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Are Australian Jewish community organisations meeting child safe standards in their policies? An exploratory desktop audit

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Abstract

The Royal Commission into Institutional Responses to Child Sexual Abuse and the more recent Malka Leifer trial have both highlighted concerns about manifestations of child sexual abuse within the Australian Jewish community. Yet, to date, there has been no examination of how Australian Jewish organisations have responded to these concerns and, particularly, whether the child safe standards introduced at state and/or national level have been actively operationalised within their core policies and practices. This paper presents the findings of an exploratory desktop audit of the child safe policies of 10 de-identified Victorian Jewish organisations. Our findings suggest that they are, at least in principle, adhering to the 11 mandatory Child Safe Standards in Victoria and, in several cases, are also providing a specific religious and cultural rationale for prioritising child safety measures. Nevertheless, more research is required to ascertain whether the public policy statements (i.e. their intent) are being matched by action.

Keywords: child safe standards, child sexual abuse, Jewish community, royal commission.

Background

With some minor exceptions (Kaur, 2009; Sawrikar, 2017), there is, to date, very limited analysis of how child safety practices are applied within diverse Australian multicultural and faith-based communities. The particular focus of this article is on Australian Jewry, which is arguably both a faith-based and ethnic community.

Approximately 118,000 Jews reside in Australia, of whom 46% live in the State of Victoria (Graham & Narunsky, 2019: p. 15). Australian Jewry comprises a spectrum of religious observance extending from the ultra-orthodox, sometimes termed Haredi (whose lifestyle is based on the traditional practice of Jewish religious laws and values known as Halacha), to modern orthodox (who adhere to traditional religious beliefs but actively engage with mainstream society), to conservative and progressive Jews (who practice a modernised version of Judaism that integrates with

the surrounding culture), to those who are completely secular (Graham & Markus, 2018). Only about 6% of Australian Jews – approximately 7500 people – belong to the ultra-orthodox cohort (Staetsky, 2022: pp. 7, 12).

The Royal Commission into Institutional Responses to Child Sexual Abuse (RCIRCSA) investigation into two unconnected Chabad organisations in Melbourne and Sydney, known as Yeshiva Melbourne and Yeshiva Bondi (Royal Commission into Institutional Responses to Child Sexual Abuse, 2016) and the more recent trial and conviction of the former Adass Israel School principal, Malka Leifer (Mendes & Pinski, 2021a; Mendes & Pinski, 2021b; Mendes et al., 2024; Pinski et al., 2021), have both highlighted specific concerns about the level of adherence to child safe standards within ultra-orthodox Jewish organisations.

However, several commentators have emphasised that such shortcomings extend to a wide cross section of the Jewish community, whether religious or secular. For example, Michelle Meyer, the then safeguarding spokesperson for the peak Victorian Jewish body, the Jewish Community Council of Victoria or JCCV, opined that whilst the Royal Commission findings had impelled many Jewish organisations to introduce child protection policies, it remained unclear whether the intent was backed by action (Meyer, 2021). She specifically questioned whether most communal groups had initiated cultural change to educate their members about the importance of child safety issues. For example, did they appoint a child safety officer, introduce a child safety committee and include child safety as a regular item on their board agendas? Additionally, did newsletters discuss facts and risks, and did their lay leaders or rabbis discuss child safety matters at public events?

Meyer concluded by arguing that cultural change would be evident when all organisations had processes and procedures in place that ensured they actively listened to the experiences of children and survivors of child sexual abuse, and that children and survivors were formally represented on boards of management.

Another child safeguarding advocate, Arts/Law student Gabriella Katz, referred to allegations of child sexual abuse at both Mount Scopus Memorial College and the Caulfield Hebrew Congregation (Katz, 2022). She argued that these events reflected a wider pattern within the Jewish community of poor application of child safety policies that disempowered victims of child sexual abuse.

Further critical reflection on the allegations of sexual misconduct at Mount Scopus was provided by Manny Waks and Phillip Weinberg from the survivor advocacy group, Voice Against Child Sexual Abuse (VoICSA) (Waks & Weinberg, 2023). They castigated the leadership of Mount Scopus for failing to comply with core child safe standards, and further argued that there was a wider ‘child sexual abuse crisis in our community’. In their view, many community groups were offering only ‘platitudes’ but little action to meet child safe standards, and this behaviour was causing additional trauma to victims and survivors of sexual abuse who felt unsupported by the community.

Finally, Michelle Meyer, now heading the independent Jewish safeguarding organisation, Maoz, reminded synagogues of their child safety obligations during the High Holy Days (Meyer, 2023). She recommended that all synagogues form child protection

committees to educate their leaders and members on child safe standards and introduce mandatory training of board members and other key personnel, including volunteers.

Additionally, our own research into the Malka Leifer case and trial has highlighted that, whilst the case has raised Jewish community awareness of child sexual abuse, its implications do not seem to have directly impacted on the application of child safe standards within the wider Jewish community. To date, there has in fact been no research on whether, or how, most communal groups operationalise these standards within their core policies and practices (Mendes & Pinski, 2021a; Mendes et al., 2024; Pinski et al., 2021).

Consequently, we elected to conduct an exploratory desktop audit of the child safety policies of local Jewish organisations. Using search terms such as Jewish child safety, Jewish child safeguarding and Jewish child protection, we identified 10 policies adopted by Victorian Jewish community organisations. For each of the 10 organisational policies, we applied the following questions:

- (1) Did they comply with the 11 mandatory Child Safe Standards in Victoria as outlined by the Commission for Children and Young People (Commission for Children & Young People, 2023; Table 1)?
- (2) Did they provide specific Jewish religious or cultural explanations to educate and inform their membership about the importance of child safety action?

Table 1. Victoria's 11 Child Safe Standards (Commission for Children & Young People, 2023)

Standard 1	Organisations establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued.
Standard 2	Child safety and wellbeing is embedded in organisational leadership, governance and culture.
Standard 3	Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously.
Standard 4	Families and communities are informed and involved in promoting child safety and wellbeing.
Standard 5	Equity is upheld and diverse needs respected in policy and practice.
Standard 6	People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.
Standard 7	Processes for complaints and concerns are child-focused.
Standard 8	Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.
Standard 9	Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
Standard 10	Implementation of the Child Safe Standards is regularly reviewed and improved.
Standard 11	Policies and procedures document how the organisation is safe for children and young people.

Findings

From August to November 2023, we used a Google search to identify 10 child safety policies adopted by Victorian Jewish community organisations. As per the de-identified list in Table 2, they comprised a diverse range of religious, educational and cultural organisations.

Table 2. Child safe policies of 10 Victorian Jewish community organisations

Organisation number	Type of organisation and date policy released or last reviewed
1	Progressive synagogue (2023)
2	Modern orthodox synagogue (2022)
3	Modern orthodox Jewish school (2023)
4	Modern orthodox synagogue (2021)
5	Progressive Jewish day school (2023)
6	Non-orthodox synagogue (2021)
7	Ultra-orthodox synagogue (2016)
8	Ultra-orthodox school (undated, appears to be late 2022)
9	Youth cultural organisation (undated, appears to be late 2022)
10	Modern orthodox community centre (2022)

'Responsibilities of all' that any person who fails to report alleged sexual or physical abuse of a child is committing a 'criminal offence'.

Organisation 3 stated that they 'practice zero tolerance of child abuse', and named their senior child protection officer and three other child protection officers as responsible for 'the promotion and maintenance of our child protection culture'. Similarly, Organisation 5 named all members of their leadership team as delegated child safety officers. Organisation 6 stated that they had 'undertaken whole of organisation child safety training and review to align with best practice and recommendations ... We also strive to adhere to, and implement, initiatives consistent with the National Principles for Child Safe Organisations'.

Organisation 8 named a set of eight child safety officers whom they identified as 'a point of contact for raising child safety concerns within the school. They are also responsible for championing child safety within the School and assisting in coordinating responses to child safety incidents'. They also named a senior child safety officer and a child safety champion. Organisation 9 pledged to 'create and maintain a child safe culture that is understood, endorsed and put into action by all the individuals who work for, volunteer, support or access our programs and services'. Organisation 10 appointed an honorary child protection officer who was responsible for developing 'appropriate policies in relation to child safety and protection of children and young people' and ensuring that the policy was 'applied to all events and activities'.

Standard three

Nine out of the ten organisations committed to ensuring the children understood their rights and were empowered to participate in the development of child safety decision-making processes and programs. For example, Organisation 1 stated: 'As a part of the teaching curriculum, age appropriate education, training and communication about the right of a child to feel and be safe when participating in our activities will be provided to our children. We aim to empower children with knowledge about their rights and to provide a means for accessible reporting of allegations of abuse'. Similarly, Organisation 5 stated that 'we work to create an inclusive and supportive environment that encourages students to contribute to our child safety approach and understand their rights and responsibilities'.

Standard four

Eight of the ten organisations actively encouraged the participation of parents and families in promoting child safety and wellbeing. For example, Organisation 5 actively promoted the involvement of parents in all child protection and protection policy development and complaints and investigation processes. Organisation 6 emphasised 'that informed families who are aware of our child safety processes and requirements for our volunteers and staff are central to developing a child safe culture. We work hard to ensure that families have access to our child safety materials, including this policy and the Code Of Conduct, as well as providing accessible feedback and complaints avenues'.

Part One: Compliance with Victorian Child Safe Standards

For each of the 10 community organisations, we examined whether their child safety policies complied with the 11 mandatory Child Safe Standards in Victoria (Commission for Children & Young People, 2023). Author 1 examined copies of the 10 child safety policies guided by our two questions and presented an initial raw summary report. Author 2, who participates in several Jewish community groups, also read the 10 policies and revised some interpretations by Author 1 to advance a more culturally informed set of findings. Our results were as follows.

Standard one

Nine of the ten organisations specifically recognised their obligation to advance cultural safety for Aboriginal children. For example, Organisation 1 argued that 'it is crucial that the diverse and unique identities and experiences of Aboriginal children, young people and adults are respected and valued. All programming must be culturally sensitive, and any discrimination towards or about Aboriginal people will not be tolerated'. Organisation 5 highlighted their 'First Nations Peoples Education Policy', which enshrined 'the measures we have in place to maintain an inclusive and culturally safe school for Aboriginal children and students. A Reconciliation Action Plan has been developed by students and staff at the school'.

Organisation 9 stated: 'We are committed to creating environments where Aboriginal culture is celebrated and Aboriginal children, families and community members are welcomed and included', and listed several strategies intended 'to embed cultural safety of Aboriginal children' within the organisation.

Standard two

All ten organisations displayed a firm commitment to promoting strong child safe standards, and to embedding governance processes that informed all staff and volunteers of their behavioural and reporting obligations.

For example, Organisation 2 strongly 'encourages all persons, who believe on reasonable ground that a child is in need of protection, to report their concerns to the Department of Health and Human Services Child Protection Unit, Victoria Police or Child First'. That organisation emphasises three times in one sub-section headed

Standard five

Nine of the ten organisations emphasised the need to equally apply child safety processes to all children, particularly those with a disability, those from culturally and linguistically diverse backgrounds and those with alternative sexual identities and/or orientations. For example, Organisation 6 stated: 'We are committed to providing environments where children feel safe and are listened to and respected regardless of their abilities, gender, sexual orientation, cultural or economic background'. Organisation 8 pledged that their school 'values diversity and does not tolerate any discriminatory practices'.

Standard six

All ten organisations applied key compliance indicators to staff and volunteers pertaining to recruitment processes, required Working with Children Checks and mandatory training and supervision. For example, Organisation 9 stated: 'We minimise the likelihood of recruiting a person who is unsuitable. We have appropriate measures in place and require applicants to undergo extensive screening processes prior to appointment to minimise the likelihood that we will recruit or accept a person who is unsuitable to work / volunteer with children or young people'.

Standard seven

All ten organisations have introduced child-focused complaint handling processes and reporting procedures. For example, Organisation 5 stated: 'The Child Safety & Protection Guidelines for Students was developed in a child-friendly format to explain students' rights and responsibilities and how they may raise concerns about their own or another's safety'.

Standard eight

Eight of the ten organisations formally required the ongoing education and training of staff and volunteers to advance the implementation of child safe standards. For example, Organisation 6 emphasised that at the time of 'initial engagement...all staff, volunteers and Board members are required to complete training in understanding, recognizing and responding to child abuse and neglect as well as the Child Safety Policy and Code of Conduct. For Board members and staff this is through a structured induction process'. The policy further addressed a commitment to 'ongoing' education, through '...regular formal and informal supervision, and...that child safety is a discussion point on all meeting agendas. New and refresher information is shared regularly through these processes'.

Standard nine

Seven of the ten organisations introduced specific risk management policies to limit the potential for harm to children in the physical or online environment. For example, Organisation 4 'committed to maintaining risk management processes which better equip the organisation to detect and prevent potential risks before they arise'. Organisation 9 emphasised that 'Our approach to risk management recognises the potential risks to children and young people associated with our organisation's service delivery and considers online and physical or psychological environments, and any vulnerable or diverse circumstances of children or young people attending our youth movements'.

Standard ten

All ten organisations stated that they annually review and evaluate the effectiveness of their child safe standards. For example, Organisation 8 stated their 'commitment to the continuous improvement of the policies and procedures making up our entire Child Safety program and of our child safety and wellbeing practices. The program as a whole is reviewed annually (or earlier if a significant child safety incident occurs at the School or legislation changes) for overall effectiveness and to ensure compliance with all child safety and wellbeing related laws, regulations and standards'.

Organisation 9 stated that they will 'continuously review and improve our policies, procedures and practices to safeguard children and young people from abuse and neglect. The responsibility for implementing and reviewing our safeguarding children and young people approach is led by a committee that meets 3 times a year and deals with child safety matters'. Conversely, Organisation 7 does not seem to have updated their online policy since 2016, from which it can be inferred that they have not reviewed or assessed the impact of their policy.

Standard eleven

All ten organisations have published formal policies and procedures that advance the operationalisation of child safe standards. For example, Organisation 10 stated that their Child Protection and Safeguarding Policy and associated Code of Conduct would be displayed 'in the foyer of the Synagogue so that all who come to the Synagogue can read the information shown'.

Part Two: Utilisation of Jewish religious or cultural beliefs for taking action on child safety

Five of the ten organisations (reflecting diverse levels of religious observance) presented specifically Jewish religious and cultural arguments in favour of upholding child safe standards.

For example, Organisation 1 argued that 'The Jewish value of *pikuach nefesh*, whoever saves a life, it is as if they have saved the entire world (Sanhedrin 37a) demands we protect and safeguard our children'. That organisation added a specific rejection of the halachic concept of *mesirah* (i.e. a Hebrew word that refers to the rabbinic injunction of informing on Jews to external non-Jewish authorities). Those who infringe, are labelled *mosers* and threatened with communal shunning or expulsion. This has been used by some ultra-orthodox Jewish communities as a reason for not reporting child abuse to state authorities (Royal Commission into Institutional Responses to Child Sexual Abuse, 2017). In contrast, they opined that 'The Jewish law of *mesirah* (reporting to a non-Jewish authority) does not apply when it comes to child abuse and neglect, as state law overrides this rabbinic concept. Furthermore, Judaism teaches us that this only applies to an anti-Semitic government. The rabbinic concept of *dina d'malchuta dina* (the law of the land is the law) means that we are governed, as Jewish community, by State and Federal law'.

Organisation 4 similarly highlighted that 'No cultural or religious belief will take precedence over the right of children to protection from harm'. They also specifically rejected the application of *mesirah*, noting that 'Mandatory reporting overrides any obligation

of Mesira'. Similarly, Organisation 7, an ultra-orthodox centre, stated that 'no cultural or religious belief will take precedence over the right of children to protection from harm'.

Further, Organisation 8 stated: 'In addition to the legal and moral responsibility to ensure child safety, there is a religious & Halachic [Jewish religious law] imperative to protect children and save them from harm. The prevention of child abuse is a Mitzvah (religious responsibility). It is the unequivocal position of Jewish law and all Rabbinical authorities that it is an individual and collective responsibility to do everything possible to protect children and ensure their ongoing and future safety, including immediately reporting any and all concerns to the responsible authorities'. They added that 'no cultural or religious belief will take precedence over the right of our students to protection from harm'.

Organisation 10 stated that their child protection commitment was based on a combination of 'spiritual beliefs, ethical principles and legal principles'.

Discussion

Our findings indicate that the 10 Victorian Jewish organisations examined have developed formal child protection policies that, at least in principle, adhere to the 11 mandatory Child Safe Standards applied in Victoria. Additionally, five of the ten policies presented a specific Jewish religious and cultural rationale for implementing effective child safety measures. Overall, there seemed to be a genuine commitment to reconciling Jewish cultural and religious values across a diverse spectrum and meeting core child safety obligations. As such, it would be beneficial for future research to explore whether these organisations have adapted their policies to address specific institutional risks associated with cultural factors, and to comprehend how these factors are being managed in safeguarding and contributing to more comprehensive child protection measures within these communities. Such policies may be related to particular practices and rituals, such as those governing mikvah (ritual baths) and various additional aspects of the Jewish lifecycle.

It was noted, however, that while the Victorian Child Safe Standards have been updated as of 1 July 2022, it seems that three of the organisations had neither updated nor reviewed their

policies in line with the new standards. Indeed, while Standard 10 calls for regular review and improvement of the Child Safe Standards, one of the organisations appeared not to have reviewed their policies since 2016.

Our study has some obvious limitations. As noted, some of the policies were initially released (although in several cases later revised) before the 11 mandatory standards were strengthened in 2022 and 2023. Additionally, we do not claim that these 10 de-identified policy documents are representative of the much larger group of Victorian Jewish communal organisations. It is also possible that some ultra-orthodox Jewish organisations have published child protection policies in hard copy, but for religious reasons choose not to place these policies online. Such reasons may involve the religious or cultural practices that prioritise public discretion and modesty, and a disinclination to discuss sexual matters with the unmarried, or in public spaces within these communities. That approach will arguably need an additional layer of examination to clarify whether or not it is able to demonstrate reasonable accountability to children and families involved in the group or community, let alone standards imposed by external state authorities.

Further research using a range of methods to ascertain whether actual practice (i.e. compliance) matches both the stated intent of these policies, and is given adequate precedence within the organisation's annual plan, would be of value. One research priority would be to conduct interviews or focus groups with a wide range of stakeholders across the Jewish community spectrum – child safety officers appointed by community organisations, children and families involved in such organisations and representatives of survivors of recent or historical abuse, such as VoiCSA – to ascertain whether these policies have been actively applied and operationalised. These consultations should include an assessment of whether current appointments to child safety roles may involve a conflict of interest in governance – whereby, for example, a leadership figure who performance manages staff is also placed in the role of judging allegations of child abuse against members of that staff group. Additionally, they would aim to clarify whether or not and how organisations had reformed child safety approaches in response to past failures.

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