

Under the Inquiries Act 2013
In the matter of the Royal Commission of Inquiry into Historical Abuse in State Care
and in the Care of Faith-based Institutions

**Closing submissions on behalf of The Salvation Army
regarding the Faith-Based Redress Hearing**

26 March 2020

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May it please the Royal Commission of Inquiry into Historical Abuse in State Care and in the Care of Faith-based Institutions (the **Commission**):

1. Introduction

- 1.1 These submissions are filed on behalf of The Salvation Army (**The Salvation Army, the Army**) in relation to the public hearing into faith-based redress (the **faith-based redress hearing**).
- 1.2 The Commission has now heard evidence from several survivors (both orally and in written statements) and two Army witnesses, Colonel Gerry Walker and Mr Murray Houston, about The Salvation Army's redress process. Most of the evidence has been about the formal redress process in which The Salvation Army has been engaged over the past 20 years in relation to claims of abuse in children's homes historically operated by the Army.¹
- 1.3 This Royal Commission, and some of the powerful survivor evidence that has been heard, has caused the Army to engage in a significant amount of reflection about its redress process. The Salvation Army's evidence referred to there being "mis-steps along the way". It is accepted that such a description fails to properly account for the impact that insufficiently survivor-focused, trauma-informed or culturally-sensitive processes had on some survivors. The Salvation Army recognises that there are significant and varying barriers for survivors to overcome in seeking to engage in a redress process with a faith-based (or state) institution. This was reiterated to the Army at a recent meeting with Ms Tonks of the Network of Survivors of Abuse in Faith-Based Institutions.
- 1.4 The Army's evidence referred to the evolution of its processes and where it has learnt lessons along the way and adapted. But, again, it is accepted that despite the process having been in place for nearly 20 years, there has not been a fundamental or wholesale review of the

¹ For clarity, the Army notes that the last of the larger institutional children's homes which it historically operated closed in the mid-1980s. However, the Mary Bryant Family Home in Hamilton also offered smaller scale residential care for families until 1999 and the Army continues to offer transitional housing services which may house families including children (Statement of Murray Houston dated 18 September 2020 [WITN025001], paragraph 3.4).

process engaged in from a wider Army perspective. Such a review is overdue, and this Commission and the survivors who have engaged with it have given the Army strong feedback about what should be done and the impetus to now do that work.

- 1.5 The Salvation Army does not intend to stand still and wait for formal recommendations from the Commission before making many of the changes that now seem obvious and necessary. However, it is clear that offering empathetic and effective redress is not easy, even for an institution that on account of its extensive social services work, has within its ranks many experienced and trained social workers, counsellors and other persons with a good understanding of the effects of abuse.
- 1.6 Knowing exactly how to go about this redress task is complex. The Army's evidence has spoken of the fact that one redress process does not fit all and recognised that more flexibility is needed to address different survivor needs. To this end, the Army noted the comments in the opening statement of Mr Mount QC, counsel assisting the Commission, that redress "is also an area with great potential for practical meaningful recommendations that this Inquiry can learn about from survivors and from institutions and recommend to Government and to institutions."² The practical recommendations that it is hoped this Commission may be able to make would be very welcome as the Army moves forward with its own process.
- 1.7 These submissions focus on six aspects of the evidence that the Army wished to further comment on to this Commission. These are:
 - (a) The Army's current redress process overall, including clarification of some aspects of its establishment, evolution and key elements.
 - (b) Importantly, and forward looking, the steps the Army has already noted for change and improvement in its redress processes and the related publication of those processes.

² 15 March 2021, Transcript, page 2, lines 12 – 14.

- (c) Specific comments and observations on the issue of the quantum of monetary compensation as a means of redress.
- (d) How and if the Army's current redress process, which has largely been developed in the children's homes context, can be applied in other settings where abuse is alleged.
- (e) The interplay of the Army's existing process with other suggested structures for redress including the possible establishment of an independent body to handle such claims.
- (f) Issues related to records of historical complaints, treatment of alleged perpetrators and record-keeping more generally.

2. The Army's current redress process

- 2.1 The redress process that the Army has followed has been fully explained in the first witness statement of Mr Houston.³ The Commission has also been provided with various summaries of enquiries and claims that have been made in relation to allegations of historical abuse in response to section 20 Notices issued by this Commission to the Army.
- 2.2 Since about 2001, The Salvation Army has, in the context of abuse suffered in children's homes operated by the Army, received in excess of 200 claims involving allegations of sexual, physical, psychological abuse and/or neglect on which it has engaged with survivors outside of a formal court process.⁴ The large majority of these claims (and other enquiries which did not ultimately proceed to formal claims) occurred in the early to mid-2000s. Ms Janes produced a summary sheet in the hearing that showed 68 claims were raised in 2003 and a further 50 the following year.⁵ Mr Houston estimated that 166 of the claims received in a

³ Statement of Murray Houston dated 18 September 2020 [WITN025001].

⁴ Statement of Murray Houston dated 18 September 2020 [WITN025001], paragraph 3.3.

⁵ Exhibit 6. Note also that counsel assisting, Ms Janes, sought to put various other statistical information deduced from section 20 responses to Mr Houston (and, to a lesser extent, also to Colonel Walker). Counsel understands some of the detail around that may be the subject of follow up questions to the Army. For now, the Army refers to the section 20 responses in full, including the Army's notations that it considered much of the data requested was not capable of tabulated presentation including for example, re abuse settings, the form of abuse alleged and issues with establishing a claim date.

children's homes context have been formally settled.⁶ The Army has continued to receive and settle claims even as the Commission has held its investigation into redress.

Establishment

2.3 As Mr Houston has explained, the first iteration of the Army's redress process was hastily established in response to the huge influx of claims in about 2003. The issue was unfathomable,⁷ and the Army was taken terribly by surprise – scarcely able to believe that such acts had happened in its care.

2.4 The Salvation Army considers the context for the establishment of its redress process is important. It became apparent in that 2003 period that unless the Army offered its own process, survivors had few other options. Survivors would face several hurdles if they pursued litigation, not least of all cost, but also significant legal impediments: proof of historic claims to a civil legal standard, the application of limitation periods and, for some survivors, ACC bars. These are the sorts of matters that lawyers and insurers pointed out to the Army when abuse claims first started to emerge.

2.5 While it was not an instantaneous response, very early on the Army determined it would not stand on the legal rights it was being told were available to it. The Army recognised that, consistent with its Christian values, it had a moral responsibility to engage with survivors by largely putting those legal issues to one side. It therefore developed a set of engagement principles that have endured to this day.⁸ While some fair questions have been asked in the course of the hearing as to the requirement of face-to-face meetings with survivors, the most important principle the Army developed was its desire to front up to the claims that were coming in, to listen, learn and engage with survivors and not to

⁶ Statement of Murray Houston dated 18 September 2020 [WITN025001] at paragraph 3.5

⁷ Comment of the Chair, 17 March 2021, Transcript, p 202, lines 12 – 25.

⁸ Evidence of Murray Houston, 16 March 2021, Transcript, p 128, lines 13 - 25. Also see Statement of Murray Houston dated 18 September 2020 [WITN025001] at paragraph 5.11.

seek to sweep any claims under the carpet or to fail to take responsibility.⁹

- (a) Witnesses were asked for greater precision about when the Army definitively stopped relying on legal defences and its insurer ceased being involved and so, whether, the Army could have moved to its less legalistic frame of reference earlier than it did.¹⁰ The answer is yes, undoubtedly the Army could have moved on this faster. The regret and sorrow that both Mr Houston and Colonel Walker expressed at the May 2001 letter sent to Ms Lowe are evidence of that.¹¹ But, equally, both witnesses explained that there was a process to be worked through with other stakeholders including insurers¹² and, the Army considers that, in the round, its movement toward a non-legalistic approach was still a fairly swift response.
- (b) Witnesses were also asked about whether there was research done and specialist expertise called on in establishing the Army's redress process.¹³ There were also questions as to whether the Army could have spent more time initially setting up a process that was more trauma-informed by reference to other similar international regimes.¹⁴ Again, undoubtedly yes, the Army could have spent more time in the set-up phase by doing more research, writing policies and calling on third parties to assist. However, against this, Mr Houston also described the dynamic situation in which the Army found itself at the time, and the feeling that there was a pressing need to have a process up and running

⁹ In settling claims, the Army has not required survivors to keep their settlements confidential. See Statement of Murray Houston dated 18 September 2020 [WITN025001] at paragraph 7.60, 7.62 and Supplementary Statement of Murray Houston dated 28 January 2021 [WITN0250022] at paragraph 9.9.

¹⁰ Evidence of Murray Houston, 17 March 2021, Transcript, p 185, lines 13 – 26.

¹¹ Supplementary Statement of Murray Houston dated 28 January 2021 [WITN0250022] at paragraph 7.2. Also see Evidence of Gerald Walker, 15 March 2021, Transcript, p 59, lines 10 – 15 and 16 May 2021, Transcript, p 103, lines 3 – 6; and Evidence of Murray Houston, 16 March 2021, Transcript, p 130, lines 6 – 18.

¹² Evidence of Gerald Walker, 15 March 2021, Transcript, p 16, lines 22 – 25; Evidence of Murray Houston, 16 March 2021, Transcript, p 140, lines 30 – 33.

¹³ Questioning of Murray Houston, 16 March 2021, Transcript, p 144 at lines 27 – 29.

¹⁴ Questioning of Gerald Walker, 16 March 2021, Transcript, p 90, lines 25 – 28 and p 145, lines 19 – 21.

quickly so as to address the large volume of claims that were coming in at that time¹⁵ and not to further traumatise survivors through delay.¹⁶

- 2.6 As Mr Houston has said, he likes to think there is some intrinsic value in the efficiency that the Army's process has offered.¹⁷ Without The Salvation Army moving quickly to the redress model it did adopt, many of the survivors who came forward in the early years (e.g. 2003 – 2005) would have faced significant delay and many other hurdles and barriers to seeking redress. The early establishment of a redress process has meant that survivors of abuse in Salvation Army care have had a way in which they can seek redress that has, on the whole, been efficient and comprised the key components of a redress process, notably apologies, financial redress but also, in some cases, other non-financial assistance.
- 2.7 While any one survivor who has felt let down by the process is one too many, there is evidence that for some survivors the process has been effective. Gloria White is a recent example of this, but Mr Houston has also given evidence that the Army has received acknowledgements through time from many survivors that their experiences have been positive and has been told that the redress process engaged in has assisted them on their journey.¹⁸
- 2.8 The Salvation Army has sought to act with the very best of intentions to engage with survivors to offer effective redress and it sincerely regrets that its redress process has not always been a healing experience for survivors.

Evolution

- 2.9 The Army has talked about the evolution of its processes through time. As the Chair noted, Mr Houston has strived in a very real and

¹⁵ Questioning of Murray Houston, 16 March 2021, Transcript, p 149, lines 14 – 16 and 17 March 2021, Transcript, p 165, lines 3 – 7.

¹⁶ Statement of Murray Houston dated 18 September 2020 [WITN025001], paragraph 7.58.

¹⁷ Statement of Murray Houston dated 18 September 2020 [WITN025001], paragraph 7.58.

¹⁸ Statement of Murray Houston dated 18 September 2020 [WITN025001], paragraph 7.58 at 2.7. Evidence of Murray Houston, 16 March 2021, Transcript, p 144, lines 2 – 5.

sympathetic way to make the redress process more empathetic, flexible and survivor-focused.¹⁹ Examples of adaptations to the Army's process over the years include:

- (a) Apologies became more empathetic and survivor-focused as The Salvation Army has eschewed its reliance on insurance (and the limitations that came with it) and moved away from a legalistic approach;²⁰
- (b) Correspondence generally has become less legalistic and more personalised;²¹
- (c) Not requiring survivors to prove their allegations to any particular legal standard, including by removing first reliance and then later reference to legal defences, and by removing and requirement that psychiatric and/or psychological evidence or reports be provided;²²
- (d) Recognising that it is inappropriate and potentially triggering to have uniformed Army officers attend meetings with survivors (unless specifically requested by the survivor);²³
- (e) Ensuring that, where possible, thought is given to what other staff might attend interviews with Mr Houston, including those with training in the matters to hand;²⁴
- (f) Adopting a more consistent and equitable approach to the payment of survivor legal fees by paying at least 50 per cent of

¹⁹ Questioning of Murray Houston, 17 March 2021, Transcript, p 202, lines 21 – 25.

²⁰ Questioning of Murray Houston, 16 March 2021, Transcript, p 140, lines 26 – 33 and p 141, lines 1 – 4.

²¹ Questioning of Murray Houston, 17 March 2021, Transcript, p 185, lines 17 – 26.

²² Questioning of Murray Houston, 16 March 2021, Transcript, p 129, lines 4 – 12 and 17 March 2021, Transcript, p 188, lines 25 – 34.

²³ Questioning of Murray Houston, 17 March 2021, Transcript, p 188, lines 23 - 34, and p 189 lines 1 – 9.

²⁴ Statement of Murray Houston dated 18 September 2020 [WITN025001], paragraph 7.10; Questioning of Murray Houston, 16 March 2021, Transcript, p 152, lines 10 – 22.

the legal costs of all legally-represented survivors with whom the Army settles;²⁵

- (g) Recognising that cultural separation and the loss of cultural identity can be a manifestation of the abuse suffered by survivors and that The Salvation Army should take steps to address that in providing redress.²⁶

3. Further significant evolution of the redress process is required

- 3.1 Notwithstanding the improvements to the redress process over time, standing here now in 2021, it is accepted that there has not been a comprehensive, wholesale review of the way the Army's redress process operates. The Salvation Army is committed to doing that and is now well placed to do so.
- 3.2 The Army's view is that it is better placed to undertake a review now than it was when its redress programme was established in 2003, or when Mr Houston was in the thick of claims-handling in the years that followed.
 - (a) As Colonel Walker explained, the degree of understanding of abuse and its ongoing impacts are much better known today.²⁷
 - (b) Much has changed within the Army itself. For example:
 - (i) It has a far more fully developed organisation-wide view of its commitment to the Treaty of Waitangi than was readily apparent in 2003.²⁸
 - (ii) Like most organisations, its ability to reach people through the internet and modern technology is greatly enhanced.

²⁵ Questioning of Murray Houston, 17 March 2021, Transcript, p 186, lines 21 – 34.

²⁶ Evidence of Murray Houston, 16 March 2021, Transcript, p 152, lines 10 – 22 and Questioning of Murray Houston, 17 March 2021, Transcript, p 199, lines 2 – 14.

²⁷ Evidence of Gerald Walker, 15 March 2021, Transcript, p 36, lines 9 – 20.

²⁸ Evidence of Gerald Walker, 16 March 2021, Transcript, p 116, lines 22 – 34 and p 117, lines 1 – 10.

- (c) Significantly, the Army now also has an ~18-year body of knowledge regarding survivor experiences and redress provision on which it can draw and reflect.
- (d) There has also been much to observe and learn from the Australian Royal Commission, the work of which greatly contributed to the calls for a Royal Commission here in New Zealand. As both Mr Houston and Colonel Walker acknowledged, that work and the response of The Salvation Army to the Royal Commission in Australia are useful reference points for the Army in New Zealand.²⁹

3.3 The Army does not seek to offer any excuse for why some of the steps proposed by survivors and in questioning have not been taken earlier when many are acknowledged as valuable actions that would enhance the process.

- (a) It does observe that the average number of claims it was receiving each year significantly reduced from about 2008 onward,³⁰ and so the pressure for a review or a material change to the way things were done may have correspondingly also reduced. However, as was also acknowledged in questioning, the relative lack of publicity of the fact that the Army offered and ran a redress process may also mean the true number of potential claimants remains hidden.
- (b) It also observes that, on reflection, prioritising confidentiality for survivors in the redress process may have led it to somewhat silo its redress activities from the wider input and resources of others within the organisation.

3.4 The Salvation Army readily acknowledges that there is much that can be done to improve its process and that it can start to make changes now, before this Commission reaches the final stage of making

²⁹ Questioning of Gerald Walker, 15 March 2021, Transcript, p 56, lines 32 – 34 and p 57, line 1. Questioning of Murray Houston, 17 March 2021, Transcript, p 163, lines 4 – 14.

³⁰ See Exhibit 6.

recommendations about what may be best in a New Zealand context. As the Army assured the Survivors Network in its written response to the Network's calls for an independent body, the Army will not stand still and await recommendations before making improvements to its own process.³¹

3.5 To this end, even before this March hearing, both Mr Houston and Colonel Walker had set out in their supplementary witness statements matters on which they had reflected and changes the Army might seek to implement.³² The Army had also noted this Commission's principles of effective redress set out in *Tāwharautia: Pūrongo o te Wā – Interim Report*.³³

3.6 The Salvation Army would still welcome any specific recommendations this Commission may make. But in the interim, it wishes to confirm the matters on which it is already acting or intends to act:

- (a) **Formal redress policy:** Although it has evolved over time, The Salvation Army has, for a number of years, adhered to a fairly consistent redress process. The consistency of the Army's approach has been the result of the operational responsibility for redress sitting with Mr Houston, assisted by external legal advisers where needed, since 2003. However, this process (whether relating to Salvation Army children's homes or any other context) has not been captured in a formal written redress policy document. The Army can see that such a policy would assist from an organisational perspective by reflecting that its redress process is clearly endorsed by leadership; ensuring that its redress approach is well understood and consistently applied across the entire organisation (to which see further below); and allowing outside reference and scrutiny of this process. It intends to commence taking steps to draft and then put such a policy to

³¹ Opening statement of Jenny Stevens for The Salvation Army, 15 March 2021, Transcript, p 18 at lines 32-34.

³² See Supplementary Statement of Murray Houston dated 28 January 2021 [WITN0250022] at paragraphs 2.1 – 2.6 and Supplementary Statement of Gerald Walker dated 29 January 2021 [WITN0249011] at paragraphs 2.1 – 2.3.

³³ See Supplementary Statement of Murray Houston dated 28 January 2021 [WITN0250022] at paragraph 2.2.

its Territorial Governance Board for approval. This policy would also apply to overseas regions of the Salvation Army in New Zealand, Fiji, Tonga and Samoa Territory.

The formation of such a policy would also present the opportunity of ensuring that it incorporates the Army's commitment to Te Tiriti o Waitangi in a redress context (to which see further below).

- (b) **Te Tiriti o Waitangi:** Colonel Walker set out in his oral evidence the ways in which the Army is dedicated to incorporating and acknowledging the principles of Te Tiriti in its work, including describing the Army's 10-year Māori Ministry Strategic Plan, Te Ōhākī, and how it influences all of the Army's work.³⁴ At the same time, although he has described how the redress process has taken account of cultural separation and isolation,³⁵ Mr Houston acknowledged that the principles of Te Tiriti had not been front of mind in implementing and facilitating the redress process.³⁶ Colonel Walker said in his evidence that the Army would be willing to consider a review of the extent to which its obligations under Te Tiriti were being fulfilled in its redress process.³⁷ The Army is presently considering the best means by which such a review might be carried forward. At this stage, the Army's strong preliminary view is that it should seek professional advice and inputs regarding this important matter as a means of ensuring its redress process is appropriately culturally informed. This is an area where very practical recommendations from this Commission may also be valuable.
- (c) **Transparency and accessibility:** The Army recognises and accepts that the redress process needs to be transparent and that a lack of access to information about the nature of the redress process can be a barrier for survivors in approaching the

³⁴ Questioning of Gerald Walker, 16 March 2021, Transcript, p 116, lines 9 – 19, see also www.salvationarmy.org.nz/TeOhaki.

³⁵ Evidence of Murray Houston, 16 March 2021, Transcript, p 152, lines 10 – 22 and 17 March 2021, Transcript, p 199, lines 2 – 14.

³⁶ Supplementary Statement of Murray Houston dated 28 January 2021 [WITN0250022] at paragraph 4.4.

³⁷ Questioning of Gerald Walker, 15 March 2021, Transcript, p 53, lines 25 – 31.

Army.³⁸ The Army is committed to removing this barrier and explaining its process and potential options for redress at the outset (such as apologies, compensation, counselling, other support etc.):³⁹

- (i) As Mr Houston noted in evidence⁴⁰, he has already begun drafting and compiling material for publication regarding the nature of and steps involved in the redress process.
 - (ii) The Army acknowledges that this information needs to be readily understandable and accessible, both for speakers of other languages and those with disabilities.
 - (iii) The Army intends that this information will be more readily available on the Army's website and via other communication channels.
 - (iv) The example counsel assisting referred to from The Salvation Army in Australia⁴¹ was a useful example of showing what may be possible in a short form two-page document.
 - (v) The Army also recognises that, as discussed further below, the redress process has not been applied uniformly across the different settings within the organisation in which abuse may be alleged and that the existence of a redress policy and process in all contexts should become better known and advertised through other channels within the Army.
- (d) **Flexibility and adaptability:** The Salvation Army has generally tried to accommodate survivors' needs (including timing expectations, meeting requirements, and other needs specific to

³⁸ Questioning of Gerald Walker, 16 March 2021, p 83, Transcript, lines 8 – 12.

³⁹ Supplementary Statement of Murray Houston dated 28 January 2021 [WITN0250022] at paragraph 2.4(c).

⁴⁰ Supplementary Statement of Murray Houston dated 28 January 2021 [WITN0250022] at paragraph 2.4(c).

⁴¹ Exhibit 7.

an individual) during its engagements with them, but accepts that is an area in which more could be done. In particular, it notes:

- (i) A one-size-fits-all redress approach does not work. For example, in relation to the Army's emphasis on meeting face-to-face, Gloria White said she appreciated that Mr Houston wanted to meet with her in person, whereas GRO-A-1 indicated that he did not want an in-person meeting. As came through in the evidence at the hearing, meeting with survivors has always been an important part of the Army's process, serving not only the purpose of information gathering about what had occurred, but also ensuring the Army "fronted" to survivors and was able to offer a personal apology and ensure the survivor felt heard.⁴²

However, the Army appreciates that meeting with the organisation can also be retraumatising for some survivors, and that for some survivors needing to tell their experience again can be especially traumatic when they may have had to already had to do so in other contexts. The Army accepts that more flexibility on this issue is necessary.

Mr Houston gave some recent examples of situations where a survivor approaching The Salvation Army had been referred from the Historic Claims Unit and the Army therefore did not require that the survivor meet in person as the information that would normally be gathered in a face-to-face meeting had already been recorded by the Historic Claims Unit.⁴³ Mr Houston also agreed that this part of the process could be adapted more generally, while noting that a mechanism to be able to hear of the experience of the survivor would still be necessary.⁴⁴ The Army is further reflecting on what mechanisms could be used and will consider making that better known, as part of its written

⁴² Questioning of Murray Houston, 17 March 2021, Transcript, p 190, lines 19 – 22, and 16 March 2021, Transcript, p 133, lines 6 – 9.

⁴³ Questioning of Murray Houston, 17 March 2021, Transcript, p 190, lines 22 – 33.

⁴⁴ Questioning of Murray Houston, 17 March 2021, Transcript, p 191, lines 24 – 26.

redress material to be made available to survivors. For now, it wishes to be clear that a face-to-face meeting with the survivor is no longer a pre-requisite to receiving redress.

- (ii) As Mr Houston noted in his supplementary witness statement,⁴⁵ The Salvation Army also considers that it can do more to be clear with survivors from the outset that the Army will do its best to accommodate their individual circumstances and requirements. For example, the Army could detail some of the available options in relation to redress engagement more clearly; such as, potential locations, the potential for whānau and support people to attend face-to-face meetings, the availability of interpreters, etc.
 - (iii) The Army is committed to ensuring that its processes properly cater for survivors from different cultures, including Māori and Pasifika.⁴⁶ It recognises that it needs to ensure that culturally-appropriate adjustments are made to its redress process on a case-by-case basis, including by informing the survivor of the options available and giving the survivor the autonomy to determine their cultural needs. Engagement with survivor groups and other third parties may be useful in assisting the Army to develop practical steps that can then be implemented to better achieve this.
- (e) **Collection of statistics:** Further to the above points, The Salvation Army recognises that, as was raised during questioning,⁴⁷ collecting information about the ethnicity, demographics and needs of survivors will be central to providing the accessible, transparent and flexible redress process that the Army aspires to. It needs to further work through where and how

⁴⁵ Statement of Murray Houston dated 18 September 2020 [WITN025001] at paragraph 2.4(a).

⁴⁶ Evidence of Murray Houston, 17 March 2021, Transcript, p 200, lines 10 – 17.

⁴⁷ Questioning of Murray Houston, 17 March 2021, Transcript, p 197, lines 16 – 18, and Questioning of Murray Houston, 16 March 2021, Transcript, p 151, lines 4 – 20.

in its process this data could be collected to ensure that any such data collection contributes to positive experiences for survivors in engaging with the Army.

(f) **Trauma-informed approach:** While the Army has always tried to ensure that its process is appropriately trauma-informed, The Salvation Army welcomes the Commission's practical recommendations of what more can be done in this regard. The Salvation Army acknowledges that survivor well-being needs to be considered at every step in the process and will keep this in mind as it continues to consider changes to its redress process.⁴⁸ In the first instance, as was acknowledged in evidence:

- (i) The Army is considering how best it can make more use of relevant skills and expertise from within its own organisation;
- (ii) It will continue to ensure that any survivor coming forward has access to and is utilising counselling services. Paying for counselling has been a common part of the Army's package of redress, but this needs to be more proactively offered; and
- (iii) Personnel involved in the redress process will undertake training to ensure they continue to adopt an empathetic and trauma-informed approach to engaging with survivors.

(g) **Involvement of other The Salvation Army personnel and/or third-party oversight:** As set out above, The Salvation Army considers that Mr Houston's central role in its redress process has had many positives for it and for survivors.⁴⁹ Nonetheless, the Army appreciates that:

- (i) It needs to plan for the future, and also to consider whether survivors might appreciate having a second Army

⁴⁸ Supplementary Statement of Gerald Walker dated 29 January 2021 [WITN0249011] at paragraph 2.3(a).

⁴⁹ Statement of Gerald Walker dated 18 September 2021 [WITN0249001] at paragraph 3.3(d), (e) and (g).

representative involved in the process (this is something that has been received positively in the past),⁵⁰ and

- (ii) Some stakeholders have raised questions about the way in which complaints about the Army's redress process are dealt with internally. Colonel Walker has noted that it may not be difficult for the Army to formally appoint a second person to consider complaints or concerns where they arise so that if an issue does arise with its claims handler there is a mechanism for addressing that concern.⁵¹ The Army is conscious that independence is an important issue for many survivors and that it will need to carefully consider whether complaints should be addressed internally or by an independent third party. This may, in part, depend also on this Commission's recommendations in relation to an independent body – see below – and the extent of such a body's remit.

With these matters in mind, the Army intends, alongside the publication of material regarding the practical operation of the redress process, to review the manner in which its redress process is facilitated and overseen within the organisation.

- (h) **Apologies:** A common theme of evidence given during the faith-based redress hearing has involved the question of what an appropriate apology could or should look like, including, for example, The Salvation Army making it clear that they it has truly listened to survivors by acknowledging and accepting responsibility for the harm and ensuring that apologies are personalised and tailored to the needs of the particular person. The Army's letter of offer to survivors usually contains an apology and an acknowledgement that the survivor is believed. The Army has long tried to ensure that survivors who want separate apologies receive one that is appropriate and meaningful.

⁵⁰ Supplementary Statement of Gerald Walker dated 29 January 2021 [WITN0249011] at paragraph 2.3(c).

⁵¹ Supplementary Statement of Gerald Walker dated 29 January 2021 [WITN0249011] at paragraph 2.3(d).

However, it accepts that that some apologies have not been well received or may have used some template wording.⁵² The Army is committed to ensuring that in the future, at the time settlement is reached, it engages with survivors to ensure that their apologies are tailored and personal, with reference to the specific needs of each survivor (including for example the format and any specific acknowledgements the survivor would like to be included). The Army is also willing to work with survivors who would like a more public apology, in addition to the previous public apologies that were reiterated in the course of the faith-based redress hearing.⁵³

- (i) **Wrap-around support:** A common theme during survivor evidence was the need to provide wrap-around support tailored to the specific needs of the survivor in question, beyond compensation and/or counselling. Mr Houston gave evidence that this does occur,⁵⁴ but it was acknowledged that the Army could do more to draw on its wider network of social and church services and to building into discussions with survivors and/or their representative(s) what else may be available to ensure that the survivor's needs are met as far as possible.⁵⁵ That other services may be available could be included in the initial information provided to survivors regarding the nature of the redress process, but this is something that could also be proactively revisited during engagements on redress.

- (j) **Follow-up after the redress process:** Some survivors highlighted that they would have liked further follow-up from the Army after the end of their formal engagements (while others

⁵² Supplementary Statement of Murray Houston dated 28 January 2021 [WITN0250022] at paragraph 2.4(h); Supplementary Statement of Gerald Walker dated 29 January 2021 [WITN0249011] at paragraph 2.3(b)(ii).

⁵³ Evidence of Gerald Walker, 15 March 2021, Transcript, p 20, lines 13 – 19 and Supplementary Statement of Gerald Walker dated 29 January 2021 [WITN0249011] at paragraph 2.3(b)(i).

⁵⁴ Statement of Murray Houston dated 18 September 2020 [WITN0250001] at paragraph 3.5(d) and Supplementary Statement of Murray Houston dated 28 January 2021 [WITN0250022] at paragraphs 4.5 and 4.8. Also see Questioning of Murray Houston, 16 March 2021, Transcript, p 138, lines 1 – 19. .

⁵⁵ Supplementary Statement of Murray Houston dated 28 January 2021 [WITN0250022] at paragraph 2.4(d).

have told the Army that they want nothing more to do with them). In order not to cause further trauma to survivors, the Army has preferred not to proactively reach out to survivors following settlement, but as was accepted in evidence, the Army could (and is willing to) be more proactive in asking what the expectations of survivors may be in this regard.⁵⁶ Further, published information about redress could provide details of how a person who has previously engaged with the Army could return if they wished further follow-up on any matter.

Review of the past

- 3.7 There was also discussion in evidence about whether and when The Salvation Army may be prepared to revisit past settlements with survivors. Mr Houston outlined that, in some instances, settlements have been reviewed.⁵⁷ He said that the Army has been re-examining past instances in which it declined to provide redress to some survivors. This has generally been where further information, which was not known at the time a survivor originally came forward, has become available.⁵⁸
- 3.8 The Salvation Army is open to reviewing previous settlements, particularly where a survivor has particular concerns or when new information has subsequently come to light. The Army is also conscious, however, that any further discussion of previous settlements should only be undertaken in cases where that would be welcomed by the survivor and needs to be facilitated in a way which is not re-traumatising. Consequently, the Army can foresee real challenges in undertaking a full review of all of its past settlements. Additionally, while it is true to say that the very fact of entering into redress processes with survivors over the past almost 20 years has meant a greater body of knowledge today

⁵⁶ Questioning of Murray Houston, 17 March 2021, Transcript, p 193, lines 5 – 7, and Supplementary Statement of Murray Houston dated 28 January 2021 [WITN0250022] at paragraph 2.4(e).

⁵⁷ Mr Houston's evidence was that the Army revisited compensation amounts offered to Gainsford survivors (Questioning of Murray Houston, 17 March 2021, Transcript, p 181, lines 2 – 7).

⁵⁸ Questioning of Murray Houston, 17 March 2021, Transcript, p 175, lines 26 – 34 and p 176, lines 1 – 2.

than existed in the early days, consideration must also be given to the fact that:

- (a) as Colonel Walker put it, settlements were reached in good faith on both sides and to offer certainty to both the Army and survivors;⁵⁹
- (b) the review of amount of financial redress undertaken by the Commission itself to date has shown that the *average* payments have tended to be higher for more serious abuse allegations,⁶⁰ so at least on that front it is not immediately apparent that there has been a systemic issue; and
- (c) while counsel assisting sought to suggest average settlement sums may have increased in more recent years,⁶¹ even if that were so (and not simply a function of the nature of the cases that have been settled in recent years), that may be explicable on a time value of money basis (i.e. a settlement of \$10,000 in 2005 may well translate to a higher settlement sum in 2020).

3.9 However, the Army does want to reiterate that it is open to discussing any concerns that survivors (including those who have given evidence to the Commission) may have. It wants to be proactive in welcoming this discussion and will make this clear in its published materials – and wants to make it clear here today – that:

- (a) If any survivor who has given evidence at this Commission (or otherwise) has concerns about their treatment in the redress process that they want to discuss further, the Army would be very happy to engage with that survivor to see if those concerns can be addressed.

⁵⁹ Questioning of Gerald Walker, 16 March 2021, Transcript, p 112 lines 5 – 12.

⁶⁰ Exhibit 6, page 7 (while noting the limitations of that data overall; see footnote above)

⁶¹ Questioning of Murray Houston, 17 March 2021, Transcript, p 169, lines 13 – 30.

- (b) If any survivor wishes to bring new information to the Army's attention, the Army will consider that new information and will be open to reopening any settlement.
- (c) If any survivor considers that they were not aware of what a redress package could look like and so consider there was something the Army could have done that was not done, that will be considered. For example, if a survivor was unaware of the ability to seek a separate, tailored, written apology, or to seek to access other services of the Army.
- (d) If there is any other follow-up that a survivor wished they had received (e.g. to obtain information about what happened to an alleged perpetrator, to have access to some other wraparound services within the Army's social services portfolio), the Army is very happy to engage with them around this.

3.10 Information about how survivors in the above situation can contact The Salvation Army will be made available in the redress information that the Army intends to publish (as outlined above). The Army is actively considering the most appropriate means for survivors who have settled with the Army to raise any concerns they may have. It is aware that the mechanism for doing so needs to be flexible and adaptable. The Army is conscious that, for a variety of reasons, survivors may feel uncomfortable about raising such concerns with the Army directly and that, consequently, the Army may need to consider the appointment of a third-party facilitator.

3.11 The Army would also note that, moving forward, it is in a good position to use the information that has been documented and summarised for this Commission in reaching settlements with survivors yet to come forward.

4. Observations on approach to financial redress

4.1 An offer of financial compensation is an important part of The Salvation Army's redress process. Mr Houston's evidence has been that although in the early years in which the redress process was operating there was initial reference to a \$50,000 upper limit (that had emerged from case

law in the early 2000s),⁶² the Army has not adopted a claims matrix. Mr Houston has noted the broad elements that have been relevant to offers of financial redress being the individual circumstances of the survivor (both as to the abuse suffered but also the impacts on their life), some legal considerations, and equity/parity between survivors.⁶³ In the latter category Mr Houston noted that the input of legal advisers through time (some of whom work across redress in State as well as other contexts) has assisted in giving him confidence that (regardless of whether a survivor is legally represented or not) the Army's offers of financial redress have been fair and reasonable.⁶⁴

- 4.2 There were a number of questions, however, as to whether this approach has, in fact, achieved parity between survivors, and also whether it failed to address a possible barrier to survivors who understandably want to understand what may be available for them so that they can make an informed choice about whether they should they choose to embark on a redress process with The Salvation Army.⁶⁵
- 4.3 The Salvation Army sees publication of a more formal compensation matrix as a relatively vexed issue. It has, to date, valued the fact it can take a more flexible approach, considering compensation with reference to the whole of the circumstances at hand while, as noted, also taking some comfort from the involvement of third parties (such as survivor legal representatives) to ensure that, overall, the Army is being fair and reasonable in settling on amounts for each survivor.
- 4.4 It has also felt, as Mr Houston's evidence made clear, that there should be some intrinsic value in making efficient offers and payments and to avoiding the cost and delay of formal redress processes. In assessing compensation, the Army has also not taken into account other payments

⁶² Statement of Murray Houston dated 18 September 2020 [WITN025001] at paragraph 7.44/7.45

⁶³ Statement of Murray Houston dated 18 September 2020 [WITN025001] at paragraph 7.35 onward; Evidence of Murray Houston, 16 March 2021, Transcript, p 138, lines 25 – 28.

⁶⁴ Statement of Murray Houston dated 18 September 2020 [WITN025001] at paragraph 7.57, Supplementary Statement of Murray Houston dated 28 January 2021 [WITN0250022] at paragraph 7.13; Questioning of Murray Houston, 17 March 2021, Transcript, p 167, lines 28 – 34 and p 168, lines 1 – 5.

⁶⁵ Questioning of Murray Houston, 17 March 2021, Transcript, p 167, lines 6 – 33.

a person may have received from ACC, the State or elsewhere, including cases in which a person may have been in an Army home as a State ward and where they may also have sought compensation from the Crown.⁶⁶

- 4.5 However, having reflected on the evidence, the Army can see that, at the least, some guidelines as to what may be available might assist some survivors to come forward. It is also conscious that while Mr Houston's involvement in assessing every claim may have meant that a level of equity and parity has been achieved, this would be difficult for another person facilitating the Army's claims process in the future (despite Mr Houston's meticulous record keeping and the body of material that has been prepared and collated for the purposes of this Royal Commission).
- 4.6 Thus, the Army can see that making its approach to monetary compensation more transparent and understandable would be useful. It is therefore considering publishing a more formal set of guidelines as to what levels of redress may be available, as part of its description of its redress process. Guidelines can still reserve an element of discretion, which the Army considers has been important to its ability to provide tailored redress to survivors, while at the same time providing greater transparency of what survivors can/should expect.
- 4.7 Related to the above, the Army also appreciates that part of its published material should include a clearer statement as to any other costs it may be willing to meet and how that would be assessed (e.g. a 50% contribution to legal costs, a dollar value contribution to counselling, etc.). Again, the Army has had some concerns about losing discretion in its approach to such matters should these be published, but recognises there are ways in which survivors can be given broad parameters in advance while still retaining that discretion.
- 4.8 However, the Army does wish to record it would have some concerns about the development of a complex claims matrix which may have a depersonalising effect. As set out above, parity between survivors is only one of the factors that the Army takes into account when

⁶⁶ Statement of Murray Houston dated 18 September 2020 [WITN025001] at paragraph 7.56(b).

determining settlement amounts. It strives to achieve outcomes that take into account all of a survivor's circumstances and that will help them on their healing journey. It would not want to jeopardise those goals by adopting a matrix that unduly compartmentalised either the survivor's experiences, the redress available to them, or both.

5. Application of redress process developed in children's homes context to other settings

- 5.1 While the current redress process, developed in the children's homes context and administered by Mr Houston, has been consistently used in the context of historical children's homes complaints, the Army accepts that its approach to redress has not been uniform across all settings within the organisation.⁶⁷
- 5.2 Mr Houston and Colonel Walker accepted that it would be useful for the Army to formalise its redress policy, and for that to apply not only in the children's homes context but also to complaints of abuse in other settings within the Army. As Colonel Walker said under questioning, it would be useful to apply the lessons learnt in administering the children's homes redress process to other settings.⁶⁸
- 5.3 Colonel Walker accepted that survivors he had dealt with in a non-children's home context may not have known that they were able to seek monetary compensation from the Army. Colonel Walker explained that the lack of a uniform approach to redress in different settings may have been because there was sometimes the need in non-children's home contexts for independent internal investigations (e.g. around personnel matters) to be undertaken and completed prior to (or alongside) any redress process. The interaction or interplay of the Army's internal (e.g. personnel) investigations (if any) and redress processes is an issue that will need to be worked through in implementing a comprehensive and inclusive redress process (and policy) across the organisation.

⁶⁷ Questioning of Gerald Walker, 15 March 2021, Transcript, p 76, lines 31 – 34 and p 77, lines 2 – 5.

⁶⁸ Questioning of Gerald Walker, 15 March 2021, Transcript, p 77, lines 30 – 34.

- 5.4 The Army already makes sexual harassment information available at Army Corps, Centres and places of work, and includes a complaints section on its website that provides further information for those wishing to make complaints of criminal sexual behaviour or sexual misconduct (including sexual harassment and unwelcome sexual behaviour). In addition, it also publishes a whistle-blower policy on its website.
- 5.5 There is, however, no reason not to set out more detail regarding the redress process in these fora, and the Army is committed to its formalised redress policy being applied uniformly across the organisation when dealing with complaints of abuse.

6. A possible independent body

- 6.1 The need for redress processes to have independence from the organisations that perpetrated abuse is something that has been consistently highlighted in survivor evidence. There have been a number of calls for the Commission to recommend the creation of an independent body to manage claims from survivors of abuse in state and faith-based care, and Dr Heasley and Ms Tonks (on behalf of the Network of Survivors of Abuse in Faith-Based Institutions) and Dr Longhurst (on behalf of SNAP) repeated that call in their respective opening statements.⁶⁹
- 6.2 Ms Janes also made reference in her questioning of Colonel Walker to the unitary independent redress scheme established in Australia in 2015 following the Australian Royal Commission and asked why the Army has not responded sooner or taken in action in response to the calls for an independent body in New Zealand.⁷⁰
- 6.3 For the Army's part, it accepts that for some survivors seeking to engage with the Army directly on the issue of redress may have added to their trauma and that, had an alternative option been available (accepting that the Court system does not provide an effective alternative), they may have preferred to explore that option rather than deal directly with the

⁶⁹ Ref to transcript of each [SNAP transcript not yet available]

⁷⁰ Evidence of Gerald Walker, 16 March 2021, Transcript, p 90, lines 20 – 28.

Army.⁷¹ There is an ongoing tension between the need for redress to be both robust and independent and the desire of many complainants to engage with and receive their redress directly from the Army.⁷² The Salvation Army also accepts that, while Mr Houston has brought a degree of independence as an employee, he does owe a duty to his employer and therefore cannot be viewed as completely independent.⁷³

- 6.4 The Salvation Army wants to make clear that it would fully support any recommendation of the Commission for the establishment of an independent body.
- 6.5 The Army does also sincerely believe that its own process has, in many instances, offered effective and efficient redress for many survivors. Given both the positive experiences of some survivors who have engaged with the Army's redress process and the primacy of survivor self-determination and choice, the Army considers it would be important that those survivors who wish to resolve their claims directly with the Army (for reasons of efficiency, engagement or otherwise) be able to do so. It can see potential pitfalls if survivors are channelled into a formal system that lacks the immediacy, personal contact and connections that can, for some, be an important part of the healing and, at the same time, risks being bogged down in a bureaucracy (and cost).
- 6.6 The Army's preliminary view (without the benefit of the Commission's recommendations on this subject) is that the continued existence of the Army's redress scheme and the creation of any future independent body (if one were to be recommended and/or later implemented) must not be mutually exclusive.
- 6.7 Within this context, The Salvation Army wishes to highlight some points which the Commission may wish to consider in making its recommendations as to the establishment of an independent body alongside the continued existence of the Army's own process.

⁷¹ Evidence of Gerald Walker, 16 March 2021, Transcript, p 94, lines 8 – 33

⁷² Evidence of Murray Houston, 17 March 2021, Transcript, p 196, lines 10 – 15.

⁷³ Questioning of Gerald Walker, 15 March 2021, Transcript, p 33, lines 31 – 34.

- (a) Whether it is possible for a redress process handled in-house to be sufficiently independent of the institution. The Army has long sought to maintain a degree of independence and objectivity in its own process by having Mr Houston lead the process,⁷⁴ but accepts that for many survivors this may not be sufficient and that, where a survivor would be more comfortable, having an option of going through a process that is run or led independently may be preferable.
- (b) Whether there may be benefits for survivors in having institutions handle their own claims, if institutions can find ways to appropriately support survivors who may be traumatised at the thought of re-engaging with that institution. The Salvation Army believes that there have been, and continue to be, benefits for survivors in the Army handling its own claims. This, for example, allows the Army to engage with and respond to claims promptly and to better ensure consistency in responses. Handling its own claims allows the Army to be able to be accountable and to take responsibility for the wrongs of the past.⁷⁵ This is something that is of particular importance to the Army and, it has found, to survivors as well.
- (c) Whether an independent body across State and faith-based institutions can practically handle claims more efficiently, promptly and empathetically than the Army currently does. The Army is open to any recommendations that the Commission may have in this regard. However, as has been set out above, the Army has often been able to resolve claims promptly, sometimes within a matter of weeks and with only a basic level of verification, partly because of the way it has set up its process to be managed by a single person within the Army. It has some concerns that a formal process could lose the ability to be “nimble”.

⁷⁴ Statement of Gerald Walker dated 18 September 2021 [WITN0249001] at paragraph 3.3(g); Supplementary Statement of Gerald Walker dated 29 January 2021 [WITN0249011] at paragraph 2.3(c).

⁷⁵ Supplementary Statement of Gerald Walker dated 29 January 2021 [WITN0249011] at paragraph 2.3(c).

- (d) Whether it is practical – bearing in mind current frameworks, different approaches across agencies and institutions, and considering funding – for there to be an independent body managing claims across state and faith-based institutions. The Army is aware that the government has already indicated that it will work to develop an independent body to manage claims of abuse in State care. The evidence given during the redress hearings has highlighted to the Army that there are currently a wide range of perspectives, attitudes and processes across the various government agencies and faith-based institutions, which may be complex to reconcile. The Commission would also need to consider how to effectively fund and staff any independent body and how this would practically work with multiple State and non-State organisations involved.
- (e) The manner in which an independent unitary body would cater for survivors with claims against different institutions for the same or related abuse. As Mr Houston noted in his evidence, in providing redress to survivors and offering them compensation, the Army does not concern itself with the extent to which a survivor has already been compensated by other institutions (or any other claims they may be making). The Army sees this as being of some benefit to survivors, and any independent body would need to clearly set out a coherent position on the approach it was going to adopt in such circumstances.

7. Issues related to records of historical complaints, treatment of alleged perpetrators and record keeping more generally.

- 7.1 The Salvation Army accepts that redress for a survivor is not only centred around what the Army may do for that person, but also encompasses knowing that there are processes in place for dealing with an alleged perpetrator.

Historical position

- 7.2 The Commission heard that historically, The Salvation Army did not have specific policies to deal with abuse allegations but, rather, had general policies to manage allegations of misconduct that should have included complaints or allegations of abuse.⁷⁶ (Modern-day policies are discussed further below.)
- 7.3 Questions were raised with Army witnesses as to whether the policies and procedures that did exist were properly adhered to.⁷⁷ Colonel Walker's evidence was that it was hard to know, given the passage of time, whether that was the case in all cases. He also accepted that there may, in the past, have been issues regarding the interplay of the Army's pastoral and disciplinary functions in relation to officers and that, more generally, loyalty to officers and respect for their leadership roles may have clouded the operation of the Army's procedures.⁷⁸
- 7.4 In short, The Salvation Army acknowledges that there may have been historic failings in the handling of complaints and its management of alleged perpetrators of abuse such that persons about whom allegations were made may not have been appropriately dealt with. This acknowledgement includes the historic handling of early complaints about John Gainsford, Hugh McCready, Raymond Vince and GRO-C-130. For all these people it is accepted that sitting here today and reviewing what documentary evidence is available there were "red flags" on the file. The Army understands this Commission is not seeking to make specific factual findings in relation to particular cases, but notes two points:
- (a) Historically, The Salvation Army did not have had a central repository for storing complaints, or specific process for escalating complaints, particularly against non-officers. This has contributed to situations where complaints have been made in relation to the same person at different times, and the person

⁷⁶ Supplementary Statement of Gerald Walker dated 29 January 2021 [WITN0249011] at paragraph 4.3.

⁷⁷ Questioning of Gerald Walker, 15 March 2021, Transcript, p 67, lines 11 – 26.

⁷⁸ Questioning of Gerald Walker, 16 March 2021, Transcript, p 86, lines 20 – 26.

responding to a particular complaint may not have been aware of the full history of complaints against the person in question.

This is particularly the case in a corps context where records are held locally (i.e. at the individual church level). This was the case in relation to GRO-C-130. There, a number of historical complaints were made that were handled by a number of different Army personnel. Some of these were not formally pursued, and the person managing a complaint may also not have been aware of the full history of complaints. This situation is deeply regrettable, particularly as it may have meant that appropriate action was not taken against GRO-C-130 until much later than it should have been.

- (b) Generally, it is difficult for the Army to act on concerns it may have in relation to alleged perpetrators in situations where a survivor has not wanted to pursue their complaint.

7.5 Questions were also raised about the retention and/or destruction of historical Army records, including those that may have related to perpetrators of abuse, and Colonel Walker accepted that there are gaps in the Army's historical records.⁷⁹

7.6 The Army accepts and acknowledges, as the Chair observed to Colonel Walker, that survivors want to know who was responsible and accountable for such gaps in the Army's records. This is, as the Chair said, an "enduring and consistent theme" for survivors.⁸⁰ As Colonel Walker explained in his evidence, the Army has undertaken exhaustive searches for relevant documents⁸¹ whenever allegations have been raised in the current day. However, in many instances, due to limitations created by the passage of time, it may simply not be possible to better or further investigate why and how documents came to be missing.

⁷⁹ Questioning of Gerald Walker, 16 March 2021, Transcript, p 124, lines 8 – 11.

⁸⁰ Comment of the Chair, 16 March 2021, Transcript, p 123, lines 32 – 34.

⁸¹ Questioning of Gerald Walker, 16 March 2021, p 125, lines 4 – 6.

Present day

- 7.7 Colonel Walker's very clear evidence from his personal experience – formerly as Territorial Secretary for Personnel and latterly as Chief Secretary of The Salvation Army in New Zealand, Fiji, Tonga and Samoa Territory – was that the Army's process present-day processes and policies are far more robust and strictly adhered to.⁸² There are now specific policies for dealing with abuse allegations. There are also specific policies and practices related to the prevention of such abuse. In the modern era, The Salvation Army seeks to treat any such allegations against an officer or soldier as a disciplinary matter and to ensure that prompt appropriate action is taken.
- 7.8 Colonel Walker gave evidence of his confidence that the Army's modern-day processes for dealing with complaints or allegations of abuse or sexual misconduct and the protection of children and young persons are much more robust. This includes the following policies and processes:⁸³
- (a) **Keeping Children Safe Policy:** This is the Army's main policy on the protection of children and young persons. It applies to all Army officers, employees and volunteers and sets out the roles and responsibilities of staff in relation to child protection, including the obligation to be aware of the risk that potential abusers pose to children and to immediately refer any concerns they have to their line manager / corps officer / director.
 - (b) **Sexual Misconduct: Policies & Complaints Procedures Manual:** This sets out processes around the complaint and investigation process for sexual misconduct, including criminal sexual behaviour, sexual harassment and any other type of unwelcome behaviour. All criminal sexual behaviour must be reported to the Secretary for Personnel and the complainant is also advised to report their complaint to the Police.

⁸² Questioning of Gerald Walker, 15 March 2016, p 40, lines 5 – 11.

⁸³ As outlined in the primary statement of Colonel Gerry Walker, section 5 and the Supplementary Statement of Gerald Walker dated 29 January 2021 [WITN0249011] at paragraphs 4.8 and 8.2

- (c) **Official Minute: Management of Sex Offenders in The Salvation Army Fellowships:** This governs the Army's management of known and/or alleged sex offenders, in order to protect children and vulnerable people, while also providing the possibility of restoration for a limited number of alleged or known offenders.
- (d) **Officer Review Board:** This is a disciplinary body for officers alleged of misconduct. Allegations of misconduct, including any abuse, by an Army officer are elevated through that officer's chain of management and ultimately, depending on the nature of the allegations, to the Officer Review Board, which assists the Territorial Commander in the discipline of officers.

8. Final comment

- 8.1 The Army is grateful that this Royal Commission has given it the impetus to review and renew its redress process. While it has been a process that has, for many, provided effective, empathetic and efficient redress over almost 20 years, the Army, as a learning organisation, is committed to improving the redress process and the outcomes it produces for survivors.
- 8.2 The Army is not waiting for the final recommendations of this Commission and has already begun some of that important work. There are many matters which it can take forward immediately and still more on which it intends to seek expert advice on. Nonetheless, the Army does look forward to receiving and considering the Commission's recommendations given the expertise it has at its disposal.



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