

Understanding Risk and Applying the Child Safe Standards in Outside School Hours Care

Warning: These case studies discuss child abuse and the content may be distressing to some participants. Crisis support services can be reached 24 hours a day: Lifeline 13 11 14, Beyond Blue 1300 22 4636 and Mental Health Line 1800 011 511.

This case study is from the Royal Commission into Institutional Responses into Child Sexual Abuse. It was selected as it illustrates a variety of risks related to outside school hours care (OSHC) services and this scenario could have occurred in any OSHC service.

Since the Royal Commission, the YMCA has made significant changes to its leadership and culture to improve its child safe practices across the organisation.

Background Information

Before Jonathan Lord joined the YMCA, he had already sexually abused at least one young boy. Lord was a trusted friend of the boy's family, having met them through the church. Lord lived near the boy and sexually abused him multiple times. The abuse ended when the family moved house.

Immediately before joining YMCA NSW, Lord flew to the USA to work as a camp counsellor at YMCA Camp Silver Beach in Jamesville, Virginia. Lord was dismissed because of 'questionable' behaviour with an eight-year-old camper. He was caught alone in a cabin with the eight year old and the lights were off.

This case study has been structured chronologically and by themes.

Please write in the boxes under each section to reflect on challenges you can relate to, prevention mechanisms you have in your organisation and gaps you have in your child safe practices.

Recruitment, screening and induction

A friend from Lord's church suggested him as a possible employee for YMCA OSHC services. Lord's CV and referee details were given to YMCA.

In August 2009, Lord joined YMCA NSW as a casual childcare assistant for its OSHC services in Caringbah. He was 23 years old with no experience working in the childcare sector.

The YMCA had a recruitment policy however this was not used by the manager. The manager did not:

- discuss his most recent employment and whether he had previously been the subject of an employer investigation
- contact the current or most recent employer
- contact three referees
- record the oral reference given by a staff member
- ask relevant questions to the only referee for whom she recorded her enquiries
- complete the written account of the reference check
- carry out background checking.

Lord, along with other staff, started working at YMCA before he had applied or received his Working with Children Check (WWCC).

Staff at YMCA did not receive formal induction or training but rather learned 'on the job'. This resulted in staff being unaware of the policies and procedures in place to keep children safe.

Lord went on to work in several roles over the next two years, including as a coordinator at two of the five local YMCA centres.

Reflective comments: *(including challenges you can relate to, prevention mechanisms you have in your organisation, and gaps you have in your recruitment, screening and induction processes)*

Policies and procedures

During Lord's employment, YMCA NSW had over 80 policies in place and many referred to child sexual abuse and maltreatment. However, YMCA NSW policies were too complex, sometimes inconsistent and inadequately communicated to staff and parents. The YMCA did not have an effective system for ensuring staff and parents were aware of and understood its child safety policies. This resulted in a serious breakdown in the application of their policies.

The poor awareness and understanding of YMCA's child safety policies and procedures meant parents and staff could not identify breaches by Lord which included:

- babysitting and attending outside activities with children from YMCA
- letting children sit on his lap
- using his mobile phone at work
- unsupervised contact with children at YMCA, including driving children in vehicles.

YMCA had an internal reporting function called 'Ethics Point' however this was ineffective. Junior staff reported they felt uncomfortable speaking to their managers or worried that nothing would be done about their concerns.

Reflective comments *(including challenges you can relate to, prevention mechanisms you have in your organisation, and gaps you have in your policies and procedures (or how accessible these are) Is there a culture of reporting? Would educators, families and children be able to identify a breach in your organisation's Child Safe Code of Conduct?)*

Allegation, response and termination

One of Lord's victims disclosed his abuse on 30 September 2011. His parents immediately spoke to YMCA Caringbah and then to NSW Police at Miranda.

YMCA NSW responded quickly to the allegations by:

- suspending Lord and removing him from the care of children at their centres
- seeking guidance from the police's Joint Investigation Response Team (JIRT)
- liaising with JIRT (who managed the investigation) on how best to handle the incident in relation to what they could and could not communicate to staff and parents.

JIRT and YMCA NSW met on 17 October to discuss the investigation because YMCA NSW was planning to hold an information session with parents. JIRT advised that although YMCA NSW could not disclose any names or JIRT practices, it could decide what else it communicated. During this time, JIRT set up a specific phone hotline and issued two media releases about the investigation.

YMCA staff were asked to sign confidentiality agreements. Staff reported to be shocked by the allegations and were not well supported to respond to parent enquires.

YMCA did not communicate well with parents and did not:

- promptly provide key information to parents
- address why Lord had been able to offend, or how it would identify and address internal failures to become a safer organisation for their children

- promptly equip parents with the necessary tools to discuss safety issues with their children in case other children had been abused or needed support.

On 30 September 2011, Lord was suspended because of allegations that he had sexually abused a child on an excursion that day. His employment was terminated in November.

The first disclosure prompted more children to report abuse. While Lord was in remand, he informed police that he had abused four other children they did not know about.

By early 2013, Lord had been convicted of 13 offences involving 12 children, which included:

- eleven counts of aggravated indecent assault on a person under 16 years
- two counts of sexual intercourse with a child under 10 and under authority.

Lord was sentenced to 10 years in prison for the offences and is a convicted paedophile.

While employed with YMCA NSW, Lord groomed and sexually abused boys both at YMCA NSW and elsewhere. They were aged between six and 10. He met many of the boys that he abused through his employment with YMCA NSW, and committed many of his offences on YMCA premises and during excursions. Some of the offences took place when Lord was alone with children (on YMCA premises or when privately babysitting); other offences occurred in front of other children (when sitting on Lord's lap while watching a movie).

Reflective comments *(including thoughts on the handling of the allegation, reflections on how well your organisation is equipped to respond to allegations, how accessible your complaint processes are for children, and your organisation's relationship with parents)*

*This information was drawn directly from the [Royal Commission case study report](#).

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