



Shelter Tas

Workforce Development Online Q&A Evaluation Report

Organisational Liability for Child Abuse Act 2019 and SHS Impacts

7 December 2021

Evaluation

Training session:	Organisational Liability for Child Abuse Act 2019 and SHS Impacts
Facilitator:	Audrey Mills, Principal, Dobson Mitchell Allport
Date:	7 December 2021
Region:	State wide
Overview:	Principal Lawyer at Dobson Mitchell Allport, Audrey Mills, presented an in-depth look at the Justice Legislation Amendment (Organisational Liability for Child Abuse) Act 2019 which came into effect in May 2020. This was a repeat of the April presentation which articulated significant changes to organisational liability and the reversal of the onus of proof which is now upon the organisation to prove that all reasonable precautions were taken to prevent child abuse. The session also touched on the Child Safe Organisations Bill 2020 which was due to pass in 2021 but has been delayed. This bill will change the Child Safe Standards that underpin how organisations work with children. The training was attended by Specialist Homelessness Services and representatives from the Department of Communities from around the state, many of whom attended the first session. For many participants, this new legislation signals significant structural changes to infrastructure, policy and procedures and once again the evaluations from this session call for more information.
Resources:	See resource links and information below
Participants:	42
Evaluations completed:	17
Overall rating:	100% rated this training good/excellent

Summary

- The training was delivered across the state (online)
- 100% of participants who completed the survey rated the training as good or excellent
- 100% of participants who completed the survey said the session was useful

Training Overview

On recommendation from the Workforce Development Reference Group, Shelter Tas held an online session covering the Organisational Liability for Child Abuse Legislative Reforms which came out of the *Making Institutions Child Safe* report from the Royal Commission into Institutional Responses to Child Sexual Abuse. The training was attended by Specialist Homelessness Services and representatives from the Department of Communities from around the state. For many of the participants, the training provided new information that directly affected how the sector works with children and families. Organisations are now legally responsible for child abuse that occurs whilst the child is in the presence of any volunteer, staff or contractor that is involved with the organisation. The new legislation reverses the onus of proof, and responsibility is now on the organisation to prove that the organisation took all reasonable precautions to prevent child abuse. Audrey's clear and efficient presentation style demonstrated how the new legislation impacts Specialist Homelessness Services and Community Housing Providers. Audrey Mills was commended by ALL participants for the quality of the presentation and her ability to communicate complex detail clearly and efficiently.

Background

Workforce Development Program 2018-23

Shelter Tas has a 5-year funding agreement with the Department of Communities Tasmania (Housing Tasmania) for the Workforce Development Program (WDP) 2018-2023. The purpose of the WDP is to *facilitate specialist professional development and training activities that: continue to build workforce capacity of the housing and homelessness sector; respond to new and emerging sector issues and support Tasmanians who are experiencing, or who are at risk of homelessness.*

Shelter Tas is developing, promoting and evaluating a schedule of specialist quality training in line with the following priorities:

- Priority 1 - Increasing the skills and competencies of the SHS workforce
- Priority 2 - Increasing the accessibility of training and professional development to the whole of the sector

Consultation

The COVID-19 pandemic has changed the way our services operate and created a set of new challenges beyond those identified through our Jan 2020 WDP Survey and Feb 2020 strategic planning meeting. Shelter Tas has supported the Specialist Homelessness Services and Community Housing Providers by holding weekly COVID-19 meetings that brought together services from around the state and the Department of Communities to address the impact of the pandemic and share solutions. This forum informed the series of online workshops to be delivered through the Workforce Development Program, the Workforce Development Reference Group provided valuable input and authorised the online workshop plan.

Comments

"Well organised session with a great speaker, thank you."

"Great session, thought provoking."

"More sessions delivered by Audrey."

“Very informative and well presented.”

Follow-up Recommendations:

- All participants requested a follow-up session when the Child Safe Organisations Bill 2020 passes through parliament
- Shelter Tas is working with Audrey Mills to repeat the session in 2022 to give organisations more opportunity to understand the scope of impact this legislation will have on service delivery.

Q&A Summary and Resource Link:

- Media Release on the Organisational Liability for Child Abuse Legislative Reforms.:
http://www.premier.tas.gov.au/releases/protecting_our_most_vulnerable2
- Fact Sheet: https://www.justice.tas.gov.au/_data/assets/pdf_file/0010/566470/FACT-SHEET-Justice-Legislation-AmendmentOrganisational-Liability-for-Child-Abuse-Act-2019.pdf
- The Act to follow is the Civil Liability Act 2002 Part 10.C.
The amendment act was repealed because the provisions are now in the Civil Liability Act & Limitations Act.
<https://www.legislation.tas.gov.au/view/html/inforce/current/act-2002-054#HP10C@EN>