



CHRIST'S COLLEGE  
CANTERBURY

# A POLICY ENABLING THE SURVIVORS OF HISTORICAL ABUSE THAT OCCURRED AT CHRIST'S COLLEGE TO MAKE A COMPLAINT IN RESPECT OF THE ABUSE EXPERIENCED AND TO BE OFFERED REDRESS

## Historical Abuse Complaints Policy

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<b>Responsibility for Policy:</b>	<b>Board Chair</b>
<b>Approving Authority:</b>	<b>Board of Governors</b>
<b>Applies to:</b>	<b>Old Boys and current students at Christ's College</b>
<b>Last Review Date:</b>	<b>February 2021</b>
<b>This Review:</b>	<b>June 2024</b>
<b>Next Review:</b>	<b>June 2026 (or as required)</b>

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### INTRODUCTION & BACKGROUND:

Christ's College acknowledges that there are many Old Boys who are the Survivors of abuse experienced when they were students at College.

This became particularly apparent when the Abuse in Care Royal Commission was established, and it became necessary for College to reach out to its Old Boys and invite those who had experienced abuse to come forward.

It was at that time (late 2020/early 2021) that the original Historical Abuse Policy was developed.

As at the date of this Policy review, approximately 133 Old Boy Survivors have come forward.

College is committed to acknowledging and apologising to all Survivors of historical abuse and considering and agreeing redress with them (where possible).

This Policy is underpinned by a Survivor centric approach that puts the interests of Survivors ahead of the reputational interests of the College, and recognises it takes courage for a Survivor of abuse to come forward to raise and discuss historical abuse issues with the institution where the abuse was perpetrated.

This Policy establishes a process where Survivors can speak to someone about their experiences in an environment that is safe, respectful, and empathetic.

The application of the Policy does not require the Survivor to prove that the abuse complained of did occur and does not require a formal investigative process to be initiated; instead, it accepts the abuse did occur. The only qualification to this presumption is if there is credible information that might indicate that there are reasonable grounds to suggest that the abuse might not have occurred.

The Policy is to be implemented in a manner that minimises, as far as is possible, the risk of re-traumatisation to the Survivor and with the objective of achieving an outcome that brings closure for the Survivor. This includes the College acknowledging and apologising for the abuse and may involve redress.

In support of the Survivor centric approach that underpins the Policy, Christ's College has appointed an independent Historical Complaints Facilitator (the Facilitator) to whom referrals will be made as appropriate on a case-by-case basis.

The Facilitator is an independent professional who specialises in historical abuse claims and redress. At the date of this Policy review, the Facilitator is Mark Wells, and he prepares redress reports and recommendations for the consideration of the Board Chair.

The objective of the Policy is that Survivors achieve some form of closure in relation to the abuse they experienced at Christ's College. It is accepted that this will not be possible in all cases.

The Policy also anticipates that any matters arising from the experience of Survivors that are in any way relevant to the health, safety and well-being of the current students are to be advised to College management.

The implementation of this Policy is the responsibility of the Board of Christ's College and led by the Board Chair or his/her nominee. When the Policy was put in place it was decided that the Board is the appropriate body to address all historical abuse issues. The role of the Executive Principal is to ensure the health, safety, and well-being of the current students.

The Policy also applies to Survivors of abuse who may be current students at College.

#### **PURPOSE:**

The purpose of this Policy is to describe and guide the principles and processes in response to complaints made by Survivors of historical abuse when in the care of Christ's College. Its aims include:

- To acknowledge, accept responsibility and apologise for the abuse.
- To consider redress.
- To review policies and procedures to prevent future abuse.

#### **DEFINITIONS:**

**Redress** means to remedy and to set right. The College seeks to firstly acknowledge harm done to people who experienced abuse while in its care, then actively engage in steps to 'set right' the experience to the extent that is possible. This can include both tangible and non-tangible elements.

**Abuse** is defined as the harming (physical, emotional, psychological, or sexual), ill-treatment, neglect, or deprivation of any person.

**Survivor** means the victim of the abuse.

**Board** means the Governors of Christ's College from time to time.

**College** means Christ's College.

**Executive Principal** means the person employed as the primary executive officer of the College from time to time.

**Facilitator** means the Historical Claims Facilitator engaged to manage and oversee the complaints process.

**Royal Commission** means the Abuse in Care Royal Commission of Inquiry.

## **OVERARCHING PRINCIPLES:**

In responding to cases of historical abuse, College will:

- Maintain a Survivor centric approach that acknowledges the courage of a Survivor to come forward and mitigates the risk of re-traumatisation of the Survivor as far as is possible.
- Ensure that information about this Policy and how to access the redress process is readily accessible to Old Boys and current students.
- Maintain a dedicated email to enable Survivors to contact the College. Currently this email is [rc@christscollege.com](mailto:rc@christscollege.com)
- Facilitate an engagement with a Survivor that can be undertaken in the manner that is preferred by the Survivor.
- Approach the engagement with a Survivor in an open, transparent, empathetic, and respectful manner.
- Assess, offer, and provide resolution and redress having regard to the nature and impact of the abuse on the Survivor and the outcomes that the Survivor wishes to achieve.
- Prioritise the interests of Survivors over the interests of the College.

## **COMPLAINTS PROCESS:**

Any Old Boy or current student who is/are Survivors of abuse (or a group of Old Boys or current students) may submit a complaint, either verbally or in writing under this Policy. A complaint may also be lodged on behalf of a Survivor by an advocate or support person with the Survivor's consent.

### **1. Receipt of Complaint**

- a) When a complaint is received, the College will acknowledge receipt as soon as is possible and provide a copy of this Policy and otherwise outline the complaints process to the Survivor.

- b) A review of any relevant College records will be undertaken (*Note: In many of the cases dealt with under the Policy to-date, the College records did not identify anything that revealed any concerns about the Survivor's time at College. The College records are not to be taken as any indication whatsoever that the Survivor did not experience the abuse complained of.*)
- c) The complaint will be registered on the Historical Complaints Register held by the College and notice of the complaint will be provided to the Board Chair.
- d) In the first instance, the Board Chair will engage with the Survivor to establish the nature of the abuse experienced by the Survivor and assess, in consultation with the Survivor, how the Survivor wishes the complaint to be handled.
- e) Where possible, the Board Chair will manage the engagement with the Survivor to the point that the matter is satisfactorily concluded. Alternatively, the complaint will be forwarded to the Facilitator to engage with the Survivor and prepare a report and recommendations for the consideration of the Board.

## 2. **Facilitated Process**

- a) The Facilitator will engage with the Survivor in a manner that is agreed with the Survivor and in accordance with the principles of this policy.
- b) The Survivor will be encouraged to involve a support person/s, advocate.
- c) The Facilitator will:
  - Establish the Survivor's abuse experiences and their impact.
  - Identify the Survivor's desired outcome from engaging in the complaint process.
  - Develop a framework for College to offer meaningful redress to the Survivor if the threshold for redress is met.
  - Provide the Survivor with a draft summary report of their experiences and expectations of the redress process.
  - Provide the Board Chair with a Redress Report (**Redress Report**) including any recommendations in relation to redress.

## 3. **Consideration of Redress Report:**

- a) The Redress Report will be considered by the Board with the aim of progressing the Survivor's healing and providing closure for the Survivor.
- b) It is not the role of the Board to second guess the content of the Redress Report. The Board will accept the findings and recommendations in the Redress Report unless

the Board believes, on reasonable grounds, that there are material errors in the Redress Report.

- c) A resolution of the Board to accept the Redress Report will anonymise all Survivor and complaint details that identify the Survivor(s) making the complaint.
- d) The outcome of the Survivor's complaint will be registered on the Historical Abuse Register. The content of the Register can only be disclosed to a proper authority (i.e. the Royal Commission) and not to any other person. Access to the Register will be restricted to the Executive Principal, the administrator for the Register and the Board Chair.
- d) College will not seek confidentiality as a pre-requisite to any settlement with a Survivor.
- e) The Puretumu Torowhanui scheme proposed in the Royal Commission's interim report will provide a further opportunity for Survivors to seek redress. Where financial acknowledgement is included as part of the redress offered and proposed payments are on a full and final settlement basis, any offer of redress must include the proviso for the Survivor to also make a future claim under the proposed scheme.

#### **4. Redress Offer and Outcomes**

- a) The Board Chair will advise the Survivor of the findings and recommendations in the Redress Report and offer redress to the Survivor in accordance with the redress recommendations.
- b) A Survivor will have as long as they need to consider the redress recommendations.
- c) If the Survivor accepts the redress offered, the College will acknowledge the acceptance as soon as is possible, make any acknowledgement payments, inform the Facilitator of the outcome, and register the outcome on the Historical Abuse Register.
- d) If the Survivor does not accept the redress offered, the Board Chair and the Facilitator will consider how best to respond and consider if the redress offer needs further negotiation.
- e) If, after further negotiation does not achieve a mutually acceptable outcome, the Board Chair will write to the Survivor formally ending the complaints process but will expressly leave the last redress offer open for acceptance by the Survivor for a period of six months. On the expiry of that period the redress offer will lapse.
- f) The Board Chair will inform the Board of all complaints received under the Policy, the outcome of the engagement with the Survivor and any learnings taken from the engagement with the Survivor that may be relevant to College's existing child safety policies, procedures, and practice.

## 5. Types of Redress

a) Christ's College may offer the following in terms of redress:

- A personal response from the College, which may include a verbal and/or written apology to the Survivor by the Board Chair.
- Funding for counselling or psychological care where needed and which will be on the following basis:
  - Referral to a registered counsellor or psychologist acceptable to the Survivor.
  - On an initial finite basis, say 6 sessions, but with potential to agree additional sessions.
- Assistance, if required, to report abuse to the Police, if agreed with the Survivor.
- A monetary sum as some acknowledgement of the seriousness of the harm suffered. This offer will consider:
  - The severity of the abuse.
  - The severity of the effects and harm caused by the abuse.
  - Any other relevant factors including the outcomes of the Royal Commission.
- Alternatively, a lump sum payment may be preferred to enable the survivor to be entirely self-determining as to the application of the funds for counselling or psychological care or otherwise.
- Assistance, if required, to report abuse to the Police, if agreed with the Survivor.
- In all cases the offer of redress to a Survivor will include a recommendation that the Survivor take legal advice on the offer that is being made. A contribution towards those legal costs will be included in the redress offer.

b) While every Survivor's experience will be different and the effects of those experiences are individual to them, to the extent possible, College will try and ensure that financial redress is consistently offered by taking into account the nature, extent and impact of the abuse.