



**CHAPTER 14**  
**THE WAY FORWARD**

## CHAPTER 14

# The way forward

### Introduction

The changes recommended in this report relate to all points of the continuum from universal services through targeted and indicated services, before reaching what people refer to traditionally as child protection. They all require resources of commitment, effort, goodwill, time, understanding and money. There are many children in the Northern Territory whose futures depend on this renewed approach being undertaken with determination and perseverance.

The task of finding solutions will only become more complex and more expensive the longer the child protection system operates without adequate attention to upstream, causal factors. However, while the Inquiry draws attention to the key social and environmental determinants of child abuse and neglect, the focus of the recommendations is on practical and realistic solutions, predominantly to problems which lie in non-universal parts of the continuum beginning at interventions for vulnerable children and families and extending through indicated interventions and targeted child protection services.

Although there is a need to effect some changes rapidly, the challenges in the Territory are such that there are not many quick-fix solutions. Many of our challenges, such as difficulties with workforce issues, are also faced by other jurisdictions. However, the combination of challenges in the Northern Territory relating to distance, remoteness, housing, health, alcohol and other drugs, cultural diversity, language, mobility, interpersonal violence, unemployment and under-education and so on, require a commitment to building social capacity and restoring social fabric as well as to the reconfiguration of the child protection system.

No society can protect all its children from harm and abuse. What we can do is to better support vulnerable and at risk children and families through a coordinated and integrated approach to child safety and wellbeing. The reforms in this report seek to achieve this end and in this chapter we outline the initial implementation steps that will need to be taken to translate the recommendations into reality.

### Scope of the proposed reforms

The proposed reforms are far reaching with some being of great significance to the charting of a new direction whilst others focus more on improving programs and processes. Furthermore, a few require immediate implementation, some can wait a short while, and others are of an ongoing nature. Most of the major reforms will take three or more years to be realised in full but there are clear interim steps that will need to be taken.

In broad terms the major reforms are in three areas as follows:

- First, the most significant recommendation in terms of both cost and centrality to the reform process is the call for a substantial new investment in a range of family support and therapeutic services over a five year period. These new services should include the development of Aboriginal child safety and wellbeing services (Aboriginal Child Care Agencies or ACCAs) in Darwin and Alice Springs. The key recommendations can be found in Chapters 4 and 6.
- Second, a number of immediate capacity issues within the child protection and out-of-home care programs will need to be addressed at the same time by way of the recruitment and training of further workers in order to address serious staffing shortages and workload concerns. The relevant recommendations can be found in the chapters on intake and investigation (Chapter 7), out of home care (Chapter 9) and workforce (Chapter 12).
- Third, there are a set of recommendations relating to a re-configuration of child protection services – these involve the development of a dual pathway intake and assessment process along with a refinement of the primary focus for Northern Territory Families and Children (NTFC); the establishment of place-based interagency Community Child Safety and Wellbeing teams; an expansion of the scope of children and family centres in remote areas to include secondary and tertiary level services; the development of more children and family centres; a new collaborative approach to child protection decision-making in urban areas; and a re-development of the child safety and wellbeing roles of other government agency workers. The recommendations can be found in Chapter 11.<sup>1115</sup>

In addition to reforms in these three broad areas there are a host of other recommendations to be implemented. Some of the recommendations are the responsibility of one or two agencies whilst others involve a ‘whole of government’ or a ‘whole of service sector’ participation, including government and NGOs.

### Urgency ratings

Each of the recommendations has been given an *urgency rating* to provide a prioritisation guide around the commencement of implementation, as follows:

1. Urgent: immediate to within 6 months
2. Semi-urgent: within 18 months
3. Important but not urgent: within 2 to 3 years.

For some of the recommendations implementation should start and finish within the allocated period, whereas for others there will be ongoing refinement after implementation.

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<sup>1115</sup> See Chapter 11.

## The next steps

This report is to be handed to the Chief Minister on 18 October 2010. At that point, the Northern Territory Government has indicated it intends to release the report to the public.

The Northern Territory Government has indicated that the Chief Minister will announce the government's initial response to the recommendations in the report shortly after it is handed down. At that point the implementation process begins.

## NTFC as a department in its own right

The Inquiry is aware that there has been discussion for some time about the need or otherwise for NTFC to become a department in its own right. A number of submissions on this subject were received with the majority advocating for the creation of a separate department. The need for clarity on this question is important as a decision to create a new department will have major repercussions for the reform implementation process, given the time, upheaval and attention that such a change will entail.

The Inquiry has heard a number of arguments about the problems of being part of a larger department which has a different primary focus. For example the need for alignment with policy and practice frameworks which suit the needs of a broader, larger department may impact on its ability to develop policies and guidelines that are suitable for a smaller division. The same applies to many different policy areas, such as recruitment strategies, which currently need to be aligned with those of a much larger department with different needs. The Inquiry heard from an NTFC worker about an urgent policy decision that took over six months to ratify in the larger organisation.

Being part of a larger department can impact on the agility of the division and hamper efforts to find timely solutions. Some feel that in its current location NTFC suffers as the 'poor cousin' to health. It only accounts for a small proportion of the Health budget and the public annual reporting requirements (in the Department of Health and Families annual report) mean that the public only receives a small amount of information about the work that is undertaken. For example, the last Department of Health and Families (DHF) annual report of 220 pages, contains only 10 pages specifically devoted to NTFC. It could be argued that the creation of a separate department would enhance the ability of NTFC to negotiate with other departments around the implementation of the broader child safety and wellbeing reform agenda. The creation of a separate department would also provide a psychological impetus for a fresh, new approach to child safety and wellbeing services and would clearly signal the intention of the Northern Territory Government to raise the profile and status of work.

On the other hand, a separation from Health would mean the loss of economies of scale, less direct access to some specialist services, significant disruption to an already stressed workforce, and considerable costs.

Apart from the issue of independence, there are other issues around the optimal grouping of services and programs. In addition to child protection-related services, NTFC also operates a Youth Services division relating to the broader youth sector as well as a range of Family and Individual Support Services (covering family violence, sexual assault

services, homelessness and women’s policy issues). In a previous incarnation, FACS, the division was previously grouped with other community services (along with Alcohol and Other Drugs, Aged and Disability, and Mental Health). This was a grouping based on the broader social service sector similarities and involved services for children, adults (of all ages) and families. In some states child protection services are located with education.

If NTFC were to move to the Department of Education and Training (DET), where there are obvious synergies, it would face similar issues to those it faces within health. DET has embraced the early childhood agenda and now has responsibility for early childhood services which were previously with FACS. At this point, there seems to be no clear warrant to return early childhood services to NTFC so the current grouping in NTFC would likely form the basis of any new department with, perhaps, the addition of youth corrections as has been suggested in the past. If many other smaller programs were to be grouped with NTFC some of the benefits of creating a new focused department could be lost.

The Inquiry has been informed about the following benefits and disadvantages of creating a stand-alone department:

| Advantages of moving to a stand alone department   | Advantages of the status quo  |
|--|---|
| <p>Alignment of like services for children and youth</p> <p>The signal about the profile and status of child protection in the community</p> <p>Representation of the Chief Executive at all higher level decision-making forums</p> <p>Ability to respond quickly to create policy which suits its own programs rather than being aligned with a larger cousin that has its own agenda</p> <p>Positive impact on staff morale</p> <p>Increased scope for accountability and transparency. A more comprehensive annual report of activities and outcomes should result</p> | <p>Loss of specialist services provided to a larger department</p> <p>Efficiencies in Human Resources, Administrative and information services and public relations</p> <p>Stability within NTFC is important. Energy, time and money needed to create an independent department risk distracting a workforce already overwhelmed</p> |

The Inquiry supports the idea of an increased profile for NTFC, with increased agility and flexibility and improved morale. However it has not been able to consider the issue of separation in enough detail and to conduct a formal cost and benefit analysis in order to come to a definitive position. This being the case, the Inquiry is declining to make a specific recommendation on the creation of a separate department.

A decision will need to be made by the Northern Territory Government about the status of NTFC and whether or not it is to become a Northern Territory Government department in its own right. A decision to develop a stand-alone department will have a bearing on the timing of some reforms given the time, energy and resources that will need to go into making a change of this magnitude.

## The processes of implementation

The Inquiry suggests that the reform implementation process should involve, at least, the following elements:

1. The articulation of a response to the proposed reforms
2. The creation of an implementation unit to drive the broader reforms
3. The development of a strategic/ action plan to drive the reforms
4. The development of an implementation plan within NTFC
5. The determination of monitoring and oversight functions.

### Articulation of a response

The first step towards implementation involves the response of government and the articulation of this response as a program for action. The Inquiry has made numerous recommendations but the primary driver of the implementation process is the Northern Territory Government response. Following the Wood Inquiry in NSW<sup>1116</sup> the NSW government received the Report in November 2008 and over a period of months considered its response. In March 2009, some four months after the report was completed, the NSW government published its formal response in a strategy called 'Keep them Safe: A shared approach to child wellbeing'<sup>1117</sup>. This strategy outlined a five-year plan for implementing the recommendations.

The following discussion makes the assumption that the Northern Territory Government will make a positive response to the recommendations from the Inquiry (as it has previously indicated it would) and that it largely accepts the recommendations that have been made.

### A planning, coordination and implementation unit

Given the reach of the proposed reforms, their 'whole of government' nature, and the critical need for engagement with Aboriginal people and organisations and the broader NGO service sector, the Inquiry is of the view that the main driver and coordination entity for the reform process needs to be an interagency unit, or formalised team, that is operationally responsible to the Chief Executive of the Department of Chief Minister and reports to the Social Responsibility Subcommittee of the Northern Territory Coordination Committee (Chief Executives of Northern Territory Government departments). The Inquiry notes that the Department of the Chief Minister (DCM) has a track record of driving significant cross agency reforms such as those around family violence.

The Inquiry does not wish to be overly prescriptive with respect to the composition of this unit or its precise functions, but it should include, at a minimum, the Chief Executive of NTFC, other senior directors from that agency, and representative senior directors from other human service agencies as well as Treasury, along with secretariat staff with expertise in particular areas.

1116 Wood, *Special Commission of Inquiry into child protection services in NSW*.

1117 NSW Government, 2009, *Keep them safe: A shared approach to child wellbeing*, NSW Government, Sydney.

Given the longer-term nature of some recommendations (especially the building of a significant suite of family support and therapeutic services leading to the establishment of alternative family intake ‘gateways’) the Inquiry suggests that this implementation unit needs to be established as a formal entity for a period of at least five years.

### **Main functions of the implementation unit**

The implementation unit would have a range of tasks and functions. Amongst the immediate priorities would be the following:

- assist in the preparation of the initial Northern Territory Government response to the Report and its recommendations including the preparation of preliminary costings for commitments
- prepare a strategic plan for the implementation of the recommendations and to coordinate the responses and implementation activities of the various agencies
- initiate required consultation processes with remote communities, the NGO sector and the public
- prepare the required changes to the legislation
- establish collaborative mechanisms amongst Northern Territory Government agencies, the three levels of government, the NGO sector, and relevant advisory councils and committees.

Ongoing roles of the unit would be to:

- drive and coordinate on-going development of the implementation plan
- coordinate and monitor the implementation activities of the various agencies
- monitor the functioning and effectiveness of the Interagency Child Protection Policy and Planning Working Group
- report to government against implementation targets
- consult and coordinate with initiatives such as Working Future, the Local Implementation Planning processes, and the National framework for Protecting Australia’s Children
- make recommendations to government on the improvement of child safety and wellbeing systems and services relating to the reforms.

### **Development of a strategic plan to drive the reforms**

The development of a strategic plan is a key priority for the implementation unit. This plan will need to include, at least, the following elements:

- establishment of reform goals and objectives for each agency as well as the system as a whole
- development of timelines
- development of change management strategies
- exploration of a range of workforce and workplace issues
- development of a communications strategy for the reform process
- development of a trials program to evaluate and fine tune key reform elements

such as the establishment of the Community Child Safety and Protection teams

- development of accountability and reporting measures.

### **Waves of reform**

Given the wide scope of the recommendations and the fact that some of the major reforms are of an urgent nature whilst others will take a number of years to realise, the Inquiry recommends that the strategic plan incorporate the notion of waves of reform. It is suggested that the first wave (1-2 years) should involve attention to more urgent matters, the implementation of recommendations that involve improvements to programs and processes, the necessary planning and consultation processes for later developments, the initial implementation of new services, and the establishment of trials or pilots for reforms that will be rolled-out in later waves.

The second wave (2-3 years) will involve a wider transition to the new system. There will be an evaluation of the initial trial projects leading to refinements and re-configurations, continued consultation with all key stakeholders, the continued establishment of a larger range of support and therapeutic services, and formal establishment of service consortia and 'gateways'. The third wave (3-4 years and beyond) will involve the full rollout of the new services, with ongoing evaluation and adjustments.

At all stages the Inquiry recommends that the implementation unit adopt an action research stance with an openness to learning from experience and a preparedness to adjust and fine tune strategies and services.

### **Communications strategy**

In the body of this report there have been only a few references to organisational communication strategies. The development of such a strategy will need to be an early task of the new implementation unit and an integral part of its strategic plan. There are two main strands to such a strategy which needs to include a focus on both communications with the broader public around child abuse prevention and treatment, as well as a strategy that seeks to communicate with the public around the reform process.

### **Community education**

A particularly important aspect of the overall communication strategy is community education around the issues of child abuse and neglect and mandatory reporting.

Pat Anderson and Rex Wild, the authors of the 'Little Children are Sacred' report, concluded:

All information gathered leads us to the conclusion that education is the key to solving (or at least, ameliorating) the incidence of child sexual assault in Aboriginal communities. By education, we mean not only that which occurs in schools, but that which occurs in its wider context.<sup>1118</sup>

The Board of this Inquiry strongly concurs and would broaden the scope of the community education to include key aspects of child wellbeing including the capacity to keep children safe.

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1118 Northern Territory Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse, *Ampe Akelyernemane Meke Mekarle "Little Children are Sacred"*.

A number of NGOs — for example, the National Association for Prevention of Child Abuse and Neglect (NAPCAN) — and statutory agencies/services (including DHF, NTFC, the Department of Education and Training, the Department of Justice, the Sexual Assault Referral Centre (SARC) and the Child Abuse Taskforce (CAT)) have been involved in the delivery and funding of community education initiatives around the prevention of abuse and neglect, including the innovative Men’s Forums chaired by Mr Charlie King. However, collectively these initiatives fall a long way short of the Northern Territory Government commitment in response to Recommendations 94 and 95 of the ‘Little Children are Sacred’ Report. The Northern Territory Government commitment was to:

a wide-spread and sustained education campaign across the Northern Territory using radio, television, print and discussion forums.<sup>1119</sup>

A widespread and sustained campaign around the prevention of harm to children must be a central priority of the Northern Territory Government and the implementation unit set up to guide the reforms. The education strategies that are developed should include a focus on the key drivers of abuse and neglect in different areas of the Northern Territory and should incorporate longer-term, community development goals. The campaign should use a range of modalities including direct training programs, videos/ DVDs, discussion forums, radio and TV.

#### **Recommendation 14.1**

That the Northern Territory Government develops and implements a comprehensive community education strategy to highlight key messages about child protection and child wellbeing and to accompany the service delivery enhancements contained in this Report. The strategy should:

- have at least a five-year life span,
- must be multi-modal (involving radio, TV, printed materials, training programs and discussion forums)
- use materials translated into local languages, and
- address a range of issues relating to child safety and wellbeing.

The strategy should include a review of the various child wellbeing/protection education programs currently in place with a view to preventing fragmentation and duplication. The strategy should include an ongoing impact evaluation component.

Urgency: Immediate to less than 6 months

1119 *ibid.*

### **Education around the reform process**

In addition to a communication plan around abuse and neglect, there must also be a strategy to educate and update the public at large and the key stakeholders about the reform process itself, developments, issues, achievements, goals and planning processes. There is also a need to engage the public in an understanding of the complexity of working within the child safety and wellbeing field. This strategy should, at least, involve the use of a website and regular bulletins, as well as engagement with the public through the media.

Presently, often the only times journalists have access to information about NTFC are when there are problems such as a complaint, Coronial Inquest, a report, investigation or Inquiry. There are areas of activity professionals in the domain of child safety and wellbeing can communicate to the public through the media or public forums which will help to rebuild the public's trust in NTFC and in the reforms.

A key issue to be addressed in the communications strategy will be that of expectation management. The broader community expects change and understands that if funding is made available then change should occur. As has been mentioned at several points in this report, the reform of the child protection system in the Northern Territory is a longer-term project. Although some issues such as a renewed focus on collaboration should not take long, the planning and establishment of new services does take time, and realising the results of this change will take longer still. This being the case, the communications strategy will need to include a focus on educating the public around the nature of the reforms and the time it will take to see significant results.

### **Development of an action plan within NTFC**

Clearly the Northern Territory Government agency with most recommendations to implement is NTFC. The proposed reforms for this Agency are extensive. The recommendations include a number of issues that need to be addressed as a matter of urgency and many that are of an ongoing nature.

The Agency itself will need an implementation plan that is compatible with that of the interagency implementation unit and that focuses on agency issues such as workforce needs.

#### **Urgent tasks for NTFC include:**

1. Clearing the immediate backlogs of notifications and investigations. The growing backlog of children awaiting investigations was notified to the DHF Chief Executive and the Minister as soon as it became known to the Inquiry. Clearing the backlog is not an easy task in the absence of change to the system which has enabled it to build up in the first place, let alone in the unsettled environment of this or other recommendations for system change. However knowing that the system will improve should help. The Department of Health and Families may need to second personnel from other agencies in the Northern Territory or possibly elsewhere to assist.
2. Recruiting more staff, training and retaining them is critical in the short term and on an ongoing basis – this is an urgent priority in a number of work areas including child protection and OOHC case work.

3. It is clear from the submissions to the Inquiry that there is a need for NTFC to develop 'a new way of doing business' and to pay immediate attention to organisational culture as well as its relationships with key stakeholders such as foster carers and NGO service providers. This focus on organisational change will need to begin immediately and will no doubt be influenced by any government decision on whether it becomes a department in its own right.
4. The experience of other Inquiries is that the publicity they generate can create further demands on already over-stretched systems. A risk for NTFC is that publicity around the release of the report may lead to an increase in the number of children being notified to the agency. A risk identification and response plan should also be part of the NTFC plan.

### **Determination of monitoring and oversight functions**

It is proposed that a range of accountability and oversight functions be built into the reform implementation process. These will include program or initiative-level processes as well as reporting functions for the larger implementation process.

It is also important that an external monitoring process be established. At present one of the Children's Commissioner's functions is to monitor the implementation of government decisions arising from the 'Little Children are Sacred' Report and this monitoring forms part of his/her annual report that is tabled in the Legislative Assembly.

One of the recommendations of the present report is that the Commissioner's functions be amended in the *Act* to provide for the independent monitoring government decisions arising from any Inquiry into child protection matters under the *Inquiries Act*. In that case, the Commissioner could provide an independent monitoring function. There is some scope for monitoring under another of the Commissioner's provisions – monitoring the administration of the *Care and Protection of Children Act*, but this has a more restrictive focus on the child protection provisions of the *Act* and the way these are administered.

#### **Recommendation 14.2**

That the Northern Territory Government creates a planning, coordination and implementation unit (or team) to be responsible to the Chief Executive of the Department of the Chief Minister, in order to develop, drive and coordinate the reforms in the manner proposed in Chapter 14 of this Report.

Urgency: Immediate to less than 6 months

## Conclusion

Pat Anderson and Rex Wild, authors of the 'Little Children are Sacred' report, were clear that there were 'no quick fixes' to the social problems affecting disadvantaged Aboriginal communities around the Northern Territory. They went as far as suggesting that it would take more than 15 years in some cases even if the right supports and services are made available.<sup>1120</sup>

A similar long-term perspective is required around the implementation of the present Report. We can and must immediately address the pressing social problems afflicting so many Aboriginal communities as a matter of urgency but actually repairing the social fabric of communities torn apart by alcohol, violence, unemployment, despair and the like, will take much longer. Within the child protection system itself, we cannot go on building larger and more forensically-focused child protection and out-of-home care systems while paying lip service to the need to support and enable families so that they can care for and protect their own children – and we cannot keep developing approaches and services without hearing the voices of those who are directly affected by our interventions.

The recommendations contained in this report are the result of consultations with a large range of stakeholders including clients, children in care, remote community members, foster carers, child protection workers, police, educators, health workers, academics and many more. We believe that the result will be a newly energised, more focused, more effective child protection system based on consultation, collaboration and an acceptance of the reality that keeping the Northern Territory's children safe and well is a shared responsibility.

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1120 *ibid.*, p.13.