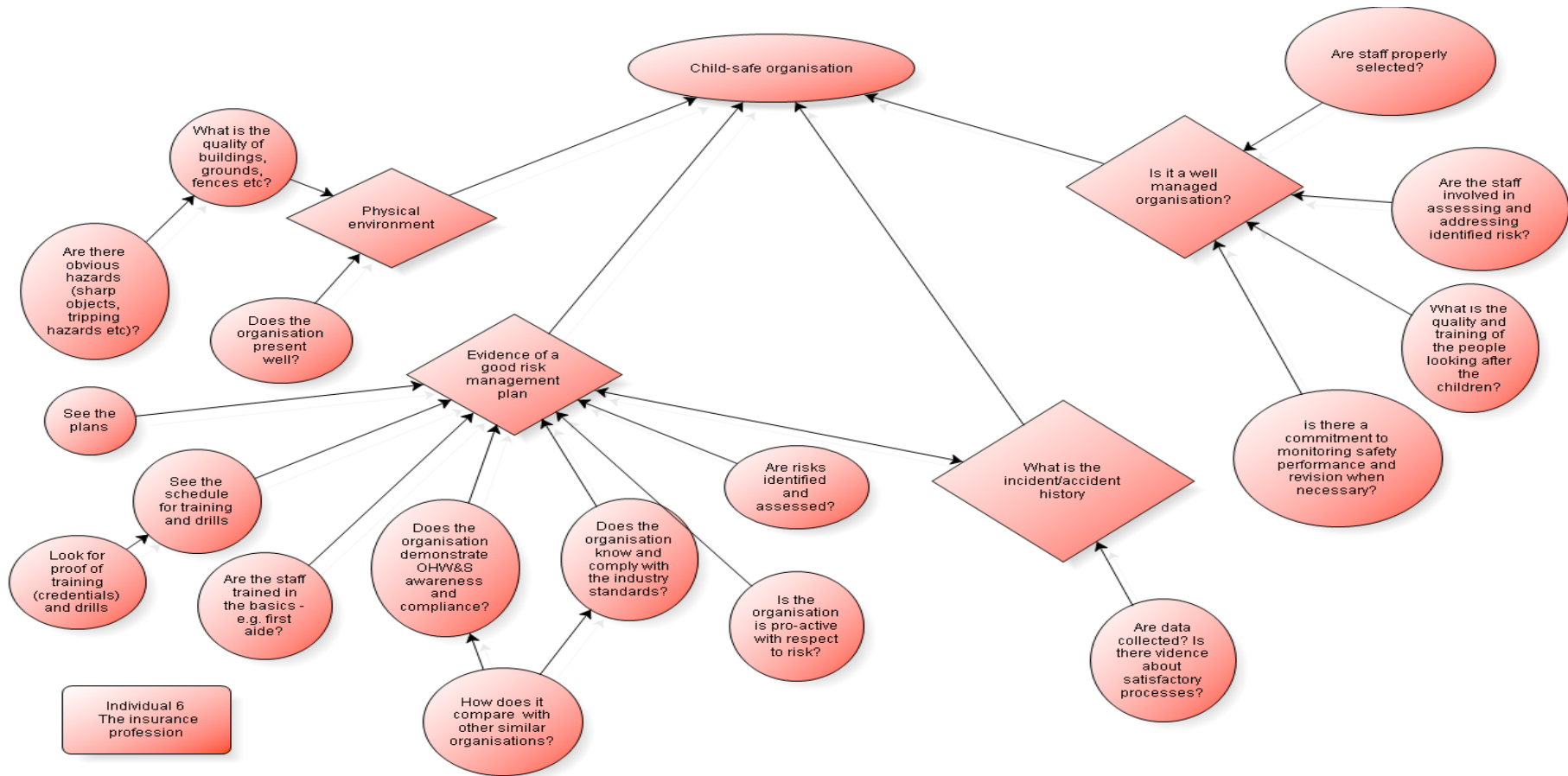
Images and pornography on phones and sharing around of data and images from phone to phone.

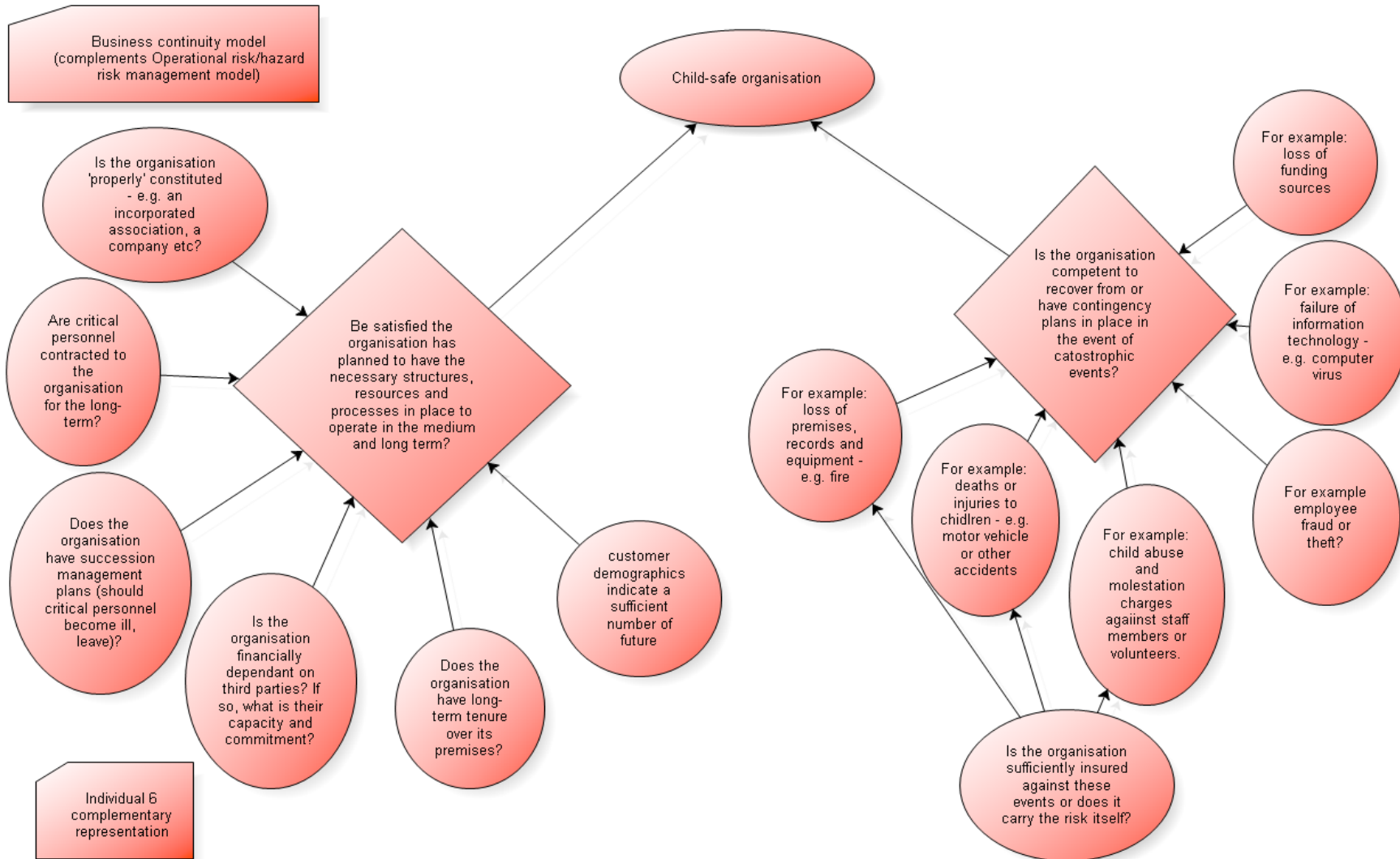
Lack of supervision at times.

My son has spoken about a staff member that comes to work intoxicated and I have told him I do not want him in the vehicle with them. But I understand that maybe my son has it wrong or may be exaggerating.

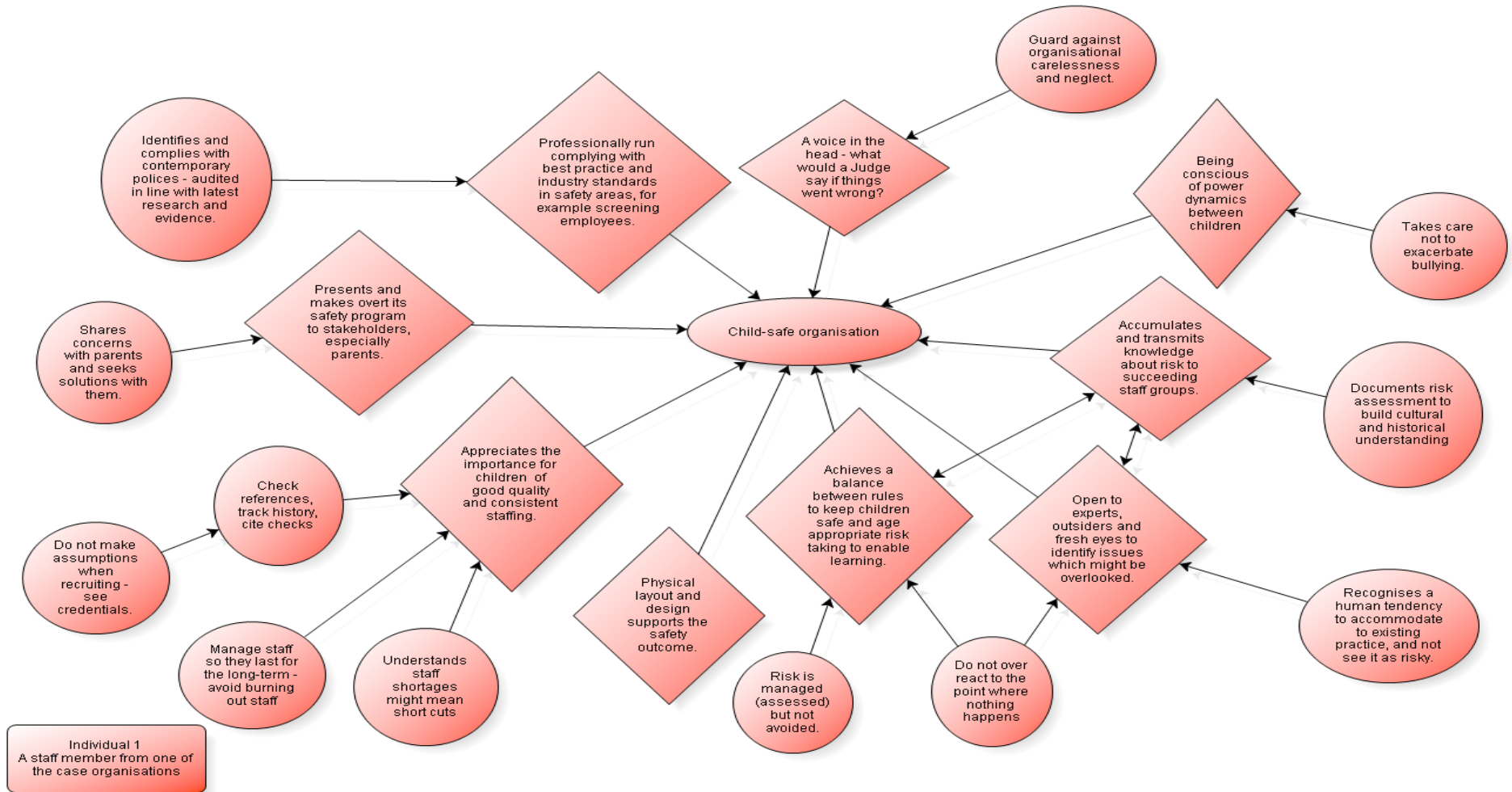
Background checks with difficult children to make sure drugs alcohol are not going to be a big drama at the organisation.

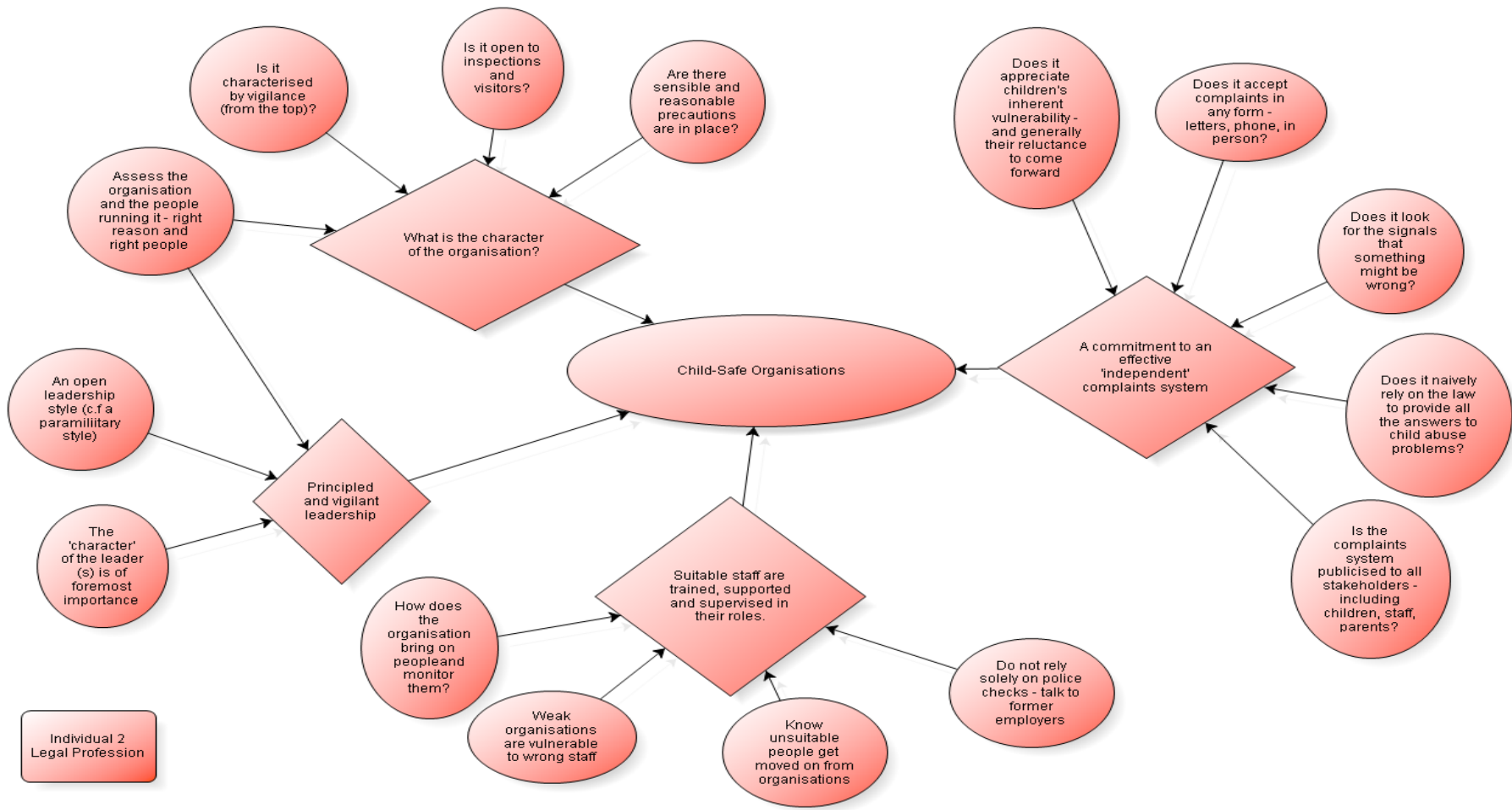
ATTACHMENT 10: COMPLEMENTARY REPRESENTATIONS

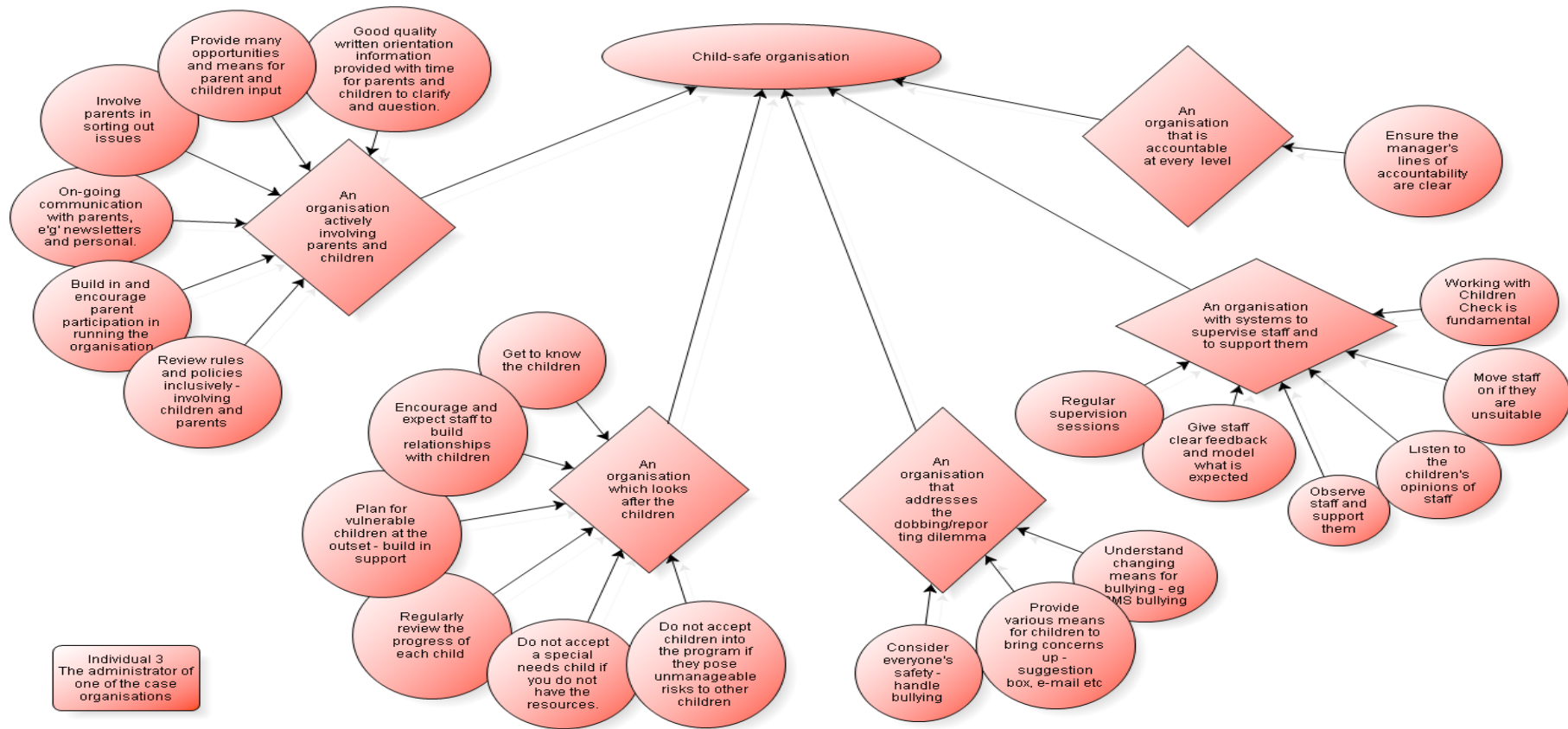


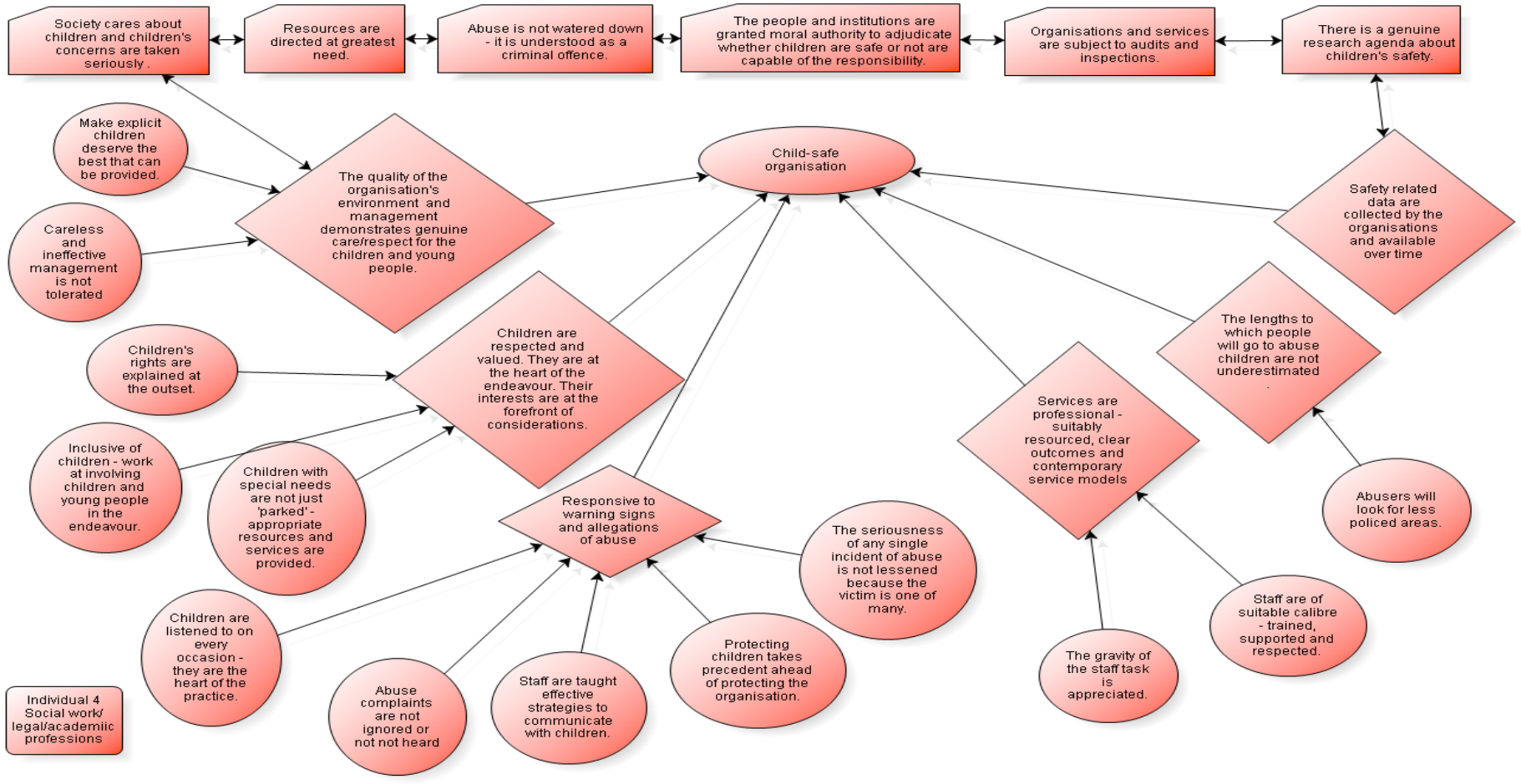


ATTACHMENT 11: A REPRESENTATION OF SOME INTERVIEWS

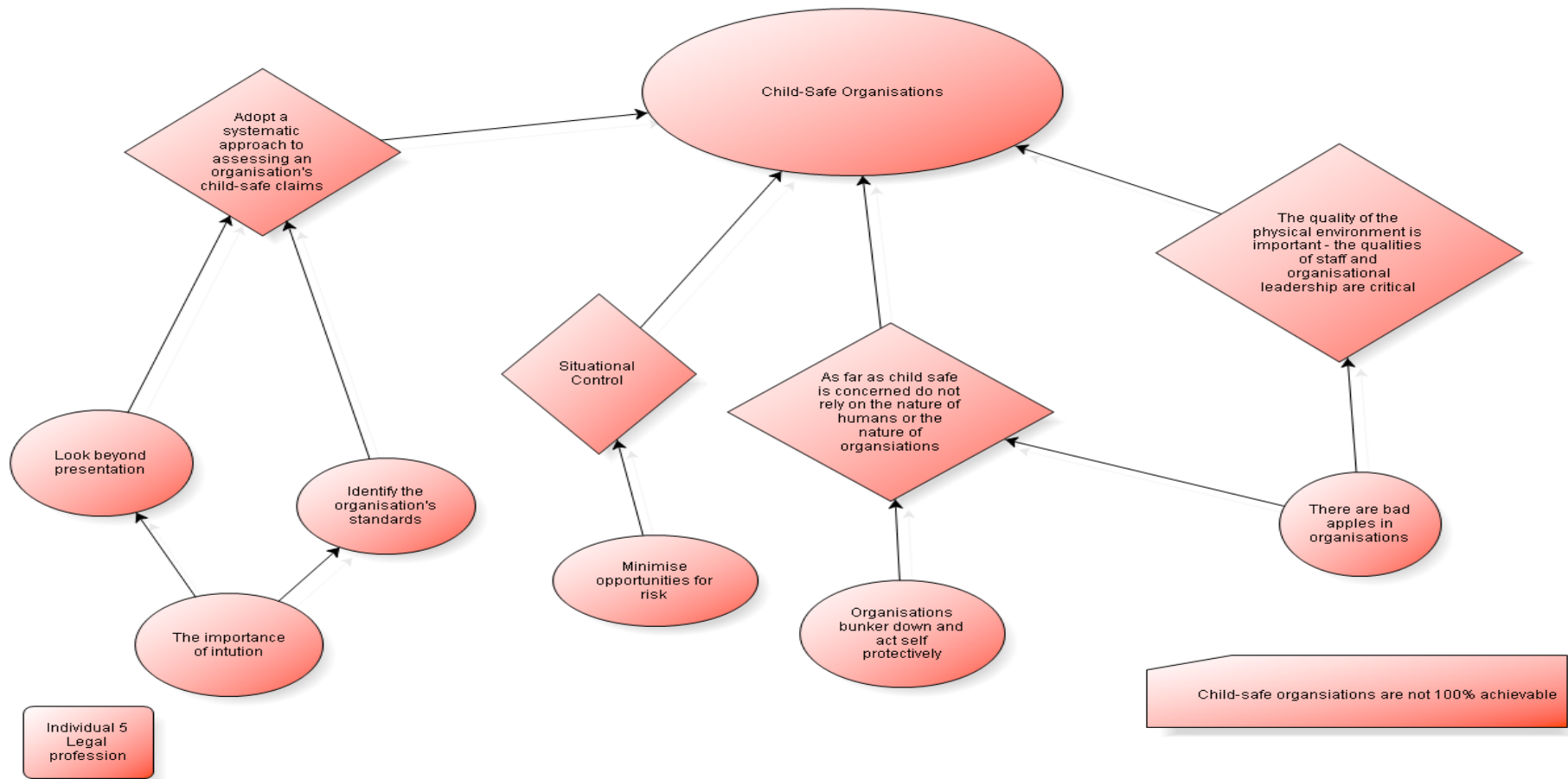


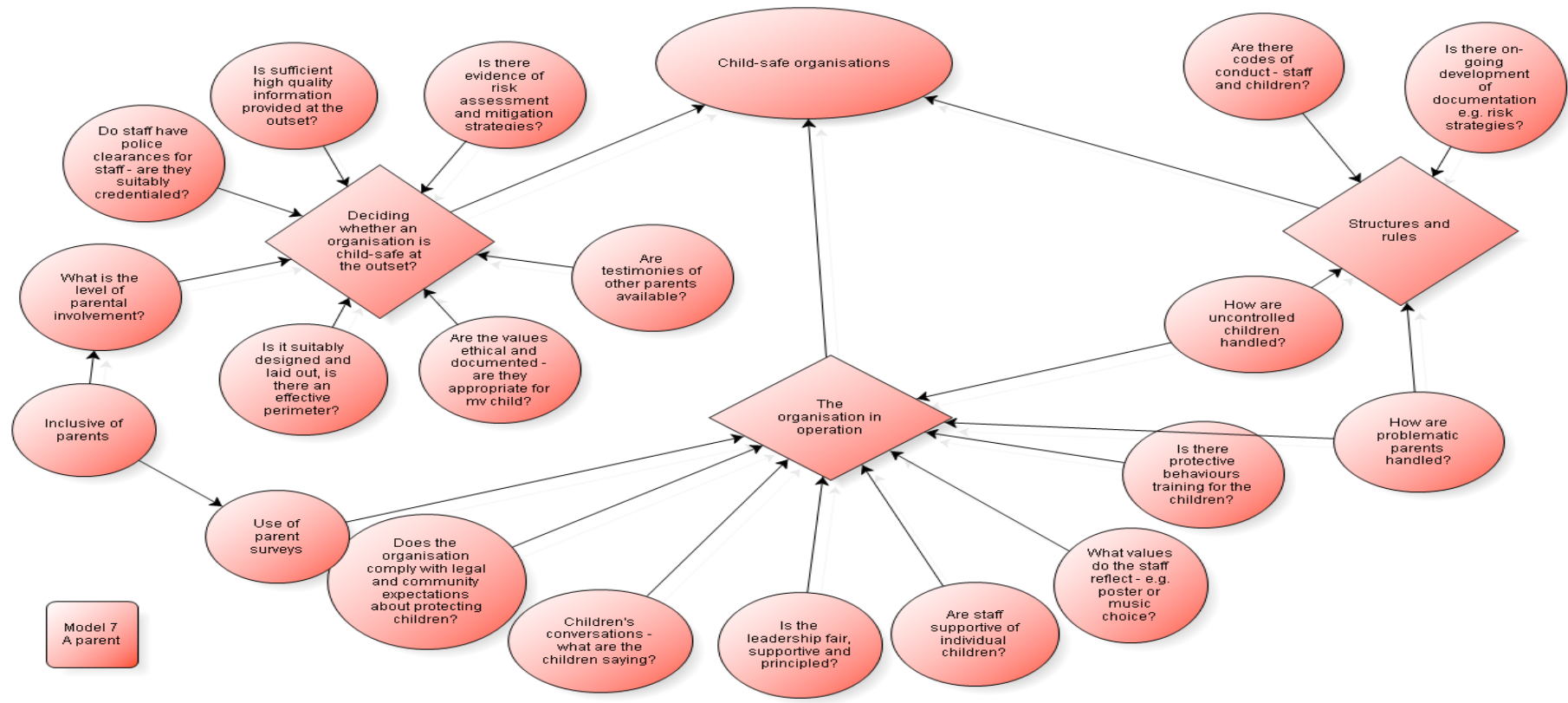


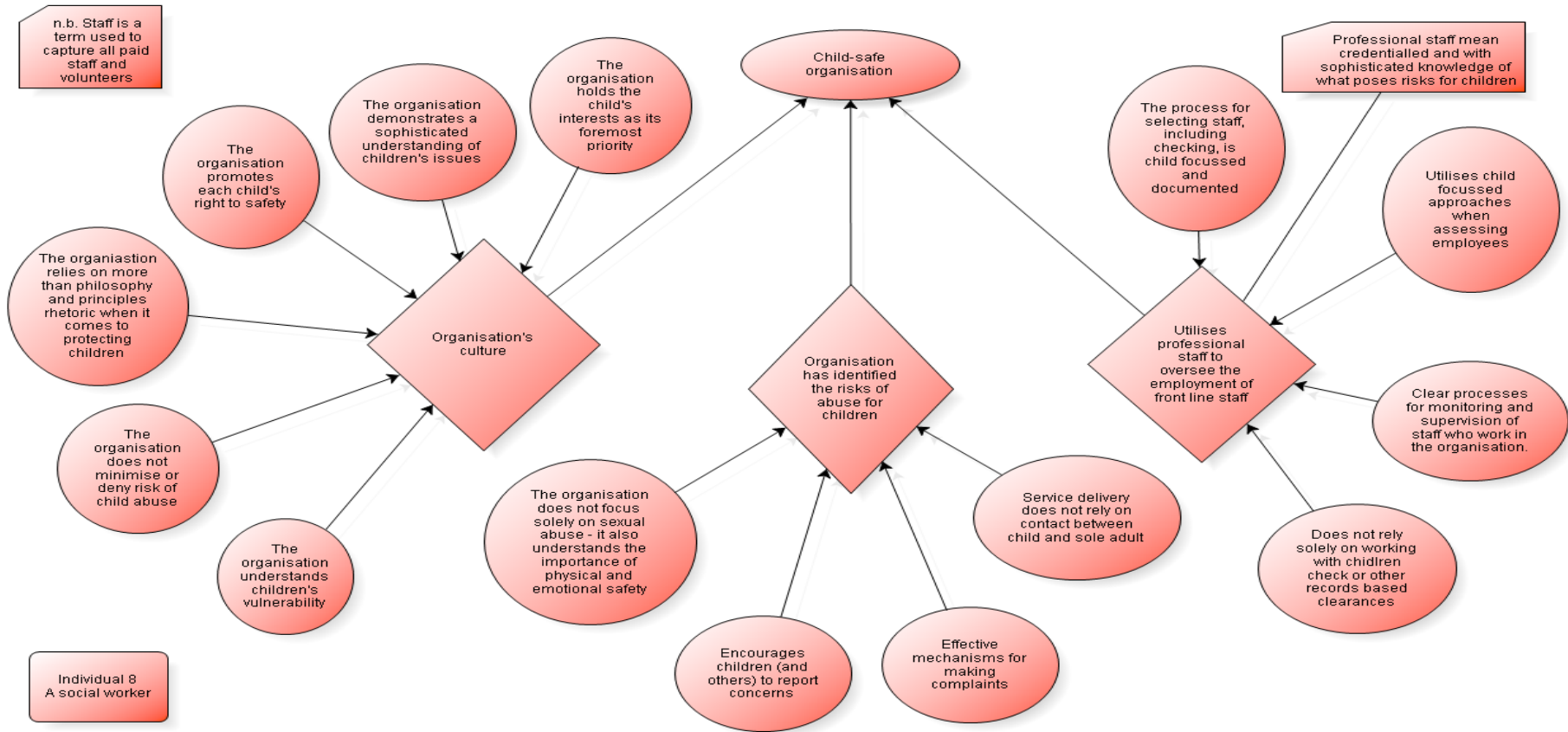


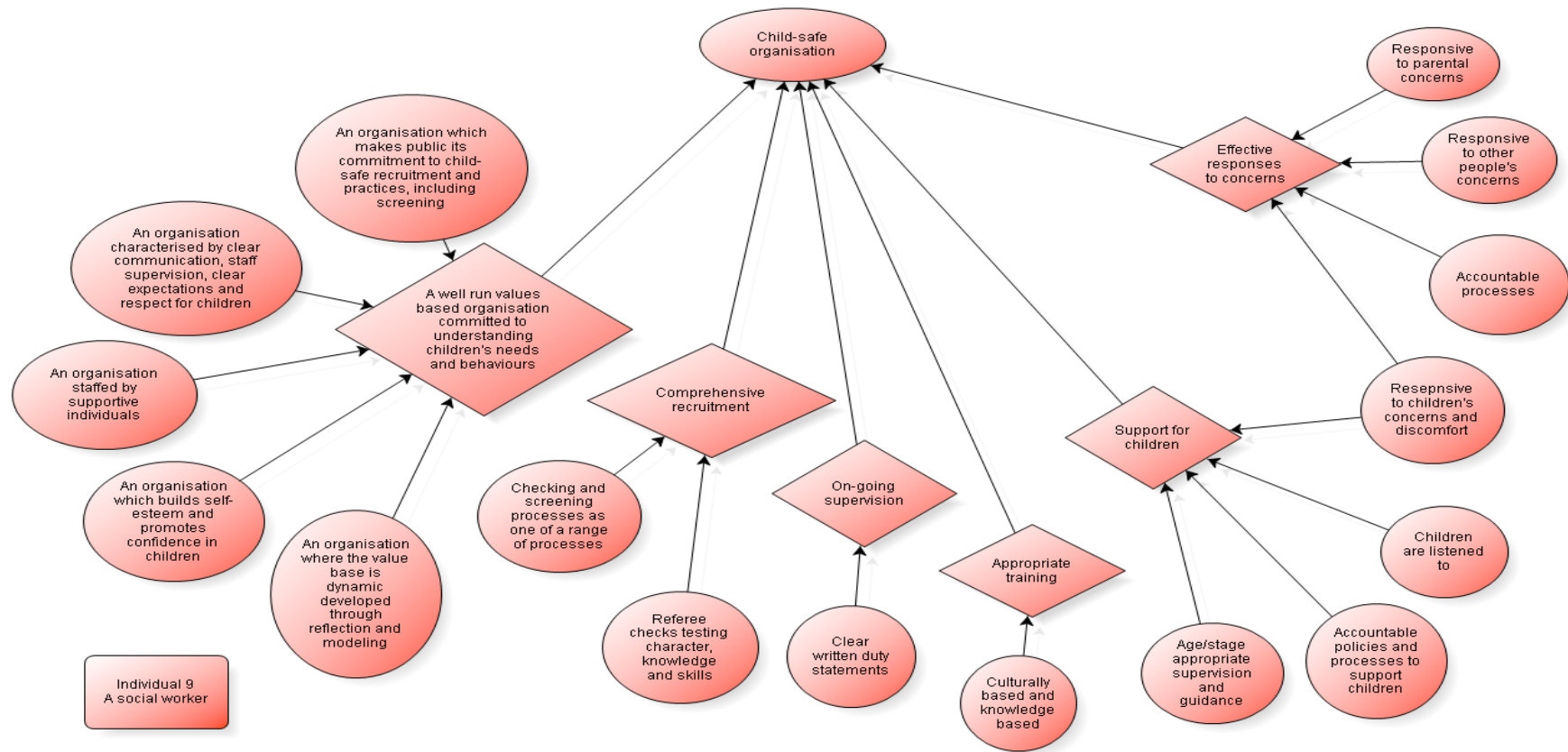


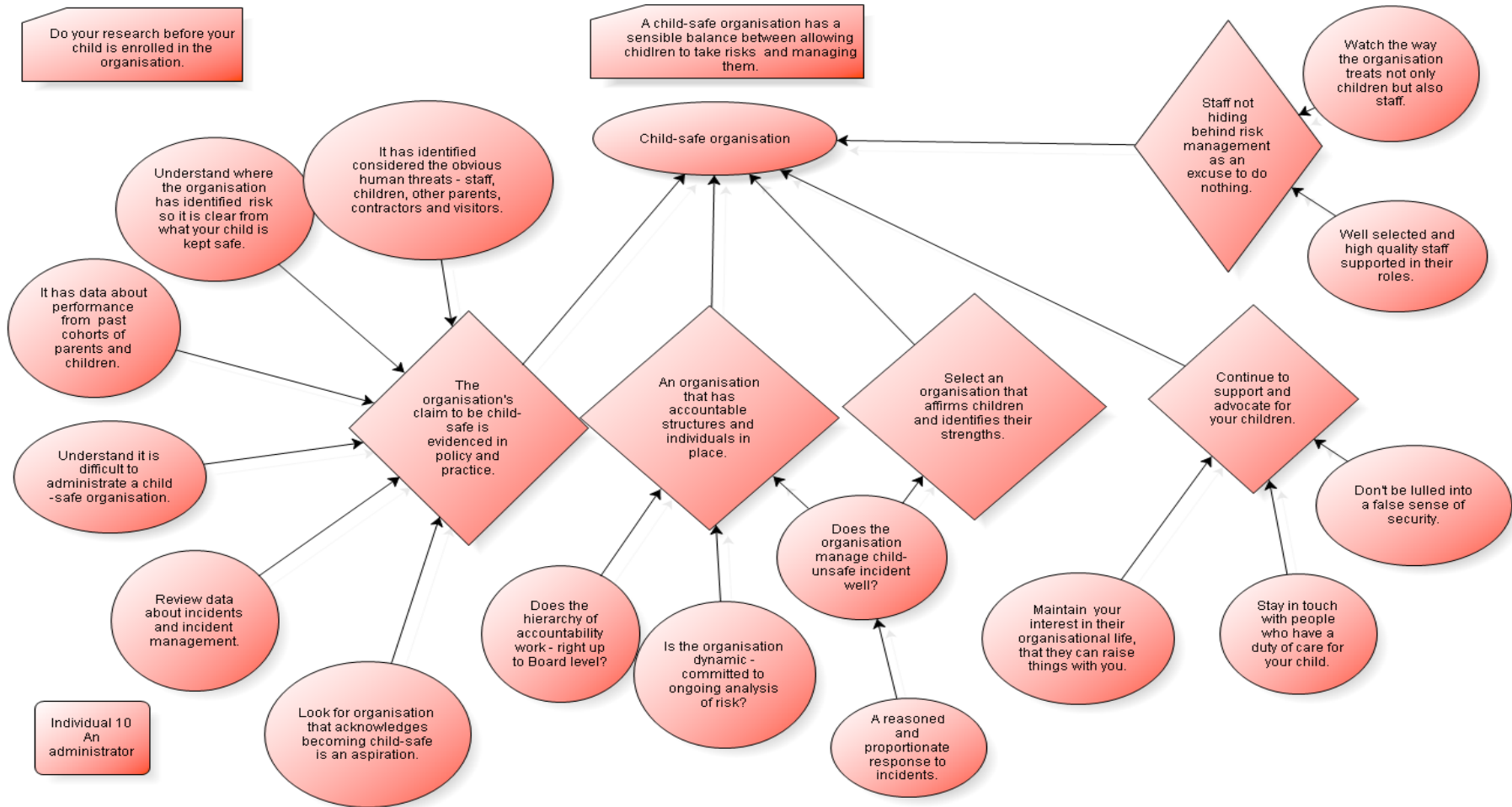
Individual 4
Social work/
legal/academic
professions











ATTACHMENT 12: EXAMPLES OF CLUSTERS

Staff

Individual 1	Appreciates the importance for children of good quality and consistent staffing. Do not make assumptions when recruiting – see credentials. Check references, track history, sight checks. Manage staff so they last for the long-term – avoid burning out staff. Understands staff shortages might mean short cuts.
Individual 2	Weak organisations are vulnerable to wrong staff. Know unsuitable people get moved on from organisations. Suitable staff are trained, supported and supervised in their roles. How does the organisation bring on people and monitor them? Do not rely solely on police checks – talk to former employers.
Individual 3	Encourage and expect staff to build relationships with children. An organisation with systems to supervise staff and to support them. Regular supervision sessions. Give staff clear feedback and model what is expected. Observe staff and support them. Listen to the children's opinions of staff. Move staff on if they are unsuitable. Working with Children Check is fundamental
Individual 4	Staff are of suitable calibre – trained, supported and respected. The gravity of the staff task is appreciated. Staff are taught effective strategies to communicate with children. The lengths to which people will go to abuse children are not underestimated.
Individual 5	The qualities of staff and organisational leadership are critical. There are bad apples in organisations.
Individual 6	Are staff properly selected? What is the quality and training of the people looking after the children? Are the staff trained in the basics e.g. first aide? Look for proof of training (credentials) and drills. See the schedule for training and drills.
Individual 7	Do staff have police clearances for staff -are they suitably credentialed? Are staff supportive of individual children?
Individual 8	Utilises professional staff to oversee the employment of front line staff. The process for selecting staff, including checking,

	is child focused and documented. Utilises child focused approaches when assessing employees. Clear processes for monitoring and supervision of staff who work in the organisation. Does not rely solely on working with children check or other records based clearances
Individual 9	Utilises professional staff to oversee the employment of front line staff. The process for selecting staff, including checking, is child focused and documented. Utilises child focused approaches when assessing employees. Clear processes for monitoring and supervision of staff who work in the organisation. Does not rely solely on working with children check or other records based clearances.
Individual 10	Comprehensive recruitment. On-going supervision. Appropriate training. Referee checks testing character, knowledge and skills Checking and screening processes as one of a range of processes. An organisation staffed by supportive individuals Clear written duty statements.
Group 11	Staff not hiding behind risk management as an excuse to do nothing. Well selected and high quality staff supported in their roles.

Complaints mechanism

Individual 2	<p>A commitment to an effective 'independent' complaints system.</p> <p>Is the complaints system publicised to all stakeholders – including children, staff, parents?</p> <p>Does it look for the signals that something might be wrong?</p> <p>Does it appreciate children's inherent vulnerability -and generally their reluctance to come forward.</p> <p>Does it accept complaints in any form – letters, phone, in person?</p>
Individual 3	Consider everyone's safety -handle bullying.

	<p>Provide various means for children to bring concerns up – suggestion box, e-mail etc.</p> <p>An organisation that addresses the dobbing/reporting dilemma.</p> <p>Understand changing means for bullying e.g. SMS bullying</p>
Individual 4	<p>Abuse complaints are not ignored or not, not heard.</p> <p>Protecting children takes precedent ahead of protecting the organisation.</p> <p>The seriousness of any single incident of abuse is not lessened because the victim is one of many.</p>
Individual 5	Organisations bunker down and act self-protectively
Individual 9	<p>Effective mechanisms for making complaints. Encourages children (and others) to report concerns.</p> <p>The organisation does not focus solely on sexual abuse – it also understands the importance of physical and emotional safety.</p>
Individual 10	<p>Effective responses to concerns.</p> <p>Responsive to children's concerns and discomfort.</p> <p>Responsive to parental concerns</p> <p>Responsive to other people's concerns.</p>
Group 11	<p>Does the organisation manage child-unsafe incident well?</p> <p>A reasoned and proportionate response to incidents. Watch the way the organisation treats not only children but also staff.</p> <p>Does the hierarchy of accountability work – right up to Board level?</p>

Organisation culture

Individual 2	What is the character of the organisation? Assess the organisation and the people running it -right reason and right people.
Individual 4	An organisation that is accountable at every level.

Individual 4	<p>Children are respected and valued. They are at the heart of the endeavor.</p> <p>Their interests are at the forefront of considerations.</p> <p>Make explicit children deserve the best that can be provided.</p> <p>Careless and ineffective management is not tolerated.</p> <p>The quality of the organisation's environment and management demonstrates genuine care/respect for the children and young people.</p>
Individual 7	<p>Are the values ethical and documented – are they appropriate for my child?</p>
Individual 9	<p>The organisation holds the child's interests as its foremost priority.</p> <p>A well run values based organisation committed to understanding children's needs and behaviours. The organisation demonstrates a sophisticated understanding of children's issues.</p>
Individual 10	<p>An organisation characterised by clear communication, staff supervision, clear expectations and respect for children. Support for children.</p> <p>Children are listened to. Accountable policies and processes to support children</p> <p>Age/stage appropriate supervision and guidance</p> <p>An organisation which builds self-esteem and promotes confidence in children. An organisation where the value base is dynamic developed through reflection and modeling.</p>
Group 11	<p>Understand it is difficult to administrate a child-safe organisation.</p> <p>Look for organisation that acknowledges becoming child-safe is an aspiration.</p> <p>Select an organisation that affirms children and identifies their strengths.</p>

Special needs

Individual 3	Do not accept children into the program if they pose unmanageable risks to other children. Do not accept a special needs child if you do not have the resources. Plan for vulnerable children at the outset – build in support. Regularly review the progress of each child.
Individual 4	Children with special needs are not just 'parked' – appropriate resources and services are provided.

Layout

Individual 1	Physical layout and design supports the safety outcome.
Individual 4	Abusers will look for less policed areas.
Individual 5	Situational control
Individual 6	Physical environment. What is the quality of buildings, grounds, fences etc? Are there obvious hazards (sharp objects, tripping hazards etc)? See the plans. Does the organisation present well?
Individual 7	Is it suitably laid out; is there an effective perimeter?

Child-focused

Individual 1	Takes care not to exacerbate bullying.
Individual 3	Provide many opportunities and means for parent and children input. Review rules and policies inclusively – involving children and parents An organisation which looks after the children.
Individual 4	Children are listened to on every occasion – they are the heart of the practice.

Individual 7	Children's conversations – what are the children saying? Is there protective behaviours training for the children? Are there codes of conduct – staff and children? How are uncontrolled children handled?
Individual 9	The organisation understands children's vulnerability. The organisation promotes each child's right to safety.

ATTACHMENT 13: INTERAGENCY FORUMS

Inter-agency forums Newcastle, Sydney and Brisbane

Agency hosted forums each lasting 3 hours were held on 13, 15 and 16 July 2009. The participants in the forums were employees of the host agency, which is a not-for-profit welfare service provider, and employees of other welfare service agencies. A mix of administrative, managerial and professional staff attended the forums. Seventy-one people participated in the forums.

The case organisations which participated in the research project were not welfare service agencies; they were Western Australian schools and boarding hostels. Consequently the East coast agency hosted forums provided an opportunity to present aspects of the research project to an audience that had a different experience of working with children and vulnerable people than did the organisational participants who were interviewed for the research.

In terms of establishing whether the research was able to be reasonably extrapolated, where ‘extrapolations are modest speculations on the likely applicability of findings to other situations under similar, but not identical, conditions’ (Patton 2009), it was useful that the forums occurred in Australian jurisdictions other than Western Australia, where the research project was undertaken. By way of background, there are significant differences in social welfare administration between the Australian state jurisdictions. New South Wales and Queensland have a tradition of mandatory reporting of child abuse; Western Australia does not have such a tradition. In New South Wales the State Ombudsman plays a role in supporting and monitoring child-safe organisations. Agency representatives who attended the New South Wales forums were familiar with the Ombudsman Act ‘reportable conduct’ provisions, which provides for the NSW Ombudsman to receive reports from agencies about incidents of child abuse and to oversee agency investigations into allegations of employee perpetrated child abuse. In Western Australia there is not an equivalent function. In New South Wales, via the internet, the State Ombudsman (see: <http://www.ombo.nsw.gov.au/complaints/compwrkchildprotissues.html#ombudsman>) and the Commissioner for Children and Young People (see: <http://www.kids.nsw.gov.au/kids/working/safefriendly.cfm>) provide extensive information and resource kits to organisations providing services to children about their child-safe responsibilities. In Queensland, the Commission for Children and Young People and Child

Guardian (http://www.ccyecg.qld.gov.au/about/risk_management.html) provides similar materials. New South Wales (1998) and Queensland (2000) have a longer tradition than Western Australia of providing information and services about child-safe organisations.

From the researcher's viewpoint a goal from the forums was particularly to receive feedback to the child-safe organisations framework and to the metaphor which likened child-safe organisations to swimming holes (both attached to this report and both developed as part of the research). However, the feedback sheet did not limit or guide the information provided by respondents. The feedback sheet was completely open-ended. It was a blank piece of paper with the following introduction:

Child-safe organisations – workshop feedback sheet

Role: e.g. staff, administrator, parent (feel free to identify more than 1)

Are you OK for me to quote this feedback in my thesis? Yes/No

Feedback: (please provide your reflections on the workshop. If parts of the workshop resonated with you or did not, please let me know. If you think there are any major omissions/flaws in the thinking, please share.)

There were 48 responses in all. At the first forum there were 13/26 responses (13 responses from 26 attendances); at the second forum there were 12/15 responses; and, at the third there were 23/30 responses.

The purpose of the forums was not to delve into the risk/hazard profiles or risk management programs of any particular organisation. If conversations at the forums headed in that direction they were not encouraged. This discouragement was because the forums brought together representatives from organisations from across the not for profit sector. An exploration of risk management/hazard mitigation specific to a particular organisation would have been potentially controversial. It might have been controversial because organisation representatives attending the forums were potentially in competition with each other for government funding. Therefore, for an organisation to have bared its soul about risk could have been seen by those responsible for it as sacrificing an advantage either by disclosing known hazards or by making available its mitigation strategies. While it was not the purpose to delve into the particulars of organisations, following two of the forums the researcher was

available for individuals to approach for further discussion. In these post-forum discussions a few matters of particular concern to individuals were raised by them.

At the forum, to provide context for the research a presentation was provided that: a) presented information about the qualitative nature of the research, the research design, its limitations (i.e. children not included) and its claims (that the research did not claim to provide universals – rather it provided an insight – represented by the child-safe organisations framework, into how a group of research project participants thought about a child-safe organisation); b) briefly ‘workshopped’ what makes a person child-safe or client-safe; c) examined the way we socially construct or frame children and the concepts of risk, safety and organisations d); identified some of the child-safe lenses through which we see child-safe organisations, presented as: injury reduction and prevention perspectives; child abuse reduction and prevention perspectives; children’s rights promotion and protection perspectives; and, good management perspectives; and, e) detailed the limitations of the various jurisdictions’ working with children cards.

At the outset I was interested to see whether the material presented at the agency hosted forums was ‘old hat’ to the East coast audience. Given the longer period in which material about the subject of child-safe organisations has been available there through the various state departments mentioned earlier. Given the audience was drawn from organisations deeply concerned with child/client safety issues, I thought this might be the case.

Clearly, it is not possible to know the responses of those who did not provide feedback, so the following comments are based on the feedback provided and discussion.

The feedback overwhelmingly indicated that the material was not ‘old hat’. There was an appetite for the discussion and an appreciation that the forums had been arranged. When people were asked to discuss issues or think about questions there developed quickly a buzz in the room indicating people were seriously engaging in the issues.

One comment that I thought was particularly relevant and that might have implied the material was ‘old hat’ to this respondent was:

Much of the information provided was familiar and leads to the question ‘what do we do next?’.

However, the respondent followed it with this rider:

Interesting to see the broad nature of this topic, not just as a child protection matter.

The comment was valued because while the child/client-safe concept is broader than acts of child abuse, often it is not presented as such. It seemed to me this respondent might have been encouraged to consider the issue of child-safe organisations from more than the traditional child protection perspective, that is to complement their thinking from a children's rights, injury reduction and prevention and good management perspective.

Several comments made in group discussion evidenced a concern held by some that organisations/programs did not have the resources to deliver what was promised when it accepted children into its program. That is they saw the organisation's inadequate level of resources in relation to a particular child as a fundamental stumbling block to providing a child/client safe organisation for that child.

On this point the High Court's advice to school administrators is relevant (*Geyer v Down, 1977*). Schools were advised to not assume relationships with children if they were unable to perform the associated duties.

It is for schoolmasters and for those who employ them, whether government or private institutions, to provide facilities whereby the schoolmasterly duty can adequately be discharged during the period for which it is assumed. The schoolmaster's ability or inability to discharge it will determine neither the existence of the duty nor of its temporal ambit but only whether or not the duty has been adequately performed. The temporal ambit of the duty will, therefore, depend not at all upon the schoolmaster's ability, however derived, effectively to perform the duty but, rather, upon whether the particular circumstances of the occasion in question reveal that the relationship of schoolmaster and pupil was or was not then in existence. If it was, the duty will apply. It will be for the schoolmaster and those standing behind him to cut their coats according to the cloth, not assuming the relationship when unable to perform the duty which goes with it.

However, Verity (2005, 31) puts another perspective:

Community organisations deal with risks and take risks in the pursuit of goals of social justice, meeting human needs and supporting stronger communities. A focus on risk as defined by the insurance industry is from a definition of ‘what may go wrong’ in the future. There is another aspect to risk and that is what might be the costs of not acting now. What of the risks to civil society of not responding to injustice and inequity, or of not engaging in community participation? ... What of the future health and social costs if people stop participating, because they are burdened by risk management or the efforts to find the money to pay for insurance?

Both these perspectives are relevant. Staff and consumers need to be assured their organisation will not be reckless or blind to risk in assuming the responsibility for the tasks it undertakes. However, this does not mean risk will not be taken.

Several participants indicated a desire to be able to further examine the material presented in the forum beyond what the time allowed for. The room space and number of attendees limited the rooms’ arrangement. Generally the set ups did not facilitate good small group discussion and the best most people could do was talk to the person next to them. It seemed to the researcher that in the future, if forums were repeated, setting the room up around groups/working tables would work well. It seemed participants would have been comfortable reporting back to the session how their group had thought about particular matters and issues. Comments that indicated an appetite to further discuss the issues of child/client safe organisations were to the effect that the forums were valuable, thought provoking and warranted more time. It also seemed from the comments that people were being provoked to think about the application of the concepts to their particular areas of responsibility. For example from the human resource perspective:

Gave lots of food for thought to reflect on our organisational policies and processes i.e. recruitment and induction (making this robust to get a more in depth profile of an employee/carer)

I'd like to do a review of our interviewing process and questions to try and tease out more feedback from potential youth workers and their beliefs around child-safe practices.

From the youth work perspective

Thinking about my duty of care in relation to partnering a child/young person/client to take a risk in the aim of challenging themselves to achieve a positive outcome is a really great point that I need to think more about. How I implement this, change my current practice and my current belief systems around risk is an important thing I need to consider further.

From an administrative/managerial perspective

It was really interesting to challenge myself to think about risk management differently and more realistically as hazard management.

The framework is quite comprehensive, but as discussed I think Board of Management has an overarching responsibility and influence on all levels of organisation and the development, implementation and use of policies and procedures that relate to child safety from caring to oversee of the caring and programs offered.

What interests me is the balance between risk assessment/accountabilities in order for us to show due diligence and how this changes the outcomes for vulnerable children and young people. As an organisation we prioritise practice, training, learning and development for individual and organisational growth that centres children/families. This sometimes means we are not always able to tick all the boxes in relation to our paper trails even though we are confident to stand behind our processes to keep children, young people and families safe.

What worries me is that we have moved too far in to administrative tasks to 'cover ourselves'.

It was evident people critiqued and adapted the framework with their own organisation in mind, and this was reassuring. That is, the comments were less about what was missing from the child-safe organisations framework and more about what needed to be emphasised in relation to the challenges facing a particular organisation. One respondent commented in discussion that he did not believe the framework provided much new, its advantage was that it put things together.

It seemed to me that the child-safe organisations framework was sufficiently broad to engage the participants in attendance and that there were aspects of the framework that were relevant to all the various professional, management and administrative representatives. That is, the value of the framework not being owned as a professionals' artefact or an administrators'

artefact is beneficial. The themes of the framework are sufficiently open so that hopefully they can be interpreted and adapted from professional, administrative, stakeholder and end users perspective.

While acknowledgment of the framework if it is utilised within organisations is appropriate, it is not intended to restrict an organisation's use of it. That is, in short order I imagine an organisation's framework would acknowledge the framework rather than slavishly stick to it. This is consistent with the notion that 'best practice' cannot be imposed on an organisation. It needs to emerge. Metaphorically, it needs to be viewed organically and it needs to be allowed to grow. In that vein the child-safe organisations framework should be viewed only as a starting point.

The framework attracted positive comments, including:

The framework/themes was really worthwhile and a great way of looking further into what an organisation needs to consider, implement, challenge us to put further work into.

Framework ... a useful way to think about child safe organisations and continuous improvement

The metaphor attracted positive and negative comments, including:

Metaphor I found it clear and useful (i.e. made me think about so many influences impacting on children safe. Really made sense to me and it was a really different way of thinking about our day to day role, rather than traditional case study.

The metaphor is not very helpful. I think a case study would be more useful to the group; there is not much emphasis on a child focus

I like the metaphor of the swimming hole – I think it is a useful way of facilitating a broader understanding of what your trying to capture in a way that is not overly sophisticated so is accessible to all or most levels of an organisation.

Metaphor – child-safe organisation as swimming hole or beach a) excludes a number of cultures; b) some people see them as intrinsically dangerous and avoid them; and c) characters not human.

The structure of the forum seemed to resonate with individuals and there was at least one response on each of the aspects of the presentation. As set out previously the research was presented in a context.

Respondents reflected on:

a) the research design and its limitations, particularly the non-inclusion of children in the stakeholder group.

Inclusivity is a big passion of mine. ...I feel this is done tokenistically (generally) through the sector and there is a massive need for improvements in this area to refine practice and service delivery to encapsulate 'child centred services/organisations.

Would like to see child safe practices include building relationships and focusing on:

...

Provide pathways for children to participate meaningfully within the organisation and in decision making.

The inclusiveness of children in developing, implementing and improving child-safe organisations is critical. We can work 'around' children to develop child-safe organisations, however including them and their families actually focuses on the child in their context and focuses on building a longer-term and preferably sustainable community of care to maintain their safety. The challenge is how to do this effectively.

b) what makes a person child-safe or client-safe;

The concept of safe workers and safe organisations and the characteristics of each were interesting

c) the way we socially construct or frame children and the concepts of risk, safety and organisations d); identified some of the child-safe lenses through which we see child-safe organisations, presented as: injury reduction and prevention perspectives; child abuse reduction and prevention perspectives; children's rights promotion and protection perspectives; and, good management perspectives; and,

One of the dilemmas in context has been fragmentation (at all levels) – and a language development that immediately reinforces fear (risk aversion; risk appetite) in relation to responses to children

Thought provoking around the social construction of child safe and misuse /misinterpretation. Would be great to learn/debate more about core drivers for these constructs and long term view/outlook

I had presumed the audience generally would be familiar with the notion of social construction, that is, childhood, children, clients, safety, risk, organisation etc are all socially constructed entities. It follows then that the way we socially construct these entities implies the way we will treat them/regard them/ make provision for them. On the basis of the presumption that participants would be familiar with this concept I did not allow enough time to talk/discuss the way the individuals present and the organisations they worked for socially constructed their client group.

In a future forum I would provide more time for groups to tease out from their own thinking and discussion the way these entities are constructed and the implications of such a construction.

Part of the difficulty associated with the range of people attending was that there were different levels of prior knowledge about these subjects. This was also a strength.

Part of my own reflection on this matter is that in such a forum I would have appreciated the opportunity to think more deeply about my presumed beliefs about children/clients/risks etc (in academic terms this relates to epistemological and ontological positioning).

e) the limitations of the various jurisdictions' working with children cards.

Feel strong concern with limitations and restrictions around the checks i.e. CLS2, Blue Card, Yellow Card and will work within team to come up with ways to implement other checks.

what makes a person child-safe'! I think we rely on and focus on probity checks to weed out obvious 'no's, but don't have a defined framework to filter those who are deemed suitable. If suitable just means having no convictions, that is not really suitable.

I had presumed that for this audience there would be a general acceptance that the cards/checking processes associated with clearing people to work with children were of little value unless they were complemented by stringent agency recruitment standards and on-going supervision and development. Again, for some of the audience this was probably a mistaken presumption.

The written feedback from the forums follows:

1B Manager:

3 hours did not seem long enough, this is a topic that could have merited several more hours/days and got deeper into deconstructing the concepts/notions involved in the topic.

For me the language around child-safe etc resonated as I feel we need to understand the dangers associated with using such unrealistic and unattainable language, and particularly how this can sanitise our thinking and lead to complacency.

2B Program manager

Feedback: This was a very useful workshop to provoke intriguing thinking and possibly opening an organisational avenue for change and involvement. It was good to have you facilitate this session, especially with senior management involved, as hopefully it assists with enhancing the understanding of ground level staff and issues we want to change organisationally. It assisted with tying together issues we've been discussing for some time and allowing opportunity to formalising needs for organisational change. Very good group facilitation. Thanks

Thought Provoking:

Inclusivity is a big passion of mine. Client/child inclusivity within service and organisation. I feel this is done tokenistically (generally) through the sector and there is a massive need for improvements in this area to refine practice and service delivery to encapsulate 'child centred services/organisations. This is close to my heart and would like research in this to effect change within the sector to allow for mind shift into proactive planning, rather than reactive planning.

3B Youth worker

Good workshop to open the ideas around ‘what makes a person child-safe’! I think we rely on and focus on probity checks to weed out obvious ‘no’s, but don’t have a defined framework to filter those who are deemed suitable. If suitable just means having no convictions, that is not really suitable.

I’d like to do a review of our interviewing process and questions to try and tease out more feedback from potential youth workers and their beliefs around child-safe practices.

The comments around gut instincts were interesting and thought provoking. I know that in my role I have used my instincts often, and have usually been right. However, do we capture that in terms of the legal framework we practice in?

What sort of scenario questions could be asked at interview level to filter good staff/contracted candidates?

4B Team leader OHPAC – member of national cultural respect steering committee – coordinator of youth representative council

Very thought provoking

Would like to see child safe practices include building relationships and focusing on:

Children’s community e.g. cultural, local, recreational to ensure we maintain a culture of community parenting providing natural support networks etc

Provide pathways for children to participate meaningfully within the organisation and in decision making.

I really like the idea of (discussion group) selection and supervision of staff through training/professional development etc.

I don’t particularly agree with discussions about characterising child safe people because this is too subjective and flawed, however I’d agree with exploring individual and organisational fit of values and especially addressing issue of unsuitable staff and providing fair and vigilant leadership. Need to include setting clear standards of practice and expectations. I believe the point in the framework document about ‘demonstrates policies and practices to support children’ is very important and essential to child safe organisations.

Include that child safe organisations have policies and provides a comprehensive ethical and values based framework that supports controlled risk taking as we can then support young people to learn and develop strategies to keep them safe.

5B Operations Manager

Very thought provoking about a range of issues –

The concept of organisational abuse and who ultimately owns this (re: lack of knowledge). State government has legislation providing a clear definition of mandatory reporting. Therefore is the responsibility on the individual to comply with established professional standards? The organisation can establish policies and procedures – is responsibility with management (against an individual level) to ensure they are adhered to?

I began your forum believing a federal and overarching national response is required. Right now I am thinking where does a child-safe organisation start...individual, organisation, state, federal because the concept itself should be universal.

Similarly, risk or the notion of managing/removing risk needs to be the responsibility of all entities mentioned. Yet working with the most vulnerable members of the community, and knowing State and Federal governments can't protect us all – organisations must step up.

6B Staff – practice quality

I like the discussion regarding what is risk and what is hazard. Definitions often blurred. More discussion around reasons kids are taken into care and what risk this invokes i.e. trauma for loss anxiety

The child. Child safe needs to recognise that children are traumatised prior to and during being taken into the care system. Discussion around this risk would have been good.

7B Manager Out of Home Care Service

Collaboration sharing

Challenging practices for continual improvement and development.

Resources (including people).

Culture of young people

Checking processes for all areas. Review, monitoring

Ability to report poor practices without fear of persecution – best interests of child &/or organisation

Liked other person's comment about achieving internal quality – embracing view rather than 'have to'

Openness to challenging for continual improvement.

8B staff

I tend to be more concrete thinker

Would not like to see the idea of a waterhole as abrogating responsibility from an organisation

Like the idea of developmentally appropriate risk taking less hazards

9B Staff – HR area

Feel strong concern with limitations and restrictions around the checks i.e. CLS2, Blue Card, Yellow Card and will work within team to come up with ways to implement other checks.

Thank you for your time I learnt a lot and am thankful for the opportunity to attend.

10B L & D – Staff HR

Importance of a strong national screening process

On-going monitoring and support from ground staff

Staff's understanding of the dignity/value of risk – keep this ongoing discussion going

Culture of fear limits the risks taken

Where do you go from here?

Need for transparent practices forums to discuss these issues to make sure we as an organisation are wearing the same goggles we perceive CSO's

11 B Parent/administrator

I was interested re the child-safe organisation discussion and in particular what makes a person child-safe is extremely hard to identify. The comment 'to ask them', I will remember. I will ensure the points discussed are considered by our organisation in existing policies and get staff input

12 B Service manager

I appreciated this was not a chalk and talk session with an expert advising us as to how to work more safely. Instead we were invited and encouraged to actively engage and challenge both our personal and organisational views and experiences.

Particularly value the swimming hole metaphor, will be following up thoughts and discussions with regional team and senior executive

Thank you.

13 B staff/manager

Came with no expectations

Certainly thought provoking

Makes me think about current staff and their reasons for doing this work

The question 'what makes a person child-safe or client-safe' also giving people a chance e.g. may have unsubstantiated which are totally innocent being discriminated against.

Aware that this work does make you often look at people differently e.g. suspiciously sometimes.

Came to the conclusion nothing is 100% safe – there may be things upstream that interfere with levels of safety

As long as we ensure we do our best to ensure prevention are in place while not hindering the individual to grow and develop healthily

14B Manager residential care services with a child protection focus

Gave lots of food for thought to reflect on our organisational policies and processes i.e. recruitment and induction (making this robust to get a more in depth profile of an employee/carer)

The difficulties in terminating employment – backlash industrially occurs as the termination criteria are very narrow.

Importance of risk assessment – our organisation has a practice principle of ‘the balancing of the dignity of risk and duty of care (risk taking is part of life and learning but we also have to maintain a duty of care/

15 B General Manager (service area)

What interests me is the balance between risk assessment/accountabilities in order for us to show due diligence and how this changes the outcomes for vulnerable children and young people. As an organisation we prioritise practice, training, learning and development for individual and organisational growth that centres children/families.

This sometimes means we are not always able to tick all the boxes in relation to our paper trails even though we are confident to stand behind our processes to keep children, young people and families safe.

What worries me is that we have moved too far in to administrative tasks to ‘cover ourselves’. What is sometimes said in jest is our foster care program is ‘we could get all our work done (administratively) if only we didn’t have the kids in care or carers!!

16 B Staff – operations manager

Mental well-being/self care of staff – org and person responsibility.

Better wages for better quality – being worth and being paid was is a reasonable wage for self worth.

Systematic – how we process applications and how does it capture important issues. Bill you know I am talking about non-offences.

Service providers – ensuring we are using our processes, don’t let them become paper tokens. Also ensure service agreements reflect money for whole service required e.g. yp,staff, org.

Inclusive of child's opinions, community inclusive needs, y.p and family (community) needs to be heard.

Making us think is always a good thing as we look again at organisation's process.

17 B staff administrator

Thought provoking around the social construction of child safe and mis use /mis interpretation. Would be great to learn/debate more about core drivers for these constructs and long term view/outlook

18 B (None specified)

The concept of safe workers and safe organisations and the characteristics of each were interestingin the respect of the discussion of actuarial (indecipherable) and that certain risks cannot be predicted on an individual basis but that features of an organisation can either mitigate or elevate these risks associated with individual characteristics. I think that the issues of initial induction, training and on-going supervision are important but equally ongoing training and promoting reflective practices is essential as practices change as do notions of risk.

The issues were clearly appropriate to all clients or vulnerable users, including adults.

19 B Staff

Organisations need to inter relate with each other (even though there are confidentiality/privacy issues).

20 B Family Intervention Team Leader

Thoughts comments that resonated with me:

Risks seen as hazards; removing risks/hazards and becoming risk averse, and the implication on YPS, children and orgs (i.e. children/ppl as natural risk takers, so likely to source/seek out risks elsewhere)

Concept of a child-safe person and that ultimately we can add definitions to that but still not be able to become/fully achieve being child-safe as we could be ultimately safe for some and not for others;

Liked the social construct of the child and the impact this has on this conversation/discussion

Reflecting on importance of reflection in research – different views after interviews

21B Acting Program manager

Much of the information provided was familiar and leads to the question ‘what do we do next?’.

Interesting to see the broad nature of this topic, not just as a child protection matter.

22B Not stated

The discussion has been of value

One of the dilemmas in context has been fragmentation (at all levels) – and a language development that immediately reinforces fear (risk aversion; risk appetite) in relation to responses to children

The clinical mandates sometimes stress professional attributes – we need ‘people’ responses to children, with ability to interact, understand developmental needs and impacts of trauma. Our organisation build environments and experiences need to be considered in the resources that assist responses to children

23 B staff

The inclusiveness of children in developing, implementing and improving child-safe organisations is critical. We can work ‘around’ children to develop child-safe organisations, however including them and their families actually focuses on the child in their context and focuses on building a longer-term and preferably sustainable community of care to maintain their safety. The challenge is how to do this effectively.

1S Staff

Metaphor

I found it clear and useful (i.e. made me think about so many influences impacting on children safe. Really made sense to me and it was a really different way of thinking about our day to day role, rather than traditional case study.

2S not stated

Metaphor – child-safe organisation as swimming hole or beach a) excludes a number of cultures; b) some people see them as intrinsically dangerous and avoid them; and c) characters not human.

I think the discussion lost focus – became a bit too LWB focused.

A definition of child-safe organisation would be helpful.

3S staff

Child safe organisation as a swimming hole or beach is an appropriate scenario to use in strategies of child protection issues.

Re framework – have feedback in communication chain.

4S Not stated

Thought provoking metaphor, in that clearly delineates peripheral potential risk factors and consideration of ways to keep a child safer. However not necessarily employ it as an example for workers/carers as it may not define or break down specific elements to caring for a child eg psychological, emotional, physical, cultural, spiritual wellbeing and safety.

Framework ‘responds to issues reasonably and proportionately’ – crucial in terms of responses to issues and complaints being dealt with in more than one dimensional manner so that learning is on-going.

5S Staff

The workshop was not advertised in an accurate way. I wonder how many people attended with the understanding of it being to assist your research versus learning from your expertise. Might need some thinking about how it was pitched – so that participants don’t leave disappointed.

I find the topic very interesting and would be happy to maintain contact with you in the future

6S

Metaphor – note “the responsibility for an infant’s safety in the pool ...” this could be interpreted as an older sibling, the pool guard, surf patrol...could use more focus about who holds responsibility

7S

I like the metaphor of the swimming hole – I think it is a useful way of facilitating a broader understanding of what you’re trying to capture in a way that is not overly sophisticated so is accessible to all or most levels of an organisation.

I found the workshop useful in terms of the way I operate in my own organisation and the expectation I have of its integrity and my deeper understanding of the complexity of child safety and child protection

8S Staff

The metaphor is not very helpful. I think a case study would be more useful to the group; there is not much emphasis on a child focus

The open discussion was good but I’d ask for more examples.

Focus on feedback

Evaluation

Informed consumers

I’d use another industry as an example.

9S Care coordinator

I thought the metaphor was well thought out – as discussed, perhaps the inclusion of drastic unforeseen events e.g. drowning would be good to put in. Useful for the majority of Australians and cultures as Australians are seen as ‘water loving’. Also in how to possibly control most risks/hazards as risks can never be eliminated only minimised

The second sheet is quite comprehensive, but as discussed I think Board of Management has an overarching responsibility and influence on all levels of organisation and the development, implementation and use of policies and procedures that relate to child safety from caring to oversee of the caring and programs offered.

10S Intake case manager

I think the metaphor was well written and thought out, but may need adjusting as per our discussions including the so whats...

Framework – I found the sheet to be very comprehensive – but may need to adjust as discussed re: committees and management

11S Case manager

Difficult to answer questions due to people's perceptions of what is and what is not safe for children. So many variables in trying to determine or set up a child-safe organisation

Metaphor: Good broad scope of many options that can be looked at (approached) by organisations to define child safe recognises the varying perceptions of people within the metaphor but the actual metaphor may not encompass the range of people you want it to i.e. international journal – non-swimmers

12S DOCS –

Metaphor: A lot of the dangers or risks in swimming capture a sense of randomness to them. Whereas in reality a particular child would be targeted and even targeted repeatedly and or targeted by more than one or even several perpetrators. Other children or young people place themselves at risk ...

But generally I believe the metaphor is workable and certainly conveys the idea it is meant to.

N1 staff and parent

I found the workshop very informative and beneficial. I now know more about child-safe and will implement what I have learnt in my own parenting decisions (around child-care etc).

It would be great if a little book could be developed by you that would be distributed at the time the "blue book" is provided/or alternatively available at community centres, GP's etc

N2 Staff

It was really interesting to challenge myself to think about risk management differently and more realistically as hazard management.

Thinking about my duty of care in relation to partnering a child/young person/client to take a risk in the aim of challenging themselves to achieve a positive outcome is a really great point that I need to think more about.

How I implement this, change my current practice and my current belief systems around risk is an important thing I need to consider further.

The framework/themes workshop was really worthwhile and a great way of looking further into what an organisation needs to consider, implement, challenge us to put further work into.

It was a really interesting workshop, thank you.

N3 employee

The child safe organisation descriptors are relevant and appropriate

Further definitions may be useful in ensuring organisations take this on board, put into practice and then measure

N4 staff

Framework presented in comprehensive and a useful way to think about child safe organisations and continuous improvement

N5 staff

Well presented – thank you

N6 staff

When considering risks/hazards to children and young people one should always consider the workloads that case managers are required to manage because the pressure and intensity of any one placement will impact on caseworkers ability to provide effective case work.

Organisations are ultimately a business and are governed by finance, thus the driver behind effective casework may not be child focused.

The difference between risk and hazard was very interesting and I enjoyed the statement that an organisation is only safe by how it responds to an environment once it becomes unsafe.

As a migrant the swimming hole was not that powerful and given that Australia is multi cultural it may be better refocused – however I could align to it.

N7 Student

I would mention that what you said about risk aversion has filtered into all levels of society. Fatherless children can no longer talk to their parish priest for advice as the priest is too afraid to be alone with their child. Disabled people need two carers to attend their changes as no one person can be alone with them and so it goes on. Male child care workers, teachers and nurses. Female nurses in male wards.

N8 Administrator

Having previously worked in a secondary school, these conversations simply do not take place. The school environment is a major care giver for children and staff are not aware what it is to be ‘child-safe’.

There certainly is no input from students as identified in cat 1 “keeps children’s best ...’ Modeling best practices and identifying learning and development topics is paramount to the ongoing conversation and culture in the organisation.

Thanks

N9 Not stated

The issues of leadership decisions on organisations could be expanded in regard to competing demands, e.g. the minister wants this; the family wants this; the caseworker wants that.

All needs to be placed in context of organisational risk.

N10

I believe the notion of an organisation being child-safe needs to factor in the reality of multiple stakeholders with multiple agendas needing to be considered when managing, responding to risk/hazards for children being cared for by the organisation. Risk proofing children/young people, I believe, needs to focus on developing resilience and connectedness in the children and young people.

N11 Manager

Prevention too (indecipherable) for audience

In discussing safety – more attention to systemic abuse i.e. failure of organisations to recognise its capacity to provide adequate services

Too much metaphor – more specificity re subject matter

Definitions of child-safe organisation is thought provoking – adds holistic perspective in defining requisite (indecipherable)

N12 (not specified)

Difficult to respond as not clear what the central tenets of the research are. Points a bit disjointed so difficult to ‘get the flavour’ of the concepts e.g. some seemed very simplified, but perhaps the point was more complex but lost in the communication.

Perhaps more information could have been supplied prior to presentation as a more effective way of communication the content, prior to the key discussion questions were presented.

Don’t know if this is the right audience for this presentation – perhaps an audience of no child protection background might be better, or more useful in encouraging feedback and having fresh dialogue. Would have been good to have the research overview first, ahead of the questioning part of the workshop.

The most useful bit was the double page sheet with key concepts.

N13 Staff

Things were a little unclear throughout the workshop. I think a more defined purpose of the workshop needs to be put forward. I think the actual framework provided at the end makes good sense but the lead up and background information actually confuses things. I think it would have been good to discuss more examples where organisations have had difficulty remaining or becoming child-safe and then workshopping the practical strategies organisations can take to address the issues.