



Prime Minister of Australia

The Hon Julia Gillard MP

Transcript of Press Conference

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Prime Minister

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Subject(s): Royal Commission into child sexual abuse

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PM: I'm here to announce that I will be recommending to the Governor-General that a Royal Commission be appointed to inquire into institutional responses to instances and allegations of child abuse in Australia.

Any instance of child abuse is a vile and evil thing. Australians know that, and Australians know from the revelations that they've read in recent weeks that too many children have suffered child abuse.

They have also seen other adults let them down.

They've not only had their trust betrayed by the abuser, but other adults that could have acted to assist them have failed to do so.

There have been revelations of child abusers being moved from place to place rather than the nature of their abuse and their crimes being dealt with.

There have been too many revelations of adults who have averted their eyes from this evil.

I believe in these circumstances that it's appropriate for there to be a national response through a Royal Commission.

This I hope will help the healing, but I specifically hope that its recommendations will help us ensure that this never ever happens again.

The Royal Commissioner will be recommended by me to the Governor-General under the 1902 Royal Commissions Act.

On the terms of reference for the Royal Commission, I want to take the time necessary to get this right.

So over the next few weeks we will be consulting with the organisations that represent the survivors of child abuse, with religious organisations, with state and territory governments, to ensure that the terms of reference are right.

I have spoken very recently to the Premier of New South Wales and to the Premier of Victoria.

As is well-known in both states, there are inquiries on foot in relation to child abuse.

I have said to them that it is my intention to create this Royal Commission and that of course we will be consulting them about the terms of reference.

Both of them are prepared to take a very cooperative approach and to consider how the work that they are doing can best be used to support the work of the Royal Commission, and I thank them for that.

I have discussed this with my cabinet colleagues and my cabinet colleagues are very supportive of taking this approach, and so we will in coming weeks work on the terms of reference in a collaborative way.

That work will be done in detail by the Attorney-General Nicola Roxon, working with the acting Minister for Families Brendan O'Connor. That consultative approach will be led by them.

Then at the same time as we work on the terms of reference and that consultation, we will consider the appropriate person or persons to act as the Royal Commissioner or Commissioners for this inquiry.

Child abuse is always wrong, always heartbreaking, always distressing.

I know so many Australians would have seen stories in recent days that really did hurt them to read, and that they want to see action taken.

I think we all want to do everything we can to ensure that we do not see in the future institutions fail to respond if there are allegations of child abuse in their midst.

I hope that this Royal Commission can guide us to that place.

I'll take some questions.

JOURNALIST: Prime Minister, is it right to say that this will look beyond the Catholic Church to all institutions?

PM: Absolutely correct. It's institutional responses to instances and allegations of child abuse in Australia.

We will work of the specific terms of reference, but this is about children who were in the care of religious organisations, so that's all religious organisations.

It's about children who were in state care. It's about children who were in the care of not-for-profit bodies other than religious organisations.

It will therefore go as well to the response of children's services agencies and the response of the police.

JOURNALIST: Prime Minister, it's a very large scope for this inquiry. Have you any sense of the length of time and the amount of money involved?

PM: I think, to be frank, it will take quite some time.

And I believe the time should be taken to get it right to make sure that the Royal Commission does the work that we want it to do.

In terms of costs, the Government will make appropriate provision for them and the matter will be accounted for in the budget in May next year.

Clearly the costs will become apparent as the inquiry goes on, and the Government will make continuous provision as necessary.

JOURNALIST: Would you hope this Commission starts work this year?

PM: What I would hope, by the end of the year, is that we have finalised the terms of reference and that the Commission has been appointed.

I think in terms of work being out there in the community that would not start until the new year.

JOURNALIST: Prime Minister, how long do you think that the period of investigation would cover? How far back would the inquiry go, and do institutions include schools?

PM: Yes, institutions do include schools, and obviously schools possibly run by churches, possibly run by state governments.

I haven't set a time cut-off as to how far back this would go.

It would become a question, I think, for the Commissioner to work out what is beyond the realms of taking proper evidence and getting appropriate material on which to base firm conclusions.

JOURNALIST: Prime Minister, do you think the terms of reference should include considerations about compensation for victims?

PM: We will take some advice on the terms of reference, but the focus here is on institutional responses to child abuse.

Child abuse is of course wrong, and wrongdoers should be punished.

This is an incredibly evil thing, and I think we'd all hope that anybody who has ever abused a child would be accountable for that in a criminal court.

But beyond the evidence of abuse here, there is also I believe cause for concern that other who adults could have done something to make a difference to the lives of these children didn't do what they should have, either by becoming complicit in people being moved around for example, or by averting their eyes and by acts of omission.

Now I think we need to learn the lessons about how institutions can best respond when there are allegations of sexual abuse of children.

JOURNALIST: Prime Minister, could I just check – I understand the point you're making about institutional responses, but obviously there's a huge well of people who want to talk about what happened to them and look at identification of people who were involved.

The Royal Commission would still cover or embrace those sorts of individual allegations, would it?

PM: I think it's impossible to look at the institutional response here without understanding as best as can be done what has occurred and what the responses or lack of responses were.

I understand that for some people it can be healing to get the opportunity to tell their story.

Now exactly how that occurs and in what circumstances and how that is most sensitively done would become a question for the Royal Commissioner or Commissioners to work through.

This is an incredibly complex and sensitive area.

Some people may want there to be the maximum public airing of what happened to them. That might be the biggest healing that they could have.

But for others, standing somewhere public and telling their story would be their version of hell.

So this will have to be dealt with sensitively and be a job for the Commissioner.

JOURNALIST: Prime Minister, you made the point about people averting their eyes and so on.

Would you imagine that such an inquiry would actually go to individuals who averted their eyes, and that does seem to be quite a difficult area because there might be a head of an institution who was obviously responsible but people further down the line would be hard to identify – what they did or didn't do without a full investigation into each one?

PM: There are going to be limits and ways of working that need to be thought about by the Commission.

I think that it's just common sense when you are looking at things that happened a long time ago in some instances, then the Commission is going to have to work through what's the best way of getting evidence and assessing what happened.

I'm not going to pre-judge that.

And we are going to take a consultative approach to the terms of reference, and so this is the start of a few weeks where we will work in a consultative way on the terms of reference, and I think we will get insights from survivors' organisations about how this best be done.

We will get insights from religious organisations and from state and territory governments about how this can best be done and we are open to those insights.

So I don't want to pre-judge that. Common sense would tell you that there are a range of complexities and difficulties here that need to be worked through. That's one of the reasons that we will be so careful about the terms of reference.

JOURNALIST: Cardinal Pell has described these issues as historical ones. Is that believable when there are still suggestions that information's being concealed and maybe in some cases destroyed?

PM: I'm not here to comment on the public statements of others. I'm here to announce that there will be a Royal Commission.

JOURNALIST: Prime Minister, you already have a very broad inquiry. Are you looking at limiting what the definition of abuse is, because there are some punishments that were dealt out in establishments over times gone past which might be seen now as being abuse?

PM: The focus of this is child sexual abuse. That will be the focus.

Obviously we will in this consultative process talk about how we can best define the terminology that is in the terms of reference, but the focus of this is child sexual abuse.

JOURNALIST: Prime Minister, have there been any representations to you by survivors' groups and others in the last little while that's had an impact on you coming to this final conclusion to do this?

PM: The impact for me, clearly, over the past few weeks we've seen revelations in the newspapers and more broadly which really go to the question of cover-up, of other adults not doing what they should have done to come to assist.

We also are now in a circumstance where two states have different inquiries on foot and because of the allegations of moving people around, this is something that goes beyond the borders of any one state.

I've come to the view in those circumstances that a national approach is best.

JOURNALIST: Prime Minister, can I just take you back to David's question on compensation. So if there are criminal proceedings, is that what would give the compensation?

PM: I think we've got to be clear here about who does what. I have just announced a Royal Commission.

Police need to continue to do what police do, and one of the things that we will need to be careful about, and we will be careful about, is

that nothing in the Royal Commission process ends up holding up prosecutions that would otherwise have happened through usual police processes.

So I have just decided we will have this Royal Commission.

Police investigations need to be conducted as police investigations normally are, and of course I don't want a Royal Commission in any way to add time to those police investigations.

On the question of compensation, as I think you would be aware there have been some survivors who have already made compensation claims against relevant institutions, and so once again I don't want to see the Royal Commission impede any compensation claim which may be on foot.

So those proper processes happening in other places I think need to continue as they would whilst the Royal Commission's in progress.

There is a clear question about how the work of state government inquiries relates to the Royal Commission, and I've had a preliminary discussion with Premiers Baillieu and O'Farrell about that.

JOURNALIST: Prime Minister, did Barry O'Farrell express that concern, as he did this morning, that a Royal Commission could cut across and interfere with his special commission into the allegations over the Hunter Valley? Did you leave that conversation with him, was he comfortable with what you were doing in relation to what he's doing?

PM: Both Premier O'Farrell and Premier Baillieu indicated that they wanted to take a cooperative approach.

Obviously they will be involved in the consultation about the terms of reference. That will be the opportunity to work through issues in detail.

JOURNALIST: Prime Minister, will the inquiry look at police reactions and responses as well, and the legal system?

PM: I believe it does need to look at the police response, yes.

JOURNALIST: Prime Minister, how long do you anticipate the Royal Commission will take from start to conclusion?

PM: It's not knowable. I anticipate it will take some time, and it should take the time necessary.

So I think there will be an iterative process between the Commission and the Government about how much time is needed, and possibly what resources are needed, and our doors will be open and ears will be open to all of that.

I think it would be foolish indeed at this point, at the threshold point, to pretend that one could define the number of days, months or years that this would take.

JOURNALIST: Prime Minister, you mentioned the fact that you would hope to say when the time has come for it to stop.

Would one of the aims of the Royal Commission be able to provide indication, say mandatory reporting, on behaviour of institutions in the future to try and ensure that there isn't a passing around of problems?

PM: I'm not going to pre-judge what will come out of the terms of reference that we work through in a consultative way.

But I think the best response I can give to your question is I wish I could wake up in a world where there was no child abuse.

Obviously I wish I could wake up in that world, I'm sure all of us wish we could wake up in that world, and all of us are worldly wise enough to know we're not going to wake up in that world.

So given we're not going to wake up in that world, then we need to do everything we can to prevent child abuse and we need to do everything we can to ensure that if abuse happens, it is appropriately responded to so you don't get a continuation of the pattern of behaviour.

And child sexual abuse is a vile thing, it's an evil thing, it's done by evil people, but what we've seen too I think in recent revelations, it's not just the evil of the people who do it.

There has been a systemic failure to respond to it and to better protect children and I particularly want to get the insights about what would stop that kind of systemic failure happening again.

JOURNALIST: Prime Minister, there were other options available to you to have a national inquiry or examination.

Can you talk about why it's got to be a Royal Commission, for instance why – is it important that it's got the power to compel witnesses? Why do you want it to have that full force?

PM: The option of a Royal Commission is the option that gives us the broadest suite of potentials for the working of the Commission. That's why I've chosen it.

JOURNALIST: Prime Minister, can I just clarify, when you say not-for-profits, you're talking like scouts and sporting clubs there as well?

PM: Yes.

JOURNALIST: And also, you talked about Royal Commissioner or Royal Commissioners.

Is that a sense that this job is going to be so big that it will need many, it will be more than for one person, and have you got an idea of who you'd like to see in the Royal Commission?

PM: No I'm not announcing the identity of anybody who might undertake this task this evening. We will have to work and think through who could best do this task.

Why I am saying potentially more than one person is it may be that we want to see combined expertise in legal matters, because obviously to guide a Royal Commission one needs to have the legal training and legal background, but we may also want to see available some expertise in child protection issues.

So in order to get the right expertise, I would rather have more than one person rather than lock a potential source of good expertise out of the process.

JOURNALIST: Just another point of clarification.

You said you didn't want to talk about a timeframe now, but are you saying you won't have a timeframe when you give the terms of reference that essentially will be up to the Royal Commission to determine its own timeframe?

PM: I think we would be saying to the Royal Commission that the Royal Commission should scope the task to be reporting back regularly to government.

So I don't want some artificial sense of deadline to impede what could be good work that we want done.

So that's a conversation to be had whether you would even set an indicative timeframe, but my sense is that we would be better off to say to the people who are – person or people who are doing this work – give us a continuing sense of what is needed to do the job right, rather than do the job quickly or to a mandated specification about time.

JOURNALIST: Prime Minister, did you call Cardinal Pell?

PM: I have spoken to Cardinal Pell, yes I have.

This is a Royal Commission that would be looking across religious organisations as well as state-based care as I've described and into the not-for-profit sector.

So this is not a Royal Commission targeted at any one church. But given the nature of some of the material in the public domain, I thought it was appropriate to speak to Cardinal Pell.

JOURNALIST: Did you speak with other religious leaders or other social group leaders?

PM: No I've spoken today to my cabinet colleagues, I've spoken to Cardinal Pell, I've spoken to the Premiers of Victoria and New South Wales.

As I've indicated there are others who need to be spoken to. I selected those two state colleagues because they were the ones with active inquiries.

We will be consulting with all state premiers and chief ministers.

We will be consulting with all religious organisations, and we will be trying to get feedback from survivors' groups on the terms of reference.

JOURNALIST: Was Cardinal Pell supportive of the (inaudible)?

PM: I think it's probably best for His Eminence to speak for himself.

JOURNALIST: You said the Premiers indicated a willingness to cooperate.

Did you get that same willingness from Cardinal Pell?

PM: My discussion with Cardinal Pell indicated that he's taking a very cooperative attitude, but I think certainly George Pell can speak for himself.

JOURNALIST: Just a final one, Bill Shorten appeared to rule out a Royal Commission on Friday. What changed the Government's mind?

PM: I think for all of us as we've looked at the nature of the material that is increasingly coming into the public domain, as we've thought about the best way of responding, as we've seen a new state inquiry added to an already-going state inquiry, for all of us we've been absorbing this and thinking about this and thinking about the best way of responding.

And I think the best way of responding is as I have announced – to have a national response through a Royal Commission.

Now I think what is happening in various jurisdictions in Victoria and in New South Wales can play a useful role feeding into the work of the Royal Commission, so we've all been thinking about it, me included.

As I indicated on Friday when I was overseas, when I returned to Australia I would be further considering this question and I've done so.

JOURNALIST: If some of the reports are correct, then the level of knowledge about child abuse in some institutions goes right to the top and takes in management roles and then people below it.

That could actually threaten the existence of some of these institutions, so what do you say of that? Should this inquiry in regards to those sorts of institutions threaten their existence, or should the process be more of reconciliation?

PM: I think you're war-gaming a series of hypotheticals, but if you believe as I do and I'm sure we all do that child abuse is a very great wrong, and that we've seen some systemic failures to deal with child abuse, then I think this is the appropriate response.

And we'll allow the Royal Commission to go where it needs to in order to give us a comprehensive response here.

But the specific terms of reference to guide it will be the subject of the consultative processes I've spoken about. We'll take a last question here.

JOURNALIST: Do you expect widespread resistance from some of these groups, like the church groups?

PM: There's nothing before me that would indicate that, not at all.

Thank you.