

# **Draft Annual Report pursuant to Recommendation 17.3 of the Royal Commission into Institutional Responses to Child Sexual Abuse (“Royal Commission”)**

## **Introduction**

This draft report is prepared on behalf of Yeshivah Centre Melbourne. At the outset, we consider that it is useful to clarify the entities encompassed by Yeshivah Centre in Melbourne, and how those entities operate and interact so as to clarify the distinction in these responses.

At the Royal Commission, entities under the general banner of ‘Yeshivah Centre Melbourne’ were subject to the Royal Commission’s institutional review hearings. These entities were Yeshivah-Beth Rivkah Schools Limited (**YBRSL**), formerly Yeshivah Beth Rivkah Colleges Inc., Chabad Institutions of Victoria Limited (**CIVL**), formerly Chabad Institutions of Australia Inc. and Yeshivah Centre Limited (**YCL**), formerly Chabad Properties of Australia Inc.

YBRSL operates the Yeshivah and Beth Rivkah Schools, whilst CIVL operates other ‘non-school’ community activities for both children and adults, including Chabad Youth (**CY**), which runs learning programmes, out of hours child care, youth camps and a variety of other operations and is the main division of CIVL involved in the care of children and young people. Where YBRSL provides religious studies to its students, the instructors for those studies are sourced from, and employed by, CIVL. Any religious instructors engaged under these arrangements are subject to the policies and procedures of YBRSL. Yeshivah Centre Limited is a property holding company and does not employ staff.

Whilst called to the Royal Commission jointly under the banner of Yeshivah Centre Melbourne, YBRSL and CIVL are separate legal entities with separate boards of governance. The entities are co-operative as they serve and operate within the same community and certain of their functions overlap. Where appropriate, this draft report is structured so as to account for the distinction between the two entities.

Both YBRSL and CIVL welcome further discussion with NOCS as to the most effective way to present this report both in terms of format and content.



Redress Scheme – CIVL has applied to become a participating institution in the National Redress Scheme.

Restorative Justice Process – CIVL implemented a process between a victim and two leaders of the Centre and a negotiated outcome was achieved.

Extension of CIVL policies – CIVL has drafted policies and is currently seeking funding to implement the policies in a broader context.

### **YBRSL**

Similarly, to CIVL, YBRSL has driven real cultural change and education as regards the safety of children in the community so that its child safety and protection policies have a real and meaningful impact. YBRSL is aware that this cultural change and understanding is something that will take time and commitment and will be an ongoing process for years to come. YBRSL is dedicated to achieving this long-term goal.

YBRSL had, prior to the commencement of the Royal Commission, a number of policies in place regarding child safety. It had also started the process of obtaining accreditation from ACF, which accreditation was obtained in March 2016.

Following the Royal Commission, and as a part of its accreditation with the Australian Childhood Foundation, YBRSL has engaged in a thorough review of its policies as regards the safety and protection of children, updating them to ensure that they are and remain in compliance with all relevant guidelines and regulations and best practice. For example, given the nature of child abuse complaints, it is the view of YBRSL that it is crucial to maintain impartiality in addressing any complaints and this is reflected in its policies and procedures.

YBRSL has placed each of its policies on a review cycle to ensure that policies are properly documented and updated as appropriate.

For reference, the relevant policies and procedures maintained by YBRSL include:

- Code of Conduct
- Child Protection Policy and Procedure, including Commitment Statement
- Child Abuse Reporting Policy

- Employment Policy
- Volunteer Conduct Policy
- Grievance Policy
- Whistleblower Policy

These policies were updated and amended following the Royal Commission, and again on the introduction of Ministerial Order 870, and are reviewed annually (as well as periodically when appropriate).

YBRSL has a detailed recruitment and employment policy, with the schools' commitment to child protection and safety being paramount in that process. YBRSL also sets out the requirement for training of new staff in child safety procedures at their induction, and as part of their ongoing professional development.

The policies are openly available at the YBRSL office and on the YBRSL website. Alternatively, copies can be provided by request. The School also regularly runs workshops and education for the students in association with these policies and has involved students with an opportunity to add their voices to the development of the policies. In addition, there are regular parent communications sent, and where appropriate information sessions for parents and guardians.

Following the publishing of the Final Report, YBRSL also committed resources to bolstering and building its Welfare Committee by way of additional members and training. This committee in turn provide training and support to other staff members in the organisation.

YBRSL has worked closely with DHHS (Child Services), SECASA and CCYP and also receives professional expert support in the development and implementation of its policies.

As indicated above, YBRSL understands that true cultural change will come with time and is dedicated to the ongoing documentation and improvement of its policies and to introducing new measures as and when necessary. In 2020, all staff were trained on the updated child safety policies and procedures and all staff were required to reaffirm their commitment to the school's staff code of conduct.

In 2019, YBRSL was reaccredited with ACF (the Australian Childhood Foundation) for a further three-year period. The ACF was very positive about the real change and ongoing improvement culture that has been implemented in YBRSL.

In 2019, YBRSL applied to join the National Redress Scheme and was accepted into the scheme

YBRSL has also an active HR Department to drive consistent HR and Grievance policies and procedures including the onboarding and induction of new staff which is critical when working towards a child safe environment. The Department has now centralised and digitalised HR/Personal Staff Records to ensure that concerns raised are resolved in a timely manner, especially important where staff work across multiple campuses.

In 2020 the school established its Student Representative Council (SRC) that meet with the School Principal each week, either face-to-face or via video conference. The SRC is made up of student representatives from both the Primary and Secondary campuses and is a platform for the students to discuss any and all concerns directly with the Principal, as well as create a platform where students feel comfortable discussing issues with the Principal.

Students have also been selected to work on transition teams with Senior Management, Teachers and Community members to help develop the schools 5 year strategic plan.

### **GENERAL**

Further, in December 2016 (and prior to the implementation of the national redress scheme) Yeshivah Centre launched its own redress scheme that covered both CIVL and YBRSL. The program was accessible to victims of child abuse, as the need was felt to commence the process of redress as soon as practicable. The initial redress scheme was run independently from Yeshivah Centre, YBRSL and CIVL in order to ensure confidentiality and impartiality.

### **Section 3 – Report on the implementation of Specific Recommendations**

Yeshivah Centre is able to report on the following key themes arising out of the Royal Commission's specific recommendations as follows.

#### **Inclusion and implementation of recommendations into policies and procedures**

YBRSL and CIVL have taken care in the creation and implementation of their updated policies and procedures to ensure that the Royal Commission's recommendations are given effect. In addition, YBRSL has ensured that all of its policies are in line with Ministerial Order 870 and all other relevant regulatory guidelines.

YBRSL's Child Protection policies specifically state that Jewish Law accords with Ministerial Order 870. YBRSL's policies also clearly state the school supports not only victims but also reporters of abuse/allegations of abuse.

YBRSL staff and school religious instructors employed by CIVL, receive copies of the policies and regular training in their implementation, regardless of their roles, gender, or religious affiliation.

YBRSL has ensured that its Child Abuse Reporting Policy caters for any potential conflict of interest YBRSL's Senior Management and Welfare Teams, who deal with reporting of allegations, are made up of numerous people of different demographics and gender to ensure the process is accessible to all.

Recently CIVL has introduced increased vigilance around the use of the mikveh and has introduced a number of child safety policies around mikveh use. It has also introduced a Code of Conduct for the Centre in general and a Grievance policy which is managed by an appointed, independent Grievance Officer.

CIVL's youth group leader, Dina Kahn has steered the organisation through a successful audit of its policies and practices with the Australian Childhood Foundation in May 2020.

#### **Accountability – Regulatory and Expert engagement**

YBRSL is subject to relevant school regulatory bodies and accountable to them (such as the VRQA and VIT). In addition, YBRSL's policies state that it will work with the relevant government and external agencies in regard to implementation and compliance. Both CY and YBRSL are accredited with ACF and subject to annual reviews by the ACF to ensure the

entities are up to date with relevant legislation and other guidelines.

YBRSL regularly seeks and receives support from ACF, in addition to working with The South Eastern Centre against Sexual Assault & Family Violence (SECASA) and Victoria Police, as well as others, in the implementation of its child safety policies. YBRSL regularly seeks external legal support and has worked closely with DHHS (Child Protection) and CCYP.

CIVL has participated in discussions with relevant experts and support groups to ensure that impartial, professional guidance forms a part of its policy development.

Internally, YBRSL has developed its Child Safe Policies to protect students enrolled in the school. The YBRSL Board is responsible for implementation of the policies and has delegated the day to day implementation to the Principal. In turn, the Principal has empowered the Senior Staff and Welfare Committee members to act where appropriate. The Principal also reports back to the YBRSL Board on a regular basis. YBRSL's Employment Policy requires that staff will be allocated a member of Senior Management or Faculty head to monitor, mentor and review staff performance, including in areas of duty of care and child safety. In addition, formal and informal staff performance appraisals regularly occur.

#### Training and education of staff, students and religious leaders

All new staff to CY and YBRSL receive induction training regarding the entities' relevant child safe practices as part of their regular induction. All ongoing staff receive regular training in Child Safety and have signed a commitment safety.

The school (YBRSL) runs numerous workshops annually for students in these areas. In addition, it provides workshops for parents and has developed and included child safe educational programs for students as part of its curriculum. CY provides regular training for its staff and engages children in education about child safety as a discussion at the start of the child or youth camps it runs.

YBRSL, via the Principal or Welfare Committee Members, provides annual internal review and training in Child Safe policies and procedures which are supported or supplemented by external workshops or presenters on varying age appropriate aspects of child safety.

Staff of YBRSL and CY must sign a document confirming that they have access to

and will adhere to all relevant Child Safe policies including reporting, and Code of Conduct.

### Other matters

YBRSL and CIVL wish to briefly comment on the fact that there are a number of recommendations contained within the Royal Commission's final report that they are not able to implement as they do not have the power to do so. For example, YBRSL and CIVL do not have the ability to strip a Rabbi of his office, nor to impact on what is required by way of training in order for a person to obtain that office. For that reason, there are a small number of recommendations that have not been implemented by Yeshivah Centre. However, steps have been taken in other ways to give effect to such recommendations. For example, CY and YBRSL have clear requirements in their employment processes to ensure a candidate's suitability for working with children. YBRSL and CIVL are mindful of their ability to stand down staff even if they are unable to make changes to a person's religious standing or role.

In addition, records of complaints and investigations are kept (confidentially) by YBRSL and CIVL, the details of which are shared as appropriate and relevant. Steps to implement a national register have not been taken at this time.