



Operations Unit

CONTENT WARNING: This information sheet includes descriptions relating to child sexual abuse and may be distressing or raise issues of concern for some readers.

Complaints about child sexual abuse

We take a proactive and consultative approach to complaints about child sexual abuse.

Our procedure

Step 1. Initial consideration

After receiving a complaint, we may immediately liaise with the complainant or Tasmania Police.

Our Chief Executive Officer (CEO) will then consider the below factors and make a tentative decision about whether we should dismiss the complaint, assess the complaint ourselves, refer the complaint to another organisation or recommend a commission of inquiry.

Factors we consider

- ▼ Our 'principles of operation', as set out in section 9(1) of the *Integrity Commission Act 2009* (the Act)
- ▼ The significance of the allegations or complaint and the risks associated with that conduct
 - ▽ The more serious the matter and risks, the more likely it is that we will refer the matter to police or deal with it ourselves. Extremely serious matters may be recommended to the Board for a commission of inquiry.
- ▼ The potential for conflicts of interest in the relevant public sector organisation
 - ▽ If the complaint alleges systemic misconduct, misconduct involving senior staff or misconduct that has not been dealt with appropriately, it may be more appropriate for us to handle it rather than refer it to another organisation.
- ▼ The organisation's capacity to undertake a robust, high-quality investigation
 - ▽ If the organisation is small or under-resourced, or we have concerns about its ability to deal with the complaint, we will not usually refer it.
- ▼ The risks associated with retribution and reprisals against the complainant and of their anonymity being compromised
 - ▽ We consider whether the complainant would be better protected if we dealt with the complaint ourselves, rather than referring it. We make sure we ask the complainant, so we understand their concerns.
- ▼ Public considerations, including the importance of preserving public confidence in Tasmania's integrity and oversight program

- ▼ Whether the complaint relates to multiple organisations and may benefit from a more global, systemic review by us
 - ▼ Extremely serious matters involving allegations of systemic child sexual abuse or alleged cover-ups of such abuse may be recommended to the Board for a commission of inquiry.

Step 2. Consultation

After the initial consideration, we consult the complainant on the CEO's intended approach to handling the complaint, including any concerns the complainant may have about retribution and reprisal.

We may also consult Tasmania Police about the complaint and be guided by its recommendations on how to handle the complaint.

Step 3. Decision

The CEO will make a final decision, considering the factors explained in Step 1 and the outcomes of consulting the complainant and Tasmania Police in Step 2.

If the CEO decides that we should **assess** the complaint under the Act, only staff with appropriate training will conduct an assessment and any later investigation.

If the CEO decides to **refer** the complaint to another organisation, the referral will be monitored and the CEO will consider requesting progress reports from the organisation.

If we have the complainant's contact details, we will write to the complainant explaining the CEO's decision.

Why does the Commission refer complaints?

We do not investigate all complaints of misconduct. Section 35(1)(c) of the Act allows us to refer complaints to other organisations for various reasons. For example, we may refer allegations of criminal conduct to the police.

We normally refer complaints back to the organisation that employs the subject of the complaint if the complaint:

- ▼ alleges misconduct that is not serious or systemic
- ▼ is about conduct that is best dealt with by that organisation
- ▼ is already being dealt with by that organisation – we have an obligation under the Act not to duplicate the work of other organisations
- ▼ is within the organisation's capacity to investigate in terms of managing the complaint and any potential conflicts of interest
- ▼ may not clearly allege misconduct but does contain information that the organisation should be aware of, or
- ▼ does not allege misconduct by senior public officers, as these cannot be referred.

What does 'assess a complaint' mean?

After receiving a complaint, the CEO may decide that we should 'assess' it under the Act. An assessment is a formal process set up under the Act to help us decide what to do with the complaint.

Complaints that we assess are generally those that:

- ▼ allege serious and/or systemic misconduct
- ▼ involve a high misconduct risk area, such as child sexual abuse
- ▼ allege misconduct against one or more senior public officers
- ▼ allege misconduct across multiple public sector organisations
- ▼ may require our special powers to adequately deal with
- ▼ have been dealt with inadequately by other organisations
- ▼ have had a lack of capacity or willingness to be dealt with by other organisations, or
- ▼ need an inquiry conducted to better understand the complaint and what should happen with it.

An assessment will not necessarily consider all allegations made by the complainant. The CEO may decide to dismiss some allegations and consider other allegations or aspects of the complaint for an assessment.

At the end of an assessment, the CEO will decide whether we should dismiss the complaint, refer it to another organisation or investigate it ourselves.

What is child sexual abuse?

'Child sexual abuse' is any act that exposes a child to, or involves a child in, sexual processes beyond their understanding or contrary to accepted community standards.

Sexually abusive behaviours can include the touching of genitals; masturbation; oral sex; vaginal or anal penetration by a penis, finger or any other object; the touching of breasts; voyeurism; exhibitionism; and exposing the child to or involving the child in pornography. It includes child grooming, which refers to actions deliberately undertaken with the aim of befriending and establishing an emotional connection with a child to lower their inhibitions in preparation for sexual activity and any related matters.

Support and other reporting organisations

If a child is at immediate risk and Police or medical assistance is required, dial 000.

If you are concerned that a crime has been committed (such as the physical or sexual abuse of a child), contact Tasmania Police on the Police Assistance Line: 131 444.

If you have a concern about the safety or wellbeing of a child, contact the [Strong Families Safe Kids Advice and Referral Line](#) on 1800 000 123.

If you need to talk to someone, support is available from the following organisations:

- ▼ Lifeline (24 hours) – 131 114
- ▼ Beyond Blue – 1300 224 636
- ▼ Beyond Blue Webchat Support Service – www.beyondblue.org.au/support-service/chat
- ▼ Victims of Crime Service – 1300 300 238
- ▼ Sexual Assault Support Service (24 hours) – 1800 697 877
- ▼ Laurel House Northern Tasmania – (03) 6334 2740
- ▼ Laurel House North West Tasmania – (03) 6431 9711
- ▼ Blue Knot Foundation – 1300 657 380
- ▼ Strong Families, Safe Kids – 1800 000 123
- ▼ 1800 RESPECT – 1800 737 732
- ▼ Suicide Call Back Service – 1300 659 467
- ▼ Suicide Call Back Service Online Counselling – www.suicidecallbackservice.org.au/phone-and-online-counselling/
- ▼ MensLine Australia – 1300 789 978
- ▼ Relationships Australia Tasmania – 1300 364 277



The Commission can help

We are available to provide support and assistance with identifying, reporting, investigating, managing and preventing misconduct: prevention@integrity.tas.gov.au or 1300 720 289.

For more Integrity Commission resources go to www.integrity.tas.gov.au/resources