**DEPARTMENT OF EDUCATION**

**SYSTEMIC REVIEW INTO HISTORICAL CHILD SEXUAL ABUSE IN VICTORIAN GOVERNMENT SCHOOLS**

1. **BACKGROUND**
2. The Board of Inquiry into Historical Child Sexual Abuse in Beaumaris Primary School and Certain Other Government Schools (the Inquiry) was established on 28 June 2023 to examine:
3. the experiences of victim-survivors of historical child sexual abuse at Beaumaris Primary School and related government schools during the 1960s – 1970s;
4. the response of the Department of Education, including its knowledge and any actions it took or failed to take at the time;
5. appropriate ways to support healing for affected victim-survivors, secondary victims and affected communities.
6. The Inquiry’s report was tabled in Parliament on 6 March 2024.
7. Recommendation 3 of the Inquiry’s report is that the Victorian Government establish a statewide truth-telling and accountability process for victim-survivors of historical child sexual abuse in Victorian government schools.
8. The Victorian Government Response to the Inquiry, delivered on 19 June 2024, acknowledged the importance of institutional accountability and transparency to enable individual and collective healing. While not forming part of the Inquiry’s formal recommendations, the Inquiry observed that the Department of Education has never undertaken a broader systemic review of historical child sexual abuse as a way to understand the scope and scale of child sexual abuse in government schools from 1960 to today. The government response made a commitment that the Department of Education undertakes a Systemic Review of historical child sexual abuse matters in government schools (prior to the year 2000) identified through civil claims records and other relevant disclosures. Through this Systemic Review, the Department of Education will learn from past actions and inactions and contribute information to the public record regarding child sexual abuse in Victorian government schools.
9. This process will be overseen by an external Independent Monitor, appointed by the Minister for Education, who will provide independent quality assurance to ensure the Systemic Review aligns with these Terms of Reference and the Department of Education’s review principles and methodology.
10. The Department of Education’s Systemic Review will operate separately from the Formal Review into victim-survivors experiences of historical child sexual abuse in government schools, which has been established as an independent function in response to Recommendation 3 of the Inquiry. However, both reviews will contribute to a public record of historical child sexual abuse in Victorian government schools.
11. Acknowledging the importance of learning from the past to continuously strengthen current and future policies and practices, the learnings gained through the Systemic Review will inform future reviews of Department of Education policies, guidelines, programs, and practices relating to the prevention of, and response to, child sexual abuse in government schools.
12. **DEFINITIONS**

In these terms of reference:

1. ***child*** means a person under 18 years of age.
2. ***Commonwealth Redress Scheme*** means the National Redress Scheme established on 1 July 2018 under the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (Cth) in response to the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse’s Redress and Civil Litigation Report released in September 2015.
3. ***Department of Education*** means the Department with primary responsibility for the employment of teachers in government schools at the relevant time, including the current Department of Education’s predecessors over time.
4. ***Formal Review*** means the Formal Review into victim-survivors experiences of historical child sexual abuse in government schools, established under Part 4 of the *Inquiries Act 2014*, which is the independent function established in response to recommendation 3 of the Inquiry to hear victim-survivor accounts of historical child sexual abuse across all government schools and certain non-government schools.
5. ***government school*** has the same meaning as ‘Government school’ in the *Education and Training Reform Act 2006* but excludes schools that were historically attached to orphanages or group homes at the relevant time.
6. ***historical child sexual abuse*** means sexual abuse of a child in a government school by a staff member employed by the Department in a government school, where that abuse occurred on or prior to 31 December 1999.
7. ***Independent Monitor*** meansthe person appointed by the Minister for Education to undertake the functions provided for in section 5.
8. ***Inquiry***means the Board of Inquiry into historical child sexual abuse in Beaumaris Primary School and certain other government schools.
9. ***Minister*** means the Minister for Education.
10. ***victim-survivor***means a person who is a victim of child sexual abuse in government schools prior to 1 January 2000*.*
11. **TERMS OF REFERENCE**
12. The Department of Education’s Systemic Review will consider:
13. all settled civil claim files relating to historical child sexual abuse, with a focus on files where there are:
14. police charges of sexual abuse; or
15. more than one victim-survivor of the same perpetrator; or
16. more than one perpetrator at the same school within a five-year period; or
17. one perpetrator offending at multiple schools.
18. civil claims relating to historical child sexual abuse that are in progress, using the same criteria as section 3(1)(a), where the Department of Education accepts that the abuse occurred.
19. information disclosed by a victim-survivor of historical child sexual abuse to the Department of Education’s Sexual Harm Response Unit  (now called the Restorative Engagement, Information and Support Unit) from 1 July 2023, being the time when the direct central phone number and email address of this function was published on the Department of Education’s website, and in circumstances where it has been confirmed that the former student and employee (or former employee) were at the identified government school at the same time.
20. deidentified data on the number of redress applications that the Department of Education has received about historical child sexual abuse in a government school under the Commonwealth Redress Scheme.
21. Noting that the objective of the Formal Review is to provide the opportunity for victim-survivors of historical child sexual abuse at government schools to share their experiences and to create an independent public record of their accounts, and that there are existing avenues for victim-survivors to report abuse and seek redress or compensation, the following matters are outside the scope of the Systemic Review:
22. Investigating allegations or complaints of Department of Education or individual staff failures to prevent, detect, report, or respond to historical child sexual abuse;
23. Responding to or investigating any matters that arise from or in connection with victim-survivor accounts given as part of the Formal Review;
24. Recording victim-survivor accounts of historical child sexual abuse;
25. Developing chronologies of abuse committed by individual perpetrators (noting that section 4(a)(vi) provides that the review may develop case studies which may include chronologies or narratives to explain certain themes or patterns of offending);
26. Receiving new allegations or disclosures from victim-survivors directly. Victim-survivors may report institutional child sexual abuse in a government school via the information available on the Department of Education’s report abuse website: [Report abuse if you’re a current or former student | vic.gov.au (www.vic.gov.au)](https://www.vic.gov.au/report-abuse-if-youre-current-or-former-student);
27. Responding to requests for information or records from victim-survivors.
28. **REPORT**
29. The Department of Education will prepare a report from information identified in section 3 of the Terms of Reference that includes:
30. The number and names of government schools referred to in a civil claim where victim-survivors have experienced abuse.
31. The number of victim-survivors in civil claims who experienced abuse at each school.
32. The time period over which the abuse occurred and the date the civil claim was made.
33. Schools where there were civil claims about perpetrators with multiple victim-survivors.
34. Schools where there were civil claims about more than one perpetrator working within a five-year period.
35. Observations and learnings from civil claims about historical child sexual abuse in a government school regarding patterns of offending and failures to prevent, detect or respond to abuse. This may include case studies of historical child sexual abuse and information about the Department of Education’s contemporary child safety practices.
36. Any other information determined to be relevant to provide a greater visibility of historical child sexual abuse in Victorian government schools, based on the information held by the Department of Education in its civil claims files and from applications under the Commonwealth Redress Scheme about historical child sexual abuse in a government school.
37. The number and names of government schools where a victim-survivor has reported historical child sexual abuse to the Department of Education’s Sexual Harm Response Unit (now called the Restorative Engagement, Information and Support Unit) from 1 July 2023, being the time when the direct central phone number and email address of this function was published on the Department of Education’s website, and in circumstances where it has been confirmed that the former student and employee (or former employee) were at the identified government school at the same time.
38. The Systemic Review report will be provided to the Minister for Education by 31 March 2026 and will subsequently be made publicly available.
39. **INDEPENDENT MONITOR**

The Independent Monitor will:

1. independently review, monitor and assess the Department of Education’s performance of the Systemic Review, with a focus on the Department of Education’s application of the principles and methodology as set by the Department of Education for undertaking the review;
2. receive regular briefings on the Department of Education’s approach to undertaking the Systemic Review;
3. provide quality assurance advice to the Department of Education (where requested by the Department of Education and as part of executing the general performance monitoring function described in section 5(a)) to ensure that the outcomes of the Systemic Review are met, in line with the Department of Education’s principles and methodology for undertaking the review;
4. review the Department of Education’s Systemic Review final report and endorse the report if satisfied that it meets the Terms of Reference and the Department of Education’s review principles and methodology; and
5. provide independent advice to the Minister, or any other person or body as requested by the Minister, on any other matter referred to the Independent Monitor by the Minister from time to time.