

**Our Ref:** MM:WGS

**Please reply to:** Brisbane office

29 April 2021

Ms Rebekah Kilpatrick  
Head  
National Office for Child Safety  
Department of the Prime Minister and Cabinet

**By email:** [nationalofficeforchildsafety@pmc.gov.au](mailto:nationalofficeforchildsafety@pmc.gov.au)

Dear Ms Kilpatrick

## **Submission on the National Strategy to Prevent Child Sexual Abuse - Final Development Consultation Paper**

knowmore legal service commends the Australian Government's commitment to develop and implement a National Strategy to Prevent Child Sexual Abuse, as recommended by the Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission).

### **About knowmore**

knowmore is a nation-wide, free and independent, trauma-informed and culturally safe community legal centre providing legal information, advice, representation and referrals, education and systemic advocacy for victims and survivors of child abuse, including institutional child sexual abuse.

Our service was established in 2013 to assist people who were engaging with or considering engaging with the Royal Commission. From 1 July 2018, knowmore has been funded to deliver legal support services to assist victims and survivors of institutional child sexual abuse to access their redress options, including under the National Redress Scheme. Since 2013 we have assisted more than 17, 500 clients nationally. Almost one third (30%) of our current clients identify as Aboriginal and/or Torres Strait Islander peoples.

## Our comments on the Consultation Paper

### The proposed vision, objective and values

knowmore broadly supports the proposed vision, objective and values outlined in Attachment A to the March 2021 Consultation Paper. However, we recommend that further consideration be given to ensuring that:

- the proposed objectives reflect the importance of supporting victims and survivors of child sexual abuse and improving the responses of the services and justice systems when child sexual abuse occurs;<sup>1</sup> and
- the proposed values reflect the importance of ongoing evaluation in the implementation of the National Strategy (particularly at values two, four and five). In this respect, we raise for consideration the possible inclusion of an additional value that reflects a commitment to continuous improvement, ongoing evaluation and striving for best practice. Alternatively, the existing value five could be adapted to include such a reference.

### The strategic priority themes

knowmore is also broadly supportive of the proposed strategic priority themes. We are particularly pleased to see that supporting and empowering victims and survivors has been identified as a strategic priority.

The Royal Commission recognised the profound, cumulative and lifelong impacts of institutional child sexual abuse and the need for victims and survivors to have access to advocacy, support and therapeutic treatment services throughout their lifetime.<sup>2</sup> The Royal Commission also recognised the critical role these services can play in both responding to and preventing child abuse. For example, a responsive and trauma-informed service system:

- provides safe opportunities for victims and survivors to disclose abuse;<sup>3</sup>
- assists victims and survivors to cope with the impacts of the abuse, including by providing support to recover from trauma;<sup>4</sup>

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<sup>1</sup> We note that these additional objectives will help to ensure that the National Strategy not only prevents, but also effectively responds to child sexual abuse. Similar objectives have been included in the 'Tackling Child Sexual Abuse Strategy' that was recently adopted by the Government of the United Kingdom, <<https://www.end-violence.org/articles/uk-government-publishes-new-national-strategy-tackle-all-forms-child-sexual-abuse>>.

<sup>2</sup> Royal Commission into Institutional Responses to Child Sexual Abuse, *Final Report: Volume 9, Advocacy, support and therapeutic treatment services*, 2017, <<https://www.childabuseroyalcommission.gov.au/advocacy-support-and-therapeutic-treatment-services>>.

<sup>3</sup> Ibid, p. 49.

<sup>4</sup> Ibid, p. 30.

- empowers victims and survivors to navigate complex legal systems, make informed decisions and exercise their legal rights;<sup>5</sup> and
- supports victims and survivors to report abuse to police, where they choose to do so, and to access other forms of justice and redress.<sup>6</sup>

However, many victims and survivors face social, economic and cultural barriers in seeking support.<sup>7</sup> There are also structural barriers within the service system that can impede effective service responses.<sup>8</sup> Both the Royal Commission and stakeholders who participated in the first round of consultations emphasised the need for reforms to the service system to ensure that all victims and survivors can access responsive and trauma-informed supports.

In knowmore's view, it is critical that the National Strategy acknowledges the important role of support services, including legal support services, in responding to and preventing child sexual abuse and identifies specific actions to address barriers victims and survivors face in seeking and accessing the support they need. Particular consideration should be given to adequately resourcing and building the capacity of the service system to fulfil the Royal Commission's key principles of availability, accessibility, acceptability and high quality.<sup>9</sup> Given that many victims and survivors have complex psychosocial and legal needs and may be highly vulnerable, we advocate for best practice service models that are independent, multidisciplinary, trauma-informed and person-centred. Service models must also be responsive to the diverse needs of victims and survivors, including by being culturally safe and inclusive of Aboriginal and Torres Strait Islander healing approaches.

On the issue of victims and survivors' legal needs, our experience in delivering legal services to survivors who suffered child sexual abuse in institutional settings has provided us with many insights about the needs of our client group, and more generally all survivors of child sexual abuse, for access to appropriate, trauma-informed support services, including for the provision of legal assistance. As the Royal Commission noted:

*"... the complexity of the legal system, negative previous experiences with this system and the impacts of trauma can leave victims and survivors feeling disempowered and cause them additional and unnecessary distress. Legal elements within other service systems can also be*

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<sup>5</sup> Ibid, pp. 48, 175.

<sup>6</sup> Ibid, pp. 49-50.

<sup>7</sup> The Royal Commission found that barriers such as stigma, a lack of awareness and information about available services, and prohibitive costs can prevent victims and survivors from seeking help. Ibid, p. 115.

<sup>8</sup> The Royal Commission found that structural barriers such as a lack of specialist education and training for professionals, a lack of adequate resourcing, complexities in the policy environment, and a lack of coordination and collaboration between services can impede service responses. Ibid, pp. 115, 147.

<sup>9</sup> Ibid, pp. 60-61, 162-163.

*difficult for victims and survivors to manage. A range of services working with child and adult victims and survivors identified the need for assistance in navigating these processes.*<sup>10</sup>

The Royal Commission also commented that “[T]he Australian Government should consider expanding legal supports to all victims and survivors of child sexual abuse over time.”<sup>11</sup>

The recent public commentary about the prevalence of sexual offending and harassment, and the reported experience of so many victims and survivors about the barriers they faced in seeking to report their experiences and to seek justice, has affirmed the Royal Commission’s clear findings about the profound and lasting impacts sexual offending can have on a survivor’s life. All of the knowmore team have witnessed the life-changing impacts that the delivery of effective, trauma-informed and culturally appropriate legal support can provide for victims and survivors.

We would welcome further opportunities as the National Strategy is implemented to engage further about actions that sit under priority theme 2 (of supporting and empowering victims and survivors), to respond effectively to the systemic problems facing all victims and survivors of child sexual abuse.

### **Working in partnership**

knowmore strongly supports individuals and communities being placed at the centre of the design, implementation and evaluation of the National Strategy. In addition to the groups identified in the Consultation Paper, knowmore recommends that governments prioritise the particular needs and views of children and young people who remain in high-risk institutional environments, including those in the out-of-home care system and in contemporary detention environments such as youth and immigration detention facilities.

Thank you for your consideration of these important issues.

Yours faithfully,



**WARREN STRANGE**

Chief Executive Officer

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<sup>10</sup> Ibid, p. 175

<sup>11</sup> Ibid, p. 175