

Play by the Rules – A podcast with Kerry Boland, former Children’s Guardian at the Office of the Children’s Guardian, NSW.

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Peter: It’s a great pleasure to have Kerry Boland with me today who is the Children’s Guardian at the Office of the Children’s Guardian in New South Wales. Kerry is also on the Management Committee for Play by the Rules. Now Kerry, I do want to get to talk about some of the outcomes that are coming out of the Royal Commission Institutional Responses to Child Abuse. We’ll come to that in time and with Working with Children checks too but can you tell us first maybe a little bit about the work of the Office of Children’s Guardian?

Kerry: Sure, basically it’s a regulatory agency so what we deal with is all of the regulation that’s associated with keeping kids safe in particular industry so we actually look after kids in the Out of Home Care area. We also look after kids in the Children’s Employment area and we administer the Working with Children check and we have a large compliance component of that and education compliance in relation to that and so that basically forms the underpinning if you like of a safety net for kids in NSW and it operates as quite an efficient little outfit.

Peter: How did you come to be Children’s Guardian?

Kerry: Lucky I guess. I actually worked in the Department of Community Services. We used to be called DOCS and are now called FACS in New South Wales. I was in senior executive roles there for a number of years. The position became available. It was part of actually a reform package following a Royal Commission in NSW where they completely overhauled the Child Protection legislation and a critical element of that overhaul was establishing a NSW Children’s Guardian so we really had a critical role in child protection. We had a really critical role in relation to kids in particular who came into the Out of Home Care System so that was the beginnings. The Office since then has grown significantly to take on more and more functions until the most recent with the new Working With Children check being introduced in 2013.

Peter: Let’s talk about that then for a little bit. Sporting organisations across NSW have been part of obviously Working with Children checks. What’s your view of the effectiveness of that in terms of perhaps raising the issue of child safety but also as a kind of a deterrent? What’s your view on that for sporting organisations?

Kerry: The Working with Children check in NSW has been around for about 15 years and it was completely overhauled in 2013. I think it’s got high community awareness and high credibility. Its benefits under the new system are that it will screen out people who’ve got offending that puts children at risk in a workplace environment or if you’re with a volunteer so it screens people

out so what we say is well, that's one element of the Child Safe Organisation. It will tell you about people's past but it won't tell you about their future behaviour or their future offending trajectory and therefore people really need to do more than just rely upon the Working with Children check and that's why we've just released our Child Safe Principles and indeed we've been working for quite some time particularly in the Sporting Sector. We recognise that the Sporting Sector has got particular challenges because it is often largely volunteer-based. There's a lot of volatility in the volunteer base, a lot of turnover and associated with the Working with Children check, we also recognise that there is obviously for sports an administrative burden in administering it and ensuring that people have Working with Children checks but on the other hand they can rely upon the fact that in fact they've screened people out that shouldn't be working with kids so really the fundamental is to use that as one tool in a toolkit and what we've done recently is released a whole lot of eLearning to people which really goes through the elements of a child safe organisation and gives you some really practical hands-on things that you can do in relation to your organisation.

Peter: Let's go to the principles then and I'll put you on the spot, the first one being the organisation focuses on what is best for children and how can a sporting organisation focus on what's best for children? What are some ways to do that?

Kerryn: You know I would call it the bleeding obvious. If you're in the business of an activity and your primary objective is to engage children in a sporting activity, then obviously, you want to do that in the best interests of children so it's really trying to put a child lens across that. Often adults in these circumstances think about all of the things they have to do in order to organise things but they don't often think about well, how is the child experiencing this so it's really just about thinking about we're in this business – to call it a business for kids. Are they enjoying it? Are they having fun or are we just organising them into an activity? Do we listen to them? That leads us onto the next one but I mean I think that it really is quite simple? It's really trying to if you like get out of your own way in a sense and just think from the child's perspective. What's the child feedback and how do you deal with distressed kids when they're distressed? Do we ask extra questions or do we do something different?

Over the years that I've been doing this job it's a real leveller if you do actually ask kids what they want. It's something really simple and it's as simple as, "Let me just finish my sentence". "Let me have my say" or "Give me a little bit of respect here" or "Can you keep me informed about what's happening?" or "Could you just explain that a bit more if you've told me to do X, just don't shout at me to do X. Can you explain why I'm doing that?" This is really basic stuff and it makes such a huge difference to kids and I'm always humbled by how simple they make it sound and yet in the hurly burly of the organisation and the this and the that some of that sometimes gets lost.

Peter: Sport obviously sometimes like you say does lend itself to that and it is very emotional. Sport is very connected for people and so it leads onto the

second principle header, all children are respected and treated fairly, even in the heat of the moment, even in the midst of competition and things in sport, your second principle is very important.

Kerryn: I think the participation of kids and that principle about just treating kids fairly, I mean it goes without saying Play by the Rules is all about that but I think you're right in the heat of the moment is it win or is it have fun or is it win at any cost? I think the bottom line in any of this would be engagement and if that engagement encompasses competition which inevitably sport does, it brings out the competitive nature in all of us; it's just that it be done in relation to kids in a fair and participatory fashion that there is at least a recognition the way that kids experience things probably sits with them for a very long time and it obviously determines whether they go on playing a sport or not a sport so I think you can also extrapolate that out into a bigger space which says, "Well, if we get it right here we're likely to keep kids participating in sports" and that's certainly a very ---

Peter: It's the simple things isn't it like language used and the way you behave and the way you address children and things like that, the use of respect and safety and things. With the third one which I really like that children's families and communities are welcome and encouraged to participate in the organisation. Now how might a sporting organisation do that?

Kerryn: I think it's really about that engagement and making sure that the kids see that this is an engagement, this is a partnership and we're working together to keep this club going, to keep this activity pleasant and friendly so I think those things are at the heart of what a child safe organisation are. Some of the bigger issues we have are obviously in relation to parents' sideline behaviour which of course Play by the Rules have just done some fabulous work on and certainly that's what we see when we're out talking to people that that kind of behaviour is not the kind of environment in which kids thrive and I think that clubs and competitions can encourage or discourage that kind of behaviour. They can substitute that behaviour. I think there's quite a lot that can be done in relation to making that a community activity where kids' effort is valued.

Peter: The final one is a couple of really interesting words there. Children receive services from skilled and caring adults. I'd have to say most people in sport obviously, 99.9% do really care and are quite skilled as well. What do you mean by skilled and caring adults?

Kerryn: What we're talking about there is that they come with an empathetic lens. They're there to enjoy the children and the young people as much as they're going to enjoy their sport. Their skill base is ensuring that the kids enjoy and they get enjoyment from that. I mean I think particularly in junior sport at whatever level, some of the challenges for kids and I think that this is being looked at at the moment about the dropout rate of kids once they reach adolescence or get partway through their competitive life about whether that's actually for them and I think there's some real learning and listening to kids that we could do just at that point in time to work out well, what is it that

discourages kids from continuing at that point in time? Is it not just commitment and they want to do other things with their friends but is it something about the environment that's been created and indeed whether there be other types of physical activity that don't actually fall directly into that I suppose competitive sport at no matter what level, whether there's some other recreational activity that is a social sport or modified versions of particular sports. I think all of those initiatives and certainly having a closer look at those types of activities I think all of that is incredibly positive because sport is actually about building a community.

Peter: Yeah, coming back to the Royal Commission, now you were involved with that and parts of it of course were quite harrowing and difficult for sport but what are some of the more positive lessons that we think come out of the Royal Commission Inquiry?

Kerryn: Look, I think really the fundamental basic thing from our perspective because it really goes to what the elements of a child safe organisation are is that there is an openness and transparency emerging out of the Royal Commission so the first stage is to name it, to acknowledge it that it's happened in our organisation, sexual abuse of children has occurred, that this is not what we stand for and we are open and transparent about our systems and we make it very clear that it's unacceptable behaviour and won't be tolerated so I think from a broader public perspective that's been one of the really critical elements of the Royal Commission is indeed showing the community how prevalent it was and how silent people were and how that silence resulted in terrible shocking misery and unhappiness for young children who grew up with the knowledge that what had happened to them wasn't right so I think they're the two main things that come out of the Royal Commission. The more detailed case studies and some of the research work that they've done will obviously create a legacy for a very long time about what's available and how that can be the lens which we look at our work; the kind of evidence that will drive our work. All of those things have been really important outcomes from the Royal Commission.

I think also from the Sports Sector; the Royal Commission has spent quite a lot of time looking at case studies in the Sports Sector and variously going around the States and again I think it's really been an eye-opener for people that this level of abuse has occurred in the first instance and in the second instance what can we all do together to look at this with a different point of view and how do we move forward and make sure that everyone is in the same space. I suppose in the Sports Sector we're not just talking about the coaches, the referees, the organisations – we're also talking at junior levels, what role do parents have, what role do volunteers have and I suppose when we look at things we look at that dynamic because it's all of those people working together that will create a Child Safe organisation.

Peter: Yeah, that kind of definition of abuse as well, what's the Royal Commission dealt with the high end sexual abuse issues but abuse is very broad, isn't it?

Kerryn: Yes, I mean the Royal Commission has also looked at physical abuse but its obvious terms of reference are around sexual abuse. Certainly, there's a recognition in NSW and most of the other States that it's hard often to distinguish between low level grooming, physical assault. At the higher end of the spectrum on sexual assault it's a bit more obvious but there is a spectrum in there and I think one of the most difficult areas that people find and certainly most of the questions that we get asked about are in relation to grooming behaviours and I suppose in sport the nature of the activity lends itself to environments where grooming could happen and grooming really is about not just grooming a child, it's about grooming a family and it's about grooming parents; it's about getting those people to trust you in order – and once you've gained trust then it can lead to other things so those early signs are very difficult to distinguish between what is just normal perhaps enthusiasm in relation to a particular strength the child has versus how does it go further and so they're the kinds of questions that we get asked a lot about.

Peter: Yeah, it's difficult isn't it for sports now? They're not experts in these fields and yet we know that this is occurring within sport so it's a real challenge.

Kerryn: It's a real challenge everywhere and absolutely it's a challenge in sport but it is a very challenging area and often when you speak to people about it, it will be after the event when they're looking back that they can see of course this is what happened.

Peter: Yeah, that's exactly right. Before we sign off maybe one more point towards the resources that are on your website. Of course, we have plenty on Play by the Rules as well including the Child Protection Online calls but your Online Learning and the principles as well, where will people find that?

Kerryn: If they go to our website which is kidsguardian.nsw.gov.au, click on Child Safe Organisations and you'll find an enormous amount of material there. All of our material is absolutely able to be downloaded and taken. It's free. We encourage people to use it. Copy it, duplicate it. It just recognises at the bottom the eLearning in particular. I think this signals a really big change in the way that we here in our office want to do work. We spend a lot of time on face to face training or on Webinars, the training people with I suppose a one size child safe training kit and we think that we've probably got saturation level now. We've got a base level of understanding about what child safe is and we need to take it up to the next step which is giving people specifics about what they can do in their particular organisations to keep kids safe so the eLearning is all part of that change direction for the Office and what we're encouraging people to do is go online and it's in five modules about what and how you can create a Child Safe Organisation and we're going to link that eLearning together with our tailored training so what we'll be offering people is more tailored if you like consultation services where we'll sit around with a particular sport for example and we'll say, "Well, here's the eLearning. How does that translate into your workplace and we'll help actually design a child safe system or framework which they can go out and trial and play around with and see what works and what doesn't work and we can

come back and we can fine-tune that and that goes hand in glove with a lot of material that we've developed actually for children because I think what we say is if there is something not quite right happening in an organisation, a child will be your first – they'll raise the alarm first. They might not raise it directly but they'll raise it as a point of distress or they might raise it in anger and what we say about that is that that's when you have your first opportunity to find out if there's something not right in the organisation and you need to ask some more questions and so what we've also developed is a range of tools for kids; story books and so forth which help them identify when they don't feel comfortable and who they should talk to and we're just developing one in relation to kids up to about 11 years old so that's in the pipeline at the moment and we'll keep you posted and then for the older kids, have something a bit more straightforward.

Peter: Excellent. They are quite unique really in terms of the sorts of tools from the kids' perspective that sports could easily adapt and modify for their own use.

Kerryn: Yes, absolutely.

Peter: As usual, a great pleasure to meet up with Kerryn so thank you very much.

Kerryn: Thank you.

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