



Child Focused Oversight



**Annual Report
2023-24**



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Acknowledgement of Victim Survivors

The Office of the Independent Regulator (OIR) acknowledges victim survivors of sexual abuse which has occurred within organisational settings in Tasmania. The OIR shares the responsibility to deliver the changes necessary to safeguard children and young people, today and for generations to come, and we approach this task with commitment, compassion, and hope.

Acknowledgement of Country

In recognition of the deep history and culture of this island, the OIR acknowledge Tasmanian Aboriginal people, the original and continuing Custodians of the Land, Sea and Sky. We acknowledge and pay our respects to all Aboriginal people of Lutruwita, all of whom have survived invasion and dispossession, and continue to maintain their identity, culture and Aboriginal rights.





Foreword

Child abuse is an insidious crime that targets our most vulnerable, with devastating and long-lasting effects. Preventing child abuse is a shared responsibility of all Tasmanians and the accounts of child abuse survivors should be driving everyone to action.

The Office of the Independent Regulator (OIR) was established to implement the Child and Youth Safe Framework and this, our first Annual Report, outlines our actions and learnings over our first six months of operation.

Laws requiring organisations and individuals to implement child safe practices and compelling leaders of organisations to report and respond appropriately to allegations of child abuse are the first steps to addressing past failings and preventing future atrocities. Facilitating information sharing is also a key step in improving transparency and accountability by developing a culture where inaction is not an option and excuses for failing to respond to allegations are not tolerated.

I am extremely proud of the team who continue to work with me to engage, inform and collaborate with the hundreds of stakeholders and community members who have taken the time to learn about what it means to be child safe.

The support, advice and engagement of our partners and stakeholders who share our vision of making Tasmania safe for our children and young people, demonstrates a strong commitment to doing better, together.

I am pleased that many organisations are demonstrating support and commitment to implementing child safe practices. The journey hasn't been the same for all organisations. My team continues to reach out to those organisations to provide guidance and support and, more importantly, to impart the value of implementing the Child and Youth Safe Framework. While it is rewarding to see this work pay dividends, we know an ongoing focus and commitment to child safety is required to deliver meaningful change.

I would like to thank the Tasmanian community for their warm welcome and I am indebted to the victim survivors who bravely shared their experience, knowledge, and wisdom with me in the hope that no other child or young person is harmed by those entrusted to look after them.

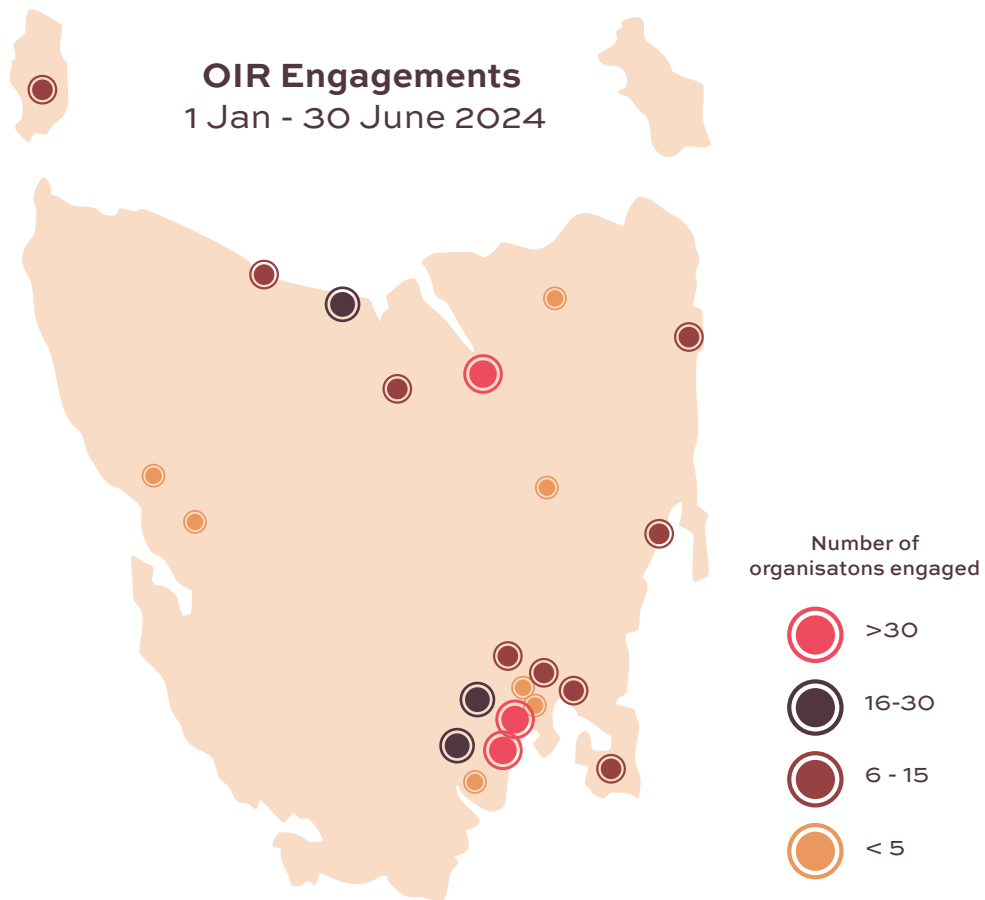
While we know child safe cultures develop over time, we also know they need consistent focus, effort and actions by leaders and the people they lead. I'm looking forward to continuing to work with the community to create an environment where we listen to our children and young people, and act when required.

The Government's approach to a new child-safe regime is still evolving, with additional changes set to impact the sector and the way it is regulated. On the back of these proposed changes, I look forward to continuing the valuable work of the OIR in conjunction with partner agencies, child related organisations and community stakeholders to further strengthen child safe practices across Tasmania.

Louise

Independent Regulator
31 October 2024

The Office of the Independent Regulator - Operational Snapshot




383
engagement
activities


1646
people


347
organisations

Engagements have been a combination of face to face seminars, on-line webinars, direct organisations contacts via phone or in person and planned sector and organisational sessions.


HOW MANY PEOPLE HAVE ACCESSED THE
OIR WEBSITE

7500
users


ONLINE WEBINAR SESSIONS
28 **332**
activities people
25 organisations


294 Telephone Calls
received by the OIR
93% calls answered directly

232

Reportable Conduct Notifications received 1 Jan – 30 June

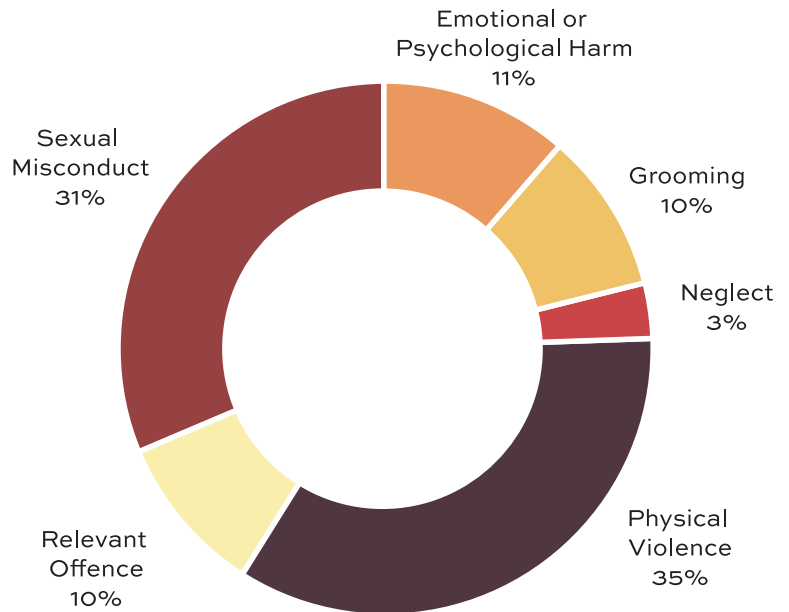
*Excluding matters deemed not in jurisdiction or disclosures under s33 of the Child and Youth Safe Organisation Act 2023

68 Business Days

was the average time that in jurisdiction Reportable Conduct Notifications were open

*Inclusive of notifications that were closed, meaning a formal Closure Letter was distributed to the entity, between 1 Jan – 30 June only.

All Reportable Conduct Notifications per Primary Reportable Conduct Notification Type



Gender identity of alleged victims

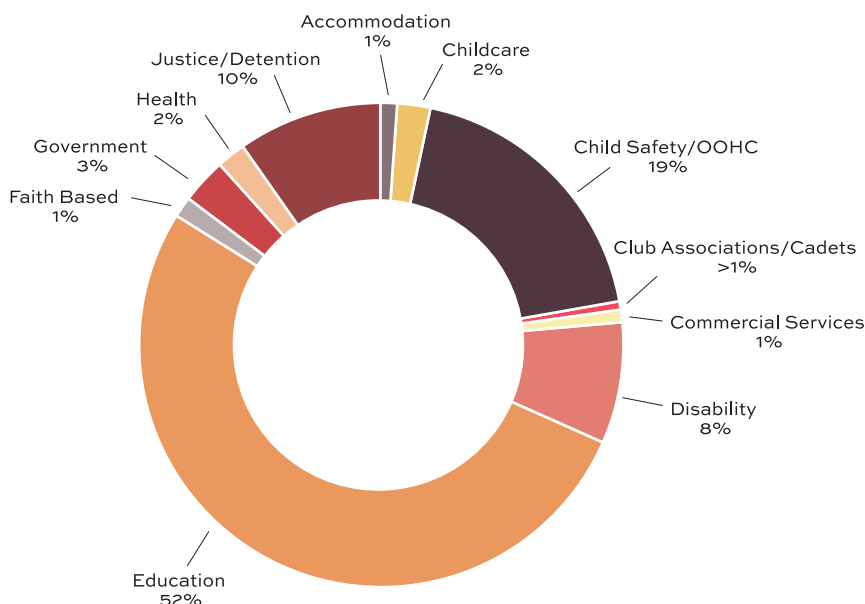


17

:the most common age of alleged victims

*Excluding alleged victims where their age is not known

All Reportable Conduct Notifications per sector



73%

of alleged victims were aged between 11-17 years old

*Excluding alleged victims where their age is not known



60%

of alleged Subjects of Allegations identify as male

The Office of the Independent Regulator

Empowering Tasmanian Organisations to be Child Safe

Development and Foundations of the Child and Youth Safe Framework

The project to establish the Office of the Independent Regulator (OIR) commenced in 2023 within the Tasmanian Department of Justice (DoJ) and was managed through the Child Abuse Royal Commission Response Unit (CARCRU). The team from the DoJ led a significant piece of work during 2023 to commence the early socialisation of the Child and Youth Safe Organisations Framework with hundreds of engagements across a wide range of sectors and organisations including key Government departments. This also led to a wide variety of support resources and guidance materials for organisations.

The project team was also responsible for developing the practical establishment of the OIR, designing and undertaking recruitment processes and all practical elements of office establishment. The OIR acknowledges the

significant investment of time and resources through CARCRU and the broader DoJ in the creation of the OIR.

During 2023, the Tasmanian Government legislated the Child and Youth Safe Organisations Act (2023). The Act promotes the best interest of children and does this by creating the Child and Youth Safe Organisations Framework which promotes child safe practices and environments to protect children from child abuse and misconduct.

The Office of the Independent Regulator (OIR) was also established by the Act and became operational on 1 January 2024. The Commission of Inquiry into the Tasmanian Government's Responses to child Sexual Abuse in Institutional Settings (COI) noted this as an important step to oversee Tasmania's Child and Youth Safe Organisations Framework to improve the safety of children in organisations across the state.

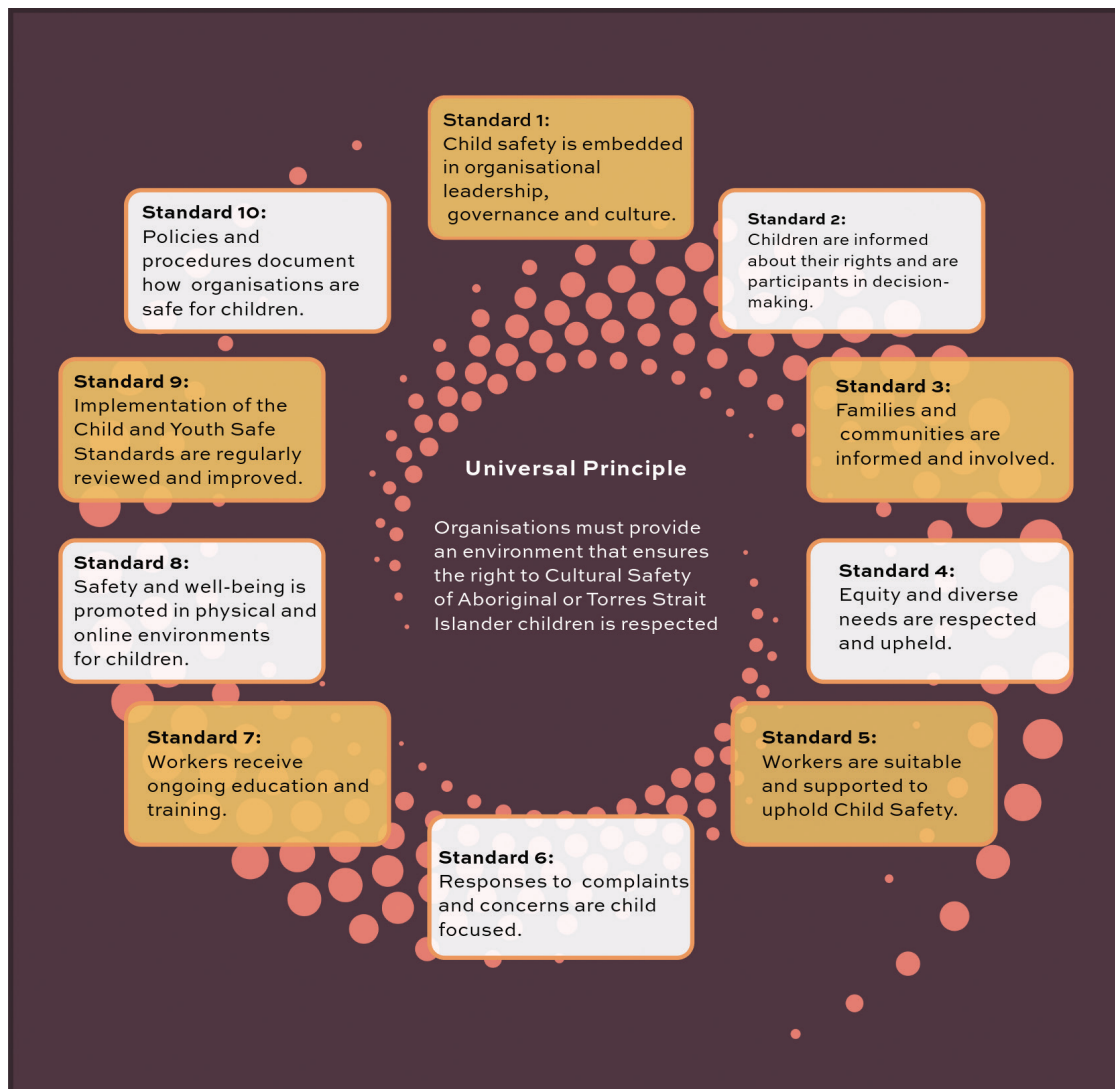
The Child and Youth Safe Organisations Framework

The Framework comprises the Child and Youth Safe Standards (the Standards) and Reportable Conduct Scheme (the Scheme) and is supported by robust interagency information sharing powers. The Framework provides a powerful mechanism to protect children from misconduct in the workplace. Strong education and support functions allow the OIR to assist agencies in implementing the Standards to create child safe workplaces and reduce opportunities for Reportable Conduct to occur.

In circumstances where misconduct does occur, organisational staff are aware of and understand established and documented processes to identify and disclose that behaviour. The extensive information sharing powers of the Independent Regulator allow child protection concerns to be shared with key agencies such as Tasmania Police, the Integrity Commission, and the Registrar for Working with Vulnerable People (RWVP).



Child and Youth Safe Standards and Universal Principle



The 10 Standards and the Universal Principle outline how an organisation can develop a culture with child safety and wellbeing at its centre. The Standards including the Universal Principle represent a significant step toward ensuring that organisations provide safe services and care to children and young people. The Universal Principle for Aboriginal Cultural Safety states that organisations must provide an environment that ensures the right to Cultural Safety of Aboriginal or Torres Strait Islander children. This means that Aboriginal culture is respected, Aboriginal and Torres Strait Islander children and young people feel safe to be themselves and their sense of culture and identity is promoted.

The Standards contribute to preventing abuse and harm by requiring organisations to meet a benchmark that means the rights to safety of children and young people are respected and upheld. By being 'principle-based', the Standards are intended to allow flexibility in how they are implemented. This flexibility means that smaller organisations can comply in a meaningful way within their organisation, context and resources.

The Standards guide and inform the creation of safe and resilient workplaces where leaders and staff are capable and confident in preventing, identifying, and reporting misconduct against children.



The Reportable Conduct Scheme

The introduction of the Reportable Conduct Scheme (the Scheme) provides external oversight by the OIR of organisations who notify reportable conduct matters relating to allegations of harm against children and young people by their workers.

The Reportable Conduct Schemes established in other Australian states and territories demonstrate the importance of the ability to capture low-level behaviour that may, without a scheme, remain undetected. Importantly, it allows identification of patterns of low-level behaviour that may establish a worker's risk profile and identify any persistent and inappropriate behaviour with, towards or in the presence of children. Regardless as to whether they meet the threshold of Reportable Conduct, inappropriate behaviour needs to be addressed and recorded on the agencies systems to enable better prevention and early intervention. Many of the case studies before the Royal Commission into Institutional Responses to Child Sexual Abuse highlighted devastating outcomes when organisations failed to address "low-level behaviour" which allowed grooming

activities to occur and children to be harmed. By having a clear and concise Code of Conduct which addresses child safety concerns and communicating and endorsing a culture of reporting all breaches, agencies will be taking significant steps to creating a child safe reporting culture.

The definition of Reportable Conduct within the legislation is broad, capturing a range of misconduct, including sexual offences, sexual misconduct, and grooming. It also includes significant emotional or psychological harm to a child and significant neglect and physical violence. The inclusion of these behaviours recognises the enduring impact these traumas have on children, the flow-on effect for the wider community, and an organisation's responsibility to prevent and respond to it.

The Scheme places a legal duty on leaders of organisations, including government agencies, to report allegations or convictions related to child abuse involving workers, volunteers or contractors to the Independent Regulator. This includes alleged conduct that is historical in nature or has occurred outside the course of the worker's or volunteer's role with the organisation both inside and outside of work hours.

On becoming aware of Reportable Conduct, the Head of the Relevant Entity (HRE) has three business days to notify the Independent Regulator. As soon as practicable, the HRE must begin investigating the conduct and, upon completion of the investigation, must report the findings and actions taken to the Independent Regulator. Where it is not possible or appropriate for an organisation to arrange its own investigation, the Independent Regulator has the power to conduct its own investigation, or to request other existing regulatory bodies to conduct investigations.

Unlike investigations into criminal behaviour, a workplace investigation into allegations of Reportable Conduct may make a finding that, on the balance of probability, the behaviour occurred. Where allegations reach a threshold of criminal behaviour, the Act, pursuant to Section 35 (2) provides arrangements that avoid concurrent investigations that may compromise a criminal investigation.

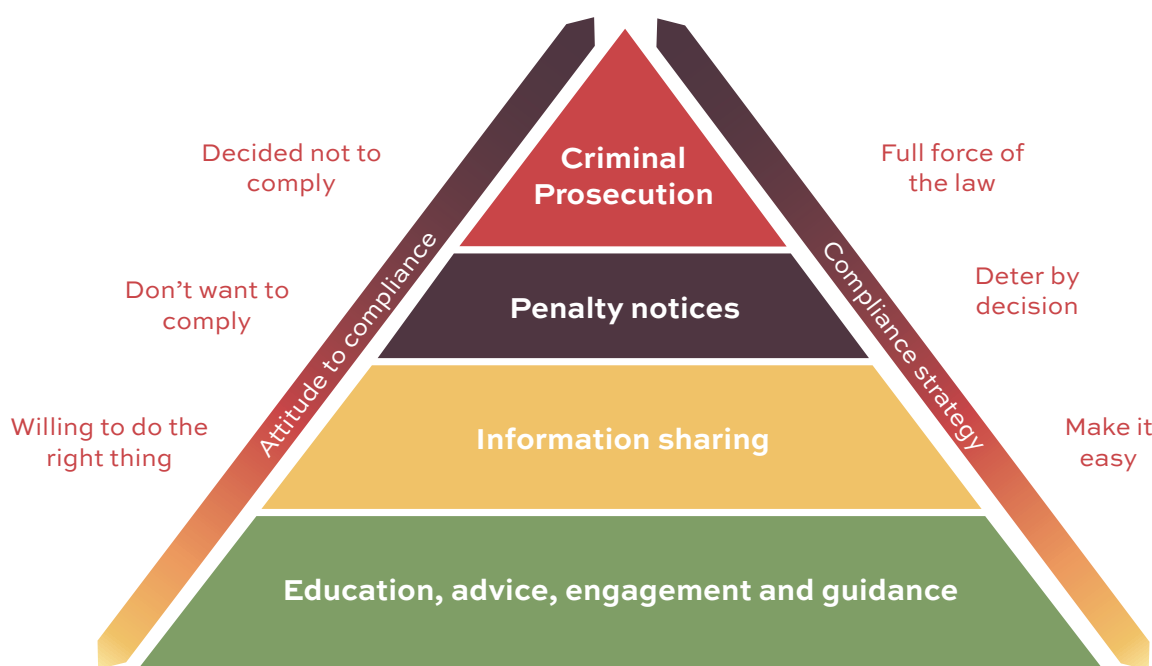
The OIR Approach to Regulation

The OIR's regulatory approach is to build the capability of all organisations who need to comply with the Child and Youth Safe Organisations Framework. Organisations need to know what to do to be able to comply. Therefore, significant time and resources are

dedicated to awareness raising, education and targeted support and guidance.

The compliance strategy the OIR employs will change depending on the organisation's attitude to complying with the Scheme.

Figure 1.0 - The OIR's Approach to Regulation



Capability Building Strategy

A key function of the OIR is building the capability of organisations across Tasmania to become child safe. Organisations need to know what they have to do to comply with the Framework. This work is targeted at all sectors and organisations that fall within scope of the legislation. Regardless of being in scope or not, all organisations across Tasmania should be child safe, which was also a recommendation from the COI.

With over 8,000 organisations that fall within scope of the Act, the first six months of operations has been focused on awareness raising and engagement activities. The focus will next shift to a more strategic plan to guide engagement. This will involve targeted capability building activities to upskill organisations in response to their identified needs to implement child safe practices in practical and meaningful ways that meet the needs of the children and communities they serve. This work will be implemented across phases that will focus on:

Figure 2.0 Outcomes of the Capability Building Strategy



The OIR recognises that there are challenges in building the child safe practices of organisations and that change will take time. Identifying potential barriers, real or perceived and minimising them from the outset will ensure that activities are responsive to the context and able to achieve change.

Whilst the OIR continues building awareness and engagement across the state as per the establishment phase, the engagement and empowerment phase of this work has commenced and will continue over the next 12 months.

Organisational Structure

The Office of the Independent Regulator is comprised of three work streams and functions.

The Education, Engagement and Policy Team continue to build strong foundations by promoting awareness of the Child and Youth Safe Organisations Framework, the Standards, and the Scheme. The team is doing this by identifying and working with sectors, peak bodies, and organisations to build their capability to create child safe cultures and implement processes based on the concept of continual improvement. The team does this via face-to-face meetings, online webinars and continually developing online resources. The team also seeks feedback from organisations to respond to their needs for specific support and resources.

The Regulation and Compliance Team focus on the oversight, regulation and monitoring of organisations that provide services to, and facilities for, children and young people. This includes the management of the Scheme via notifications, and guidance for organisations through their investigation process when reports are made.

The team also provides individual organisational support, general education resources through the OIR website, specific sector forums and regular entity and stakeholder engagement sessions. The team has invested in direct engagement with organisations to understand how their work areas operate, learning about specific pressure points and has established regular stakeholder meetings to keep abreast of how organisations are responding to Reportable Conduct matters.

Both teams work together to identify and support organisations to develop their awareness, understanding and organisational obligations with the Standards and with the Scheme.

The Business Services Team contributes to the efficient and effective operations of the office by assisting the Independent Regulator with the strategic and day to day financial management and planning of the office as well as ensuring the team has effective, compliant management and administrative systems in place.

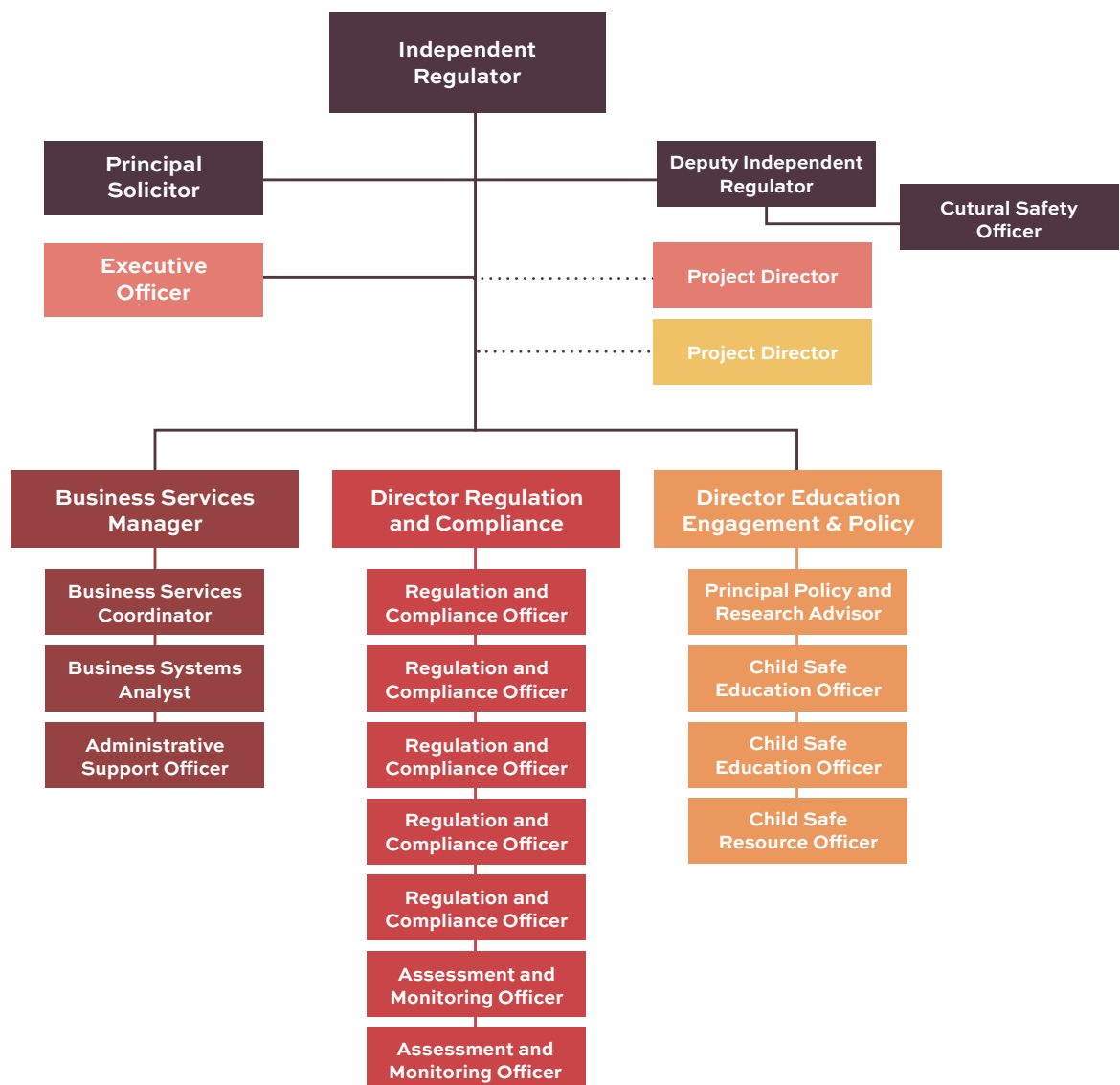
As of 30 June 2024, the OIR has organised its teams and roles to efficiently oversee its regulatory functions. The structure delineates the streams of work, their respective responsibilities and the reporting lines that define the flow of authority and communication. This structure supports the office's mission to provide independent oversight and regulation in its area of governance. The OIR has maintained project resources as part of the establishment phase of the office to develop efficient and effective process, procedures, operational policy and the development of a bespoke case and complaints management system to support all operations of the office. Identification of two fixed term Project Director roles has been established to fulfill these functions.



The OIR is yet to recruit to the positions of Deputy Independent Regulator and Cultural Safety Officer. These roles are critical to support meaningful and ongoing engagement with Tasmania's First Nations community and to guide, promote and embed the Universal Principle into all organisational cultures. Over first six months of operations, the OIR has developed a draft Statement of Duties for the position of Deputy Independent Regulator and has had a consultation process with the Tasmanian Aboriginal Community on

the key duties, functions, and focus. Initial engagement has also occurred with a specialist executive recruitment agency to progress the appointment process. Recruitment to the Deputy position has been paused given the Government's progress on the development of the broader Commission for Children and Young People which will see the appointment of an Aboriginal Commissioner role embedded in the establishment. Further clarity is required on the process to develop and appoint to the Aboriginal Commissioner role.

Figure 3.0. OIR Organisation chart





OIR Leadership Team

The Independent Regulator's leadership team includes the following:

Louise Coe

Independent Regulator

Louise has a Bachelor of Commerce, Bachelor of Laws (Honours), Graduate Diploma of Legal Practice and Executive Master of Public Administration. Louise is Tasmania's first Independent Regulator with more than 20-year career with the NSW Government. Louise has extensive experience in the regulation and oversight of Child Safe Standards and Reportable Conduct Schemes, having worked most recently with the NSW Office of the Children's Guardian.

Allison Waring

Principal Solicitor

Allison has a BA/LLB (Honours) and has Graduate Diplomas in Legal Practice and Teaching. Allison has held leading Government roles for the last 17 years and has extensive experience in child protection and regulation.

Allison has had the privilege of being involved in legislative reform following implementation of recommendations of the Royal Commission into Institutional Responses to Child Abuse as well as providing legal support and advice to operationalise Child Safe Standards and Reportable Conduct.

Natalie Hankin

Director, Regulation and Compliance

Nat holds a Bachelor of Social Welfare, a Diploma in Leadership and Management and has worked in the community sector for government and non-government organisations across various jurisdictions for the past 25 years, specifically in child safety, family violence and practice assurance roles.

David Ronaldson

Director, Education Engagement and Policy

David has prior experience in primary and early years education and care, community development and stakeholder engagement. David's qualifications include a Bachelor of Education, a graduate certificate in Public Sector Management and is a graduate of the Australian Institute of Company Directors Course.

Danesh Rakhani

Business Services Manager

Danesh holds a Bachelor of Commerce in Accounting from University of Wollongong as well as certificates in Project Management and Managing Public Sector Budgets. Prior to joining the Office of the Independent Regulator, Danesh worked in organisational development.

Petrina Nettlefold

Project Director

Petrina has worked in the Tasmanian State Service for the last 15 years and has a range of project and policy experience across mental health, family violence and child and youth wellbeing. Petrina holds a Bachelor of Health Science and a Master of Public Health from Flinders University and a Graduate Certificate in Health Economics from Curtin University. In addition, Petrina has qualifications in Project Management.



Zaharenia Galanos

Project Director

Zaharenia has worked in the Tasmanian State Service for 20 years and was part of the Department of Justice team that supported the practical establishment of the OIR. Zaharenia has held several positions in the children and youth services sector at front line, leadership, specialist liaison and senior leadership roles.

The broader workforce of the OIR is made up of diverse experience, expertise, and skill. Staff in the OIR have experience and qualifications in law, social welfare, project management, strategic policy, in the delivery of regulatory and other oversight services, leadership, auditing, communications and administration.

“The role of Regulation and Compliance Officer has been both challenging and rewarding. I was excited to join the OIR when the Child and Youth Safe Organisations Act (2023) came into effect and to be given the opportunity to make a real difference to the safety and wellbeing of children and young people in Tasmania.

I am lucky to be part of a small and supportive team with a diverse range of knowledge and experience and I have benefited from quality training opportunities that have helped me greatly in the role”

Lana, Regulation and Compliance Officer

Organisational Values

The Office of the Independent Regulator has held a number of internal workshops through the first six months of operations to identify the values of Integrity, Fairness and Courage which will assist the office to deliver Child focused oversight. These values guide how the OIRs work as a team, makes decisions, and delivers objectives.

Integrity



Fairness



Courage



OIR The First Six Months

During the first six months of operations, the OIR has been operating in the establishment phase, building strong engagement with stakeholders and awareness raising across the state. The OIR has reached out to in-scope sectors and organisations via a series of in-person introductory sessions to introduce the community and organisations to the Independent Regulator, members of the team and the Framework. The OIR has engaged with 1646 representatives from 347 organisations during this first six-month period.

The Independent Regulator has spoken to conferences and large online webinars. This has included speaking at the National Disability Services State conference (120 attendees) and webinars with Volunteer Tasmania (37 attendees) and Active Tasmania (150 attendees). The OIR has also engaged directly to understand how agencies are responding to Reportable Conduct and has worked to build trusting productive relationships. This work has been conducted across a range of agencies including the Department for Education Children and Young People, and the Department of Police, Fire and Emergency Management, the Department of Health, and the State Service Management Office.



The OIR supports agencies via the 1800 phone line responding to 294 calls of enquiry and via the OIR website which has received a total of 7,375 visitors and generated 31,062 page views. The visits steadily increased each month, rising from the lowest figures in January (660 visitors and 4,119 views) to the highest in June (2,139 visitors and 7,021 views). Notably, May and June 2024 saw significant growth in both metrics, with May reaching 1,711 visitors and 6,300 page views. This upward trend suggests increasing interaction with the website, due to engagement, regulation and compliance activities and greater organisational familiarisation with the framework.

The OIR Directors routinely hold stakeholder engagement sessions across government and non-government sectors to continue to raise awareness, respond to queries and offer practical guidance on the role of the OIR, the Scheme and compliance with the Standards and Universal Principle.

Additionally, the OIR has responded to many requests and proactively met with a range of organisations and individual employees and volunteers through webinar sessions. Individual organisational meetings have focussed on the Framework and how the relevant organisation is working on their capability and compliance journey. Feedback from the sessions has been positive and will be used by the OIR to inform the development of future resources, guidance, and educational programs.

The OIR has heard that the community members and organisations are keen to see a combination of in-person and online information opportunities, supported by a range of practical and simple guidance materials including easy to follow templates and flow charts to help keep everything on track when implementing the standards under the framework.



COMMUNITY OUTREACH FEEDBACK

“I am now feeling more confident to call and reach out to the OIR for help and support”.

“Thank you, This is important work which you are doing with professionalism and care”.



97%

of respondents surveyed thought that information in sessions provided by the OIR was Good or Excellent.

From 1 January 2024, the OIR received 232 notifications of Reportable Conduct. The Regulation and Compliance Team has been responding to these notifications, participating in outreach forums, and engaging with stakeholders and agencies to align expectations and to respond to enquiries as they arise. The most common enquiries have been about whether an allegation needs to be notified and what organisations need to do to complete an investigation.

Establishing a Regulation and Compliance Team within the OIR has included:

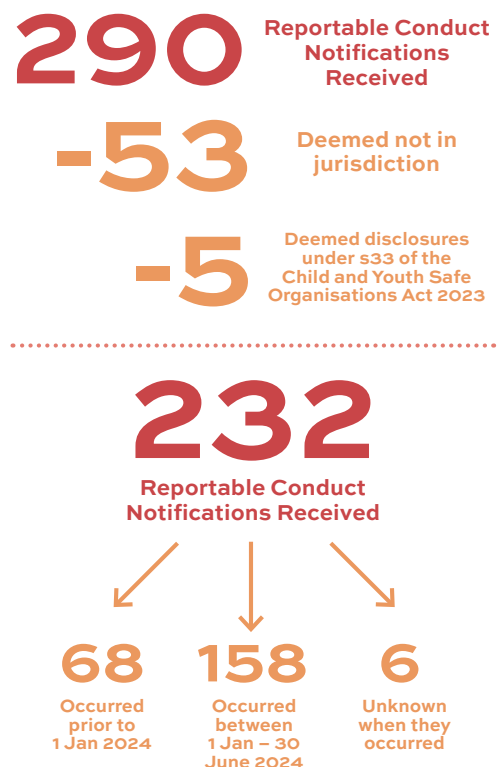
- recruiting and training 7.0 FTE, including significant investment in the professional development of staff.
- developing policy and operational procedures to guide practice. A Project Policy Director is working alongside the Compliance and Regulation Team and the Principal Solicitor to interpret the legislation, develop operational policy and document procedures to guide practice.
- engaging with other jurisdictions that have similar schemes to learn from their experience, including the Victorian Commission for Children and Young People and the New South Wales Office of the Children's Guardian.
- publishing educative information about the Scheme's scope and requirements on the OIR web site.
- meeting with organisations to discuss the Scheme to increase knowledge and skills.
- working closely with key stakeholders, other regulators, and government departments to develop operational relationships to promote awareness of and compliance with the Scheme and exploring opportunities for co-regulation to avoid duplication of effort.

Reporting on the Scheme – The Data (January – June 2024)

From 1 January 2024 – 30 June 2024 the OIR has received 290 notifications from Heads of Relevant Entities (HRE) across in-scope sectors. Fifty three (53) notifications received have been identified as not in jurisdiction, because:

- the organisation, worker, child or young person or behaviour was not in jurisdiction; or
- the matter was not a notification of reportable conduct, but rather a person disclosing allegations of concern about behaviour to the Independent Regulator which is a provision of the Act. Note that only the HRE, or their delegate can make a notification to the Independent Regulator

Of the 290 matters reported since 1 January 2024, 68 notifications related to matters where the alleged behavior occurred prior to 1 January 2024 and in 6 matters, dates were not supplied. However, in these matters, the HRE became aware of the matter after 1 January 2024 requiring the matter be notified.



A HRE is required to provide a final investigation report to the Independent Regulator as soon as practicable, which must include a copy of findings, reasons for the findings and details of any action the entity proposes to take or not to take against the worker.

The findings for reportable conduct are:

- substantiated, which means the allegation has been proven.
- unsubstantiated, which means the allegation was not proven or evidence was not available to prove the behavior occurred.

- partially substantiated, which means that where multiple allegations have been raised in a notification at least one of these have been proven.
- not investigated, which is permitted by the Act, however, the HRE must provide a lawful reason for not investigating.

Prior to finalising a matter, the OIR will consider if a fair and proper investigation has been conducted and if the findings are supported or not.

Table 1.0: Breakdown of findings for finalised Reportable Conduct matters

Matters Finalised	Numbers of Individuals Engaged
Substantiated	1
Unsubstantiated	12
Partially Substantiated	2
Section 35 (2) (entity not investigating)	0

*Matters are considered to be finalised from the date the OIR distributes the Closure Letter to the entity. In the 2023-24 financial year, 232 in jurisdiction Reportable Conduct notifications were received, of those 15 were finalised

Case Study: Reportable Conduct Notification

The OIR received a notification relating to an allegation of physical violence after a young person alleged that their worker had smacked them. The organisation contacted the OIR to say that they did not intend to investigate the allegations. The OIR did not agree. The OIR noted that there were inconsistencies in the information provided by the young person at the time of the allegation and further inconsistencies given the young person was interviewed by the organisation six months following the alleged incident. The OIR wrote to the organisation and requested that they investigate the physical violence allegation. Subsequently, the organisation undertook an investigation and the final investigation report is pending.

A Reportable Conduct notification relates to a single subject of allegation, however, a notification can contain multiple reportable allegations and multiple alleged victims.

There are six types of reportable conduct identified under the legislation:

- Emotional and psychological harm
- Neglect
- Physical violence
- Relevant Offence (a sexual offence or offences under the Criminal Code and failure to report child abuse)
- Sexual Misconduct
- Grooming

From 1 January 2024 to 30 June 2024, physical violence (34%) and sexual misconduct (30%) were the most highly reported reportable conduct types.

The average age of an alleged victim was 13 years old and the most common age of an alleged victim was 17 years old.

In 66 notifications, the age of the child or young person was unknown (e.g. child exploitation offences, entire classes as victims, unknown in notification,

historical/redress applications with no victim age stated).

When the age of an alleged victim was reported, 48 percent of children and young people were female, 45 percent were male, and 7 percent were unknown.



There has been notable improvement in the reporting of the age of children and young people since 1 January 2024.

The data over the first six months of operations indicates that there are significantly more males (approximately 60%) identified as the Subject of Allegation than females (approximately 40%).

The OIR has invested in working with organisations to improve the information gathered by the 3 Day Notification Form, 30 Day Update Form and Final Investigation Report, these forms not only provide information needed to oversight notifications, they also provide valuable data.

The value of having this data at the initial stages of the Scheme is that it informs the OIR as to where to prioritise effort to build capability in specific sectors. The OIR will continue to build on the quality of our data set to tell the story of our current and future work.

Information Sharing

The OIR has strong information sharing powers to keep children safe. The Independent Regulator can and does share information with many agencies including Tasmania Police, the RWVP, Integrity Commission and the Ombudsman. In close collaboration with Tasmania Police, the RWVP and Integrity Commission, the OIR is establishing formal information sharing arrangements to understand what information should be shared. This allows an interagency approach to identifying and managing risk.

The OIR will inform Tasmania Police and the RWVP of all serious allegations of reportable conduct, especially when it involves allegations of sexual misconduct. The OIR will also inform these authorities of instances where low-level patterns of concerning behaviour could show possible grooming or that an adult likely poses a risk to children.

The OIR's legislation also allows information sharing between relevant entities within the Scheme. In circumstances where a worker is employed by an agency and, for example, volunteers at their local cricket club in their spare time, it means that allegations of Reportable Conduct are visible and risks to all children encountering that worker/volunteer can be managed.

All allegations of Reportable Conduct must be notified to the OIR even when there is only a reasonable suspicion that misconduct against a child may have occurred. Sharing this information between entities where there is a concern above a reasonable suspicion allows organisations and employers to see a worker or volunteer's risk profile and take appropriate action.

Any person can disclose concerns about reportable conduct against a child to the OIR. Even if the information is incomplete. By asking other agencies to share information with the OIR, the OIR, can find out if a person has a RWVP registration, where they may be working or volunteering and, if they are a State Servant, inform the Integrity Commission.

Looking Forward – The Next 12 Months

Organisations within scope of the legislation have understood the need for significant change in the Tasmanian landscape. Organisations are keen to demonstrate their understanding of the Standards, their role in improving safety for children and young people in their environments and commenced implementing child safe practices.

Focus for the next 12-months extends to:

- Continuing to raise awareness of child safety with a focus on influential high-impact sectors and organisations to encourage development and adoption of child safe practices.
- All regions of the state being regularly engaged by the OIR Child Safe Education Officers to build strong stakeholder connections.
- Develop and deliver training modules, resources, and targeted guidance to improve the child safe practices and knowledge base of organisations to assist on their child safe journey.
- Implement community-wide messaging and awareness campaigns to promote child safety across a range of sectors.

During the first half of 2024, the OIR Regulation and Compliance Team has focused on developing efficient systems and processes to manage Reportable Conduct notifications. Moving forward, the OIR will look to use information sharing powers, alongside the requirement to comply with the Standards, to identify sectors with the highest risk to the safety of children and young people. The factors guiding this assessment are as follows:

- patterns of reportable conduct behaviour.
- organisations working with children and young people with increased vulnerabilities.



- lack of commitment to compliance, including being unwilling or unable to comply with the requirements to report and investigate, and
- under-reporting or low levels /no reporting, particularly within organisations who are working with vulnerable children and young people.

The focus of the Regulation and Compliance Team will be to continue to:

- refine processes to administer, oversee, and monitor the Scheme. This will include engaging with organisations on sharing information based on reasonable suspicion following risk assessment, the development of memoranda of understanding with key stakeholders and other entity regulators.
- support and guide organisations on how to conduct procedurally fair, effective, and timely investigations.
- undertake assessments to monitor compliance against the Standards.
- collect and analyse data to understand trends and themes where regulatory action and capability building is needed.

Office of the Independent Regulator

Financial Expenditure

The OIR's finances were included within the Department of Justice (DoJ) for the 2023-24 financial year.

There has been a one-off allocation of \$1.5 million dollars to support the practical establishment of the OIR. These funds were secured following expenditure approved through the Department of Premier and Cabinet (DPaC) in 2023 to support agencies to implement the COI recommendations.

The \$1.5 million allocated through DPaC was used to support architectural/ fit out works that were required to prepare the substantive office space, in the procurement of a case and complaints management system and key staffing appointments. During the financial year, an additional sum of \$691,632 was approved by DoJ in order for the OIR to make additional front line staffing appointments for the Regulation and Compliance team in preparation for Scheme commencement and expected volume of notifications.

A total of \$2.432 million was expended on the establishment and running costs of the OIR from the start of operations on 1 July 2023 until 30 June 2024, with additional expenditure managed by the DoJ.

Table: 2.0 Financial Statement to 30 June 2024.

2023-24 OIR Financial Summary		\$000
Salaries and Wages		875
Other Employee Related Expenditure		62
Information Technology		71
Materials, Supplies and Equipment		198
Travel and Transport		33
Property Expenses		233
Other Expenditure		83
Professional Services		129
Office Fitout		520
Case Management IT Solution		228
Total Expenditure		2,432

*Professional services – includes corporate branding, other consultancy services and other costs associated with the previous project work to establish the OIR

*Material supplies - includes office IT equipment and supplies

*Property expenses – include rent, electricity, security and security access.



Reflections and Afterword

Establishing the OIR is like building a plane whilst flying it. We are delivering a range of regulatory and support services at the same time as operationalising new legislation, policies, and procedures. We have installed the overarching regulatory framework, as well as refining the structure of the organisation to meet operational needs, and commissioning and building new fit for purpose systems and processes to support the work.

The focus of the team has been to deliver sound and authoritative advice to the Tasmanian community on how to embed child safe practices in their organisations. We have focused on both outward facing activities including stakeholder and community engagement while inwardly building a cohesive and capable team.

While the office has invested heavily in raising awareness of the Scheme and providing direct guidance, more work needs to be done to work through the intricacies of the legislation. While we need to remain true to the objects of the Scheme, we recognise that agencies are struggling with workload management and multiple reporting responsibilities.

To this end, the OIR recognises the need to provide further guidance on the definition of harm and build agency competence in implementing child safe practices. As an efficient Regulator, we will continue streamlining requirements by knowing the business of our community partners. Implementing our case management system and collecting further data will inform our approach to focus to the areas of greatest risk.

While the first six months has focused on raising awareness, we now need to implement our capability strategy and move to more discreet guidance and assessment of how organisations are implementing the Scheme.

Building a cohesive, knowledgeable team based on skill building across a range of areas and building trust and confidence in one another will create an agency focused on creating real change.

Establishing the OIR was a significant step for the Tasmanian Government in committing to the development of child safe organisations. The OIR, through our small and dedicated team have made inroads in supporting organisations to be compliant with the Child and Youth Safe Standards, in their management of reportable conduct and facilitating information sharing. Regulation in this space is a specialist skill. The Scheme in its infancy and it is important for this momentum to continue, particularly regarding information sharing provisions. Regardless of any ongoing government reform, in whatever iteration this takes and regardless of the political climate, the need to maintain a standard on how children and young people are safe in our organisations is vital work now and for the long term.





“A highlight from working within the OIR has been learning from organisations that work with children and young people and seeing how dedicated they are in caring for the safety and wellbeing of children. It gives me a lot of hope for the future”:

Gemma, Child safe Education Officer

Support Services

We recognise the subject of child and youth safety in institutional settings may cause distress. Support services are provided below:

Tasmania

Tasmanian Sexual Assault Support Line
(24 hour response state-wide):

This line is run by the Sexual Assault Support Service in the South, and Laurel House in the North and North West. Phone: 1800 697 877

Family Violence Counselling and Support Service
Phone: 1800 608 122

Victims of Crime Service
Phone: 1300 300 238

Relationships Australia Tasmania
Phone: 1300 364 277

For culturally appropriate, trauma-informed legal and non-legal services and assistance to Aboriginal and Torres Strait Islander victims/survivors of family violence and sexual assault, contact SIS.
Phone: 1800 747 827

National

1800RESPECT
Phone: 1800 737 732

Blue Knot Foundation
Phone: 1300 657 380

Lifeline
Phone: 13 11 14

MensLine Australia
Phone: 1300 789 978

Suicide Call Back Service
Phone: 1300 659 467

Men's Referral Service
Phone: 1300 766 491

Beyond Blue
Phone: 1300 224 636

Kids Helpline
Phone: 1800 55 1800

Appendices – Key Operational Data

January – June 2024

Table 3.0 Number of attendees at locations across Tasmania during the OIR Introductory Tour

Locations of Introductory Tour	Numbers of Individuals Engaged	Number of organisations Engaged
Swansea	8	6
St Helens	25	11
Scottsdale	3	3
Launceston	32	28
Deloraine	18	14
Devonport	40	24
Burnie	16	9
Smithton	30	19
Queenstown	8	4
Glenorchy	29	24
Hobart	26	18
Brighton	16	13
Kingston	54	36
Huonville	38	26
Howrah	13	9
Taranna	12	9
Sorell	12	10
King Island	24	20
Total	404	283

Data: The Reportable Conduct Scheme

Table 4.0 Primary Reportable Conduct Type Notifications per Sectors

Sector	Emotional or Psychological Harm	Grooming	Neglect	Physical Violence	Relevant Offence	Sexual Misconduct	Total
Accommodation	1			1		1	3
Childcare		2	1	2			5
Child Safety/OOHC	11		7	17	2	7	44
Club Associations/Cadets						1	1
Commercial Services				2			2
Disability	1		1	13	3	1	19
Education	18	18		30	9	46	121
Faith Based		1		1		1	3
Government		1			2	4	7
Health				1	2	2	5
Justice/Detention		1		12	2	7	22
Total	31	23	9	79	20	70	232

* Excluding matters deemed not in jurisdiction and those deemed to be disclosures under s33 of the Child and Youth Safe Organisation Act 2023. Education covers the whole education sector inclusive of government, non-government, Independent and Catholic education services. Child Safety and Out of Home Care include notifications of Reportable Conduct made by non-government providers who provide Out of Home Care services to children in state care.

Graph 1.0 Overview of the Overall Primary Reportable Conduct Types

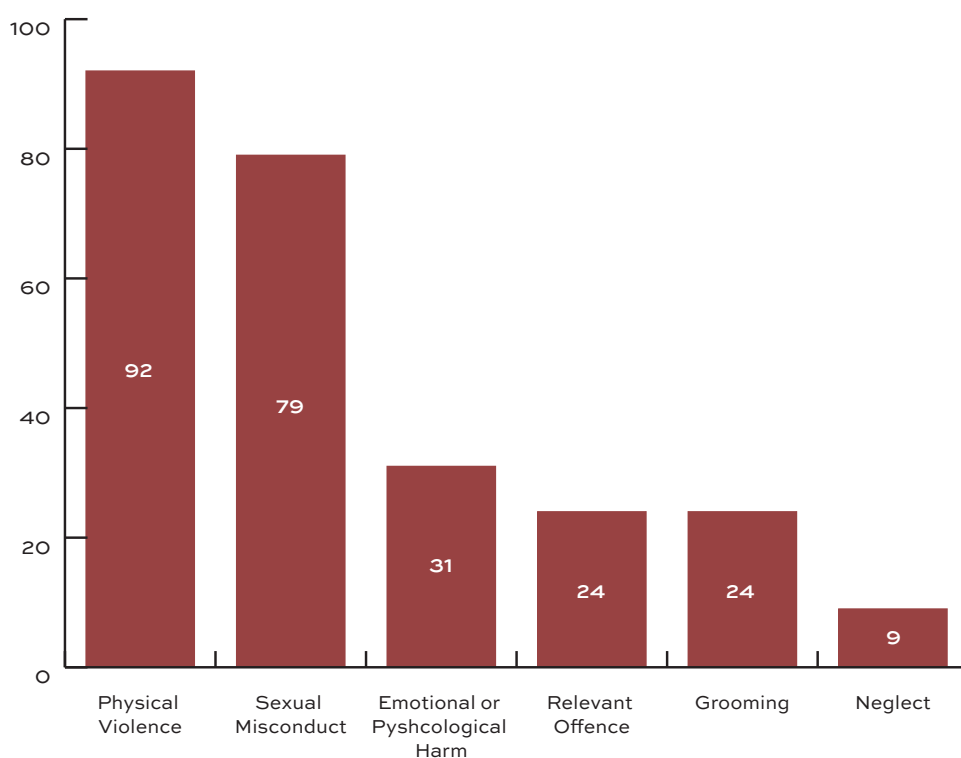


Table 5.0 Most Common Age of Alleged Victims per Reportable Conduct Type

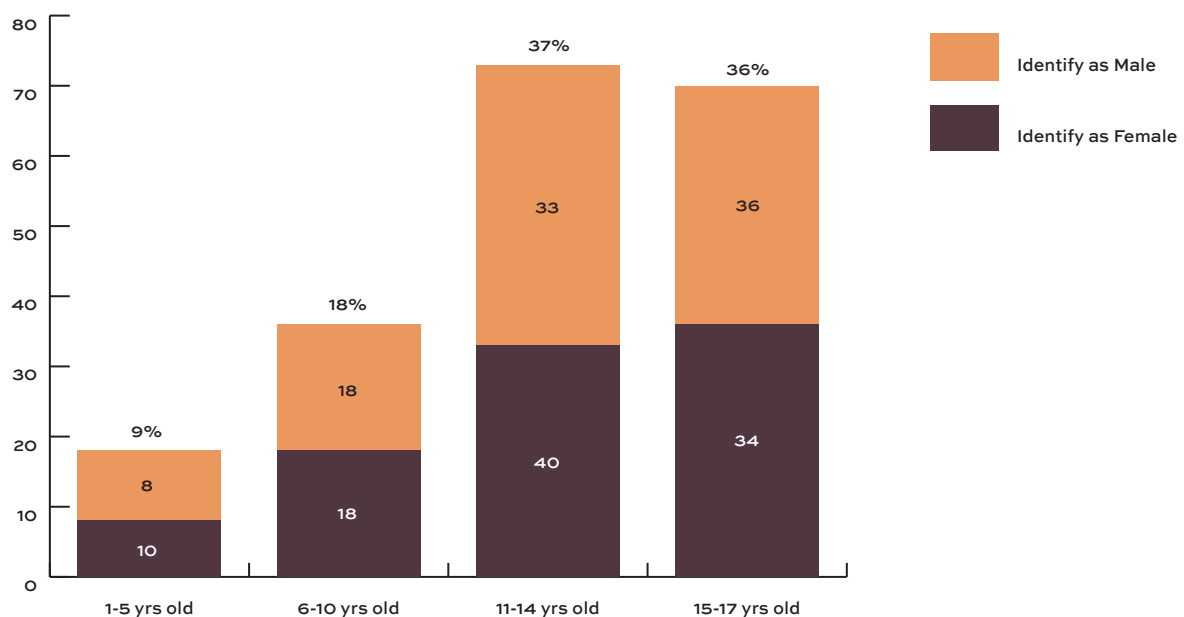
Reportable Conduct Type	Years old
Emotional or psychological harm	15
Grooming	14
Neglect	14
Physical violence	11
Relevant offence	13 & 14
Sexual misconduct	17

Table 6.0 Gender Identity of Alleged Victims and Subjects of Allegations (SoA) per Reportable Conduct Type

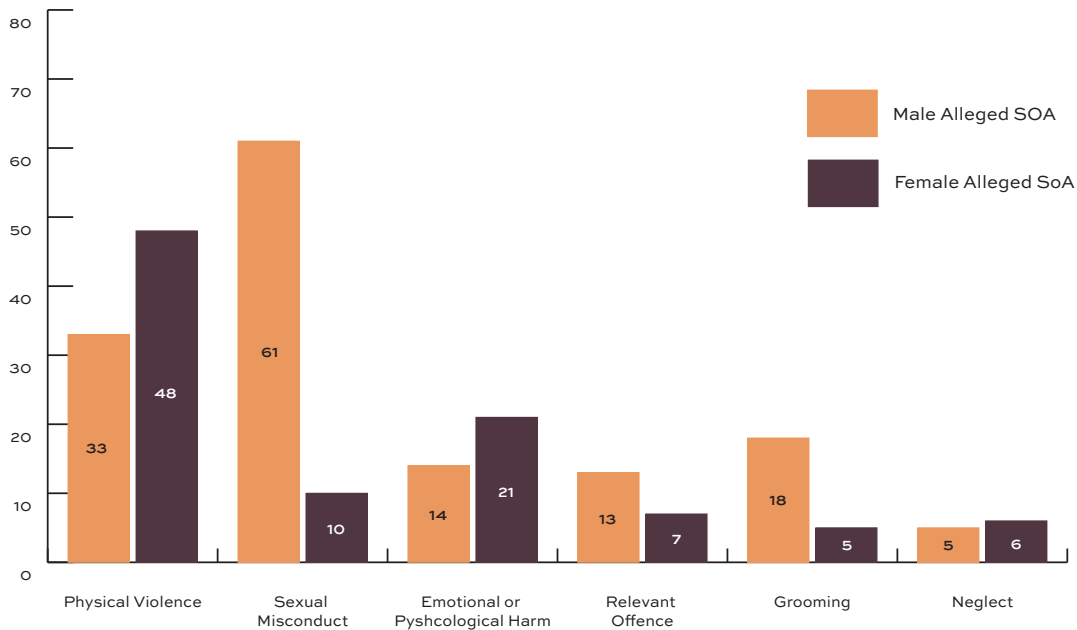
Reportable Conduct Type	Male Alleged SoA	Female Alleged SoA	Male Alleged Victim	Female Alleged Victim	Unknown Alleged victim
Emotional or psychological harm	14	21	19	18	8
Grooming	18	5	12	20	3
Neglect	5	6	5	3	1
Physical violence	33	48	61	26	1
Relevant offence	13	7	7	13	4
Sexual misconduct	61	10	20	53	16

*Noting that there may be more than one alleged SoA and/or alleged victim per reportable conduct notification, and not all notifications have information pertaining to all alleged SoA and/or alleged victims.

Graph 2.0 Overall Age and Gender Identity of Alleged Victims



Graph 3.0 Alleged Subjects of Allegations Gender Identity per Reportable Conduct Type



*Noting that the higher number of female SoA's for physical violence was likely due to the high number of reports from Education and Child Safety/OOHC, where the workforce is predominantly individuals who identify as female. Also, from 1 January to 30 June 2024 Education and Child Safety/OOHC sectors notified the highest number of reportable conduct matters compared to other sectors.

Graph 4.0 Alleged Victim Gender Identity per Reportable Conduct Type

