



Darwin City Council
Submission to the Inquiry into the Child Protection System
in the Northern Territory – March 2010

Key Assertions

- Darwin City Council (Council) strongly urges the NT government to continue to develop a legislative, funding, policy, procedural, program delivery and risk assessment framework designed to ensure the care and protection of children.
- Council acknowledges the broader role and responsibility of all other tiers of government (Federal, local and non-government) and the community to promote the fundamental rights of children to be free from sexual, physical and emotional abuse and neglect and to act to remedy breaches of their safety and well-being at all times.
- The NT government should ensure, via public education campaigns, that community members are fully aware of their mandatory obligations to report child abuse under Section 26 of the *Care and Protection of Children Act 2007 (NT)*.

Introduction

Council's strategic planning document, *Evolving Darwin Strategic Directions: Towards 2020 and Beyond*, in particular the vision of building cohesive and harmonious communities, demonstrates Council's commitment to the care and protection of children.

In view of Council's provision of a raft of services to children including child care centres, Fun in the Parks, the Fun Bus and recreational activities such as swimming pools and sporting facilities, the organisation is well-placed as a legitimate advocate in relation to the care and protection of children.

Current Context

Council acknowledges the legislative and procedural complexity and resource implications required to delivery an exemplary child protection system.

However, in view of the recent tragic deaths of two children linked by the NT Coroner investigating these matters to legislative and procedural failures within the NT government's child protection system, Council is concerned that child protection systems be enhanced in order to ensure the care and protection of all children in the first instance and the eradication of preventable child deaths.

Drawn from the Child Deaths Prevention Review Committee 2008-09 Annual Report 2008-09, the following overview of child deaths in the NT evidences the profound vulnerability of children, particularly Aboriginal children, in the NT:

There are several major findings from the data on child deaths in the NT that give cause for serious concern:

- 1. Death rates for children in the NT are high in comparison with the other states and territories, in particular, infant death rates are more than double the national average.*
- 2. Over 40% of all infants and children in the NT are Aboriginal and they carry a much higher death risk than their non-Indigenous counterparts. Aboriginal children in all Australian jurisdictions have high death rates but the rates for NT children are higher than those for their Aboriginal counterparts in the rest of the country.*
- 3. From previous research reported here, perinatal conditions, congenital malformations and ill-defined symptoms appear to be the primary causes of death in infancy. Whilst the impact of these conditions on non-Aboriginal infants in the NT is around the same as that for infants across the rest of Australia, Aboriginal infants are disproportionately affected.*

4. *The predominant causes of child deaths in the NT for children over 1 year of age are in the category of injuries (mainly motor vehicle accidents and drowning) and poisoning. These are followed by circulatory disease and infectious and parasitic diseases. Again, NT Aboriginal children are disproportionately at risk.¹*

Drawn from the NT Children's Commissioner's 2008-09 Annual Report, the following extract provides an overview of the targets achieved against the recommendations of the Little Children are Sacred Report of 2007:

Beginning with the two broad child protection targets, the NTG had committed to a target in which official rates of child sexual abuse and neglect actually *increase* rather than decrease over a five year period. The reason for this is the under-reporting of child abuse and neglect that is understood to occur in the NT, particularly amongst the Aboriginal population. As a result, child protection services see an increase in child protection substantiation reports as being indicative of progress, at least in the short term. Data obtained from NTFC indicates that both substantiation numbers and rates of child sexual abuse and neglect have increased over the past few years.

Numbers and rates of child sexual abuse have more than doubled (from a small base) whilst both numbers and rates of neglect have increased markedly from a higher base.

Of the NTG commitments based on 42 recommendations in the Report, 12 were classified as **met** and 14 as **largely met** (62% of the total reviewed). In contrast, 13 were classified as **partially met** and three as **not met**. There has been notable progress in meeting the majority of key commitments despite a number of competing priorities that arose throughout the year.

Commitments that have been met include the establishment of the office of Children's Commissioner, the commencement of the *Child Deaths Review and Prevention Committee*, the expansion and formalisation of the Child Abuse Taskforce, and the expansion of Sexual Assault Referral Centres.

There was a group of significant commitments that have taken longer to implement than had been anticipated. Some have recently started whilst others were on the cusp of commencing as of 30 June 2009. These include the implementation of the mandated employment screening program, the establishment of new sex offender treatment services, the establishment of a Therapeutic Support Services Team, and the development of Aboriginal Child Protection and Care services in major centres.

Sixteen of the commitments had not been met or had only partially been met. Some of these involved child protection-related initiatives (policy reviews and information sharing procedures) that were to be undertaken by a number of NTG agencies. Some agencies had made more progress than others but overall there appeared to be a lack of clarity about the commitments and a need for coordination.

¹ <http://childrenscommissioner.nt.gov.au/publications/Child%20Deaths%20%Review%AnnualReport%2008-09%20.pdf> - viewed on January 20 2010

A small group of commitments had not been met as of 30 June 2009. The most problematic of these pertained to the education of the broader community and remote Aboriginal peoples in particular, around various aspects of sexual assault.

This was one of the consistent themes in the Report. For example, the Board concluded that:

All information gathered leads us to conclude that education is the key to solving (or at least, ameliorating) the incidence of child sexual assault in Aboriginal communities. By education, we not only mean that which occurs in schools, but that which occurs in its wider context... (p. 15)

This being the case, it is of some concern that some of the key recommendations pertaining to the broader education of Aboriginal communities about sexual abuse (e.g. Recs. 57, 95 & 95), are yet to be implemented. In each case the NTG committed to "a wide-spread and sustained community education campaign". Although there have been some scattered educational initiatives these fall well short of "a widespread and sustained campaign" with the goal of shifting attitudes towards child sexual abuse.

Given the importance of community education as an abuse prevention strategy, it is recommended that priority be given to the development and implementation of the "widespread and sustained" campaign. As outlined in the CTG response to Recommendation 94, this campaign will need to involve a number of different media including "radio, television, print and discussion forums".

Conclusions

The recommendations from the *Little Children are Sacred* Report and NTG responses reviewed here, suggest that although a great deal has been achieved there is still more to be done in order to implement all relevant NTG decisions. In particular, the NTG needs to fully implement the "widespread and sustained" educational campaign that was flagged as being one of the key elements of the strategy to combat the abuse of Aboriginal children.

It is of some concern that new policy agendas have emerged that have shifted child protection from its central place in Indigenous policy development. The focus of NTG Indigenous policy has shifted to a re-alignment of NT CTG targets with the federal *Closing the Gap* targets (under the COAG National Indigenous Reform Agenda) and to developing the *Working Future* framework based on the transformation of 20 Indigenous communities into "growth towns". The objective of both of these frameworks is to improve outcomes for Indigenous Australians in general, but neither has a clear place or specific reporting framework for child protection issues.

It is now two years since the CTG commitments were made following the release of the *Little Children are Sacred* Report and it is essential that the impetus for addressing child abuse in Aboriginal communities is not lost as competing policy priorities emerge. It is clear from the available statistics that the abuse of Aboriginal children remains a serious problem (see, for example data reported in Chapter 4).

The authors of the *Little Children are Sacred* Report observed that although amelioration of the problem may take as long as an Aboriginal generation of 15 years, this will only occur if there is urgent and sustained action to lay the foundations for change (Wild & Anderson, 2007, p. 13). The Report and the CTG initiative that followed it were catalysts for action in the NT. With the passage of time and the emergence of new policy priorities, there is a need to renew the focus on protecting vulnerable Aboriginal children and to develop a new and compelling framework for the commitments to action that have been made.²

Conclusion

In view of the requirement to immediately strengthen the approach to care and protection within the Northern Territory, the following recommendations capture Council's sense of urgency in remedying the current resource and systemic challenges:

Recommendations

1. That the NT government commits to the implementation of the unmet and partially unmet recommendations made in the *Little Children are Sacred* Report of 2007 in accordance with the NT Children's Commissioner's Child Deaths Review Committee's 2008-09 annual report.
2. In recognition that the care and protection of children should rank in the highest order of priorities, that the NT government ensures that funding for the child protection system is adequate in terms of the development of effective and contemporary policy development and program implementation.
3. Council requests that the NT Government makes publically available its endeavours to resolve the current inadequacies of its child protection system including an implementation plan and its timeframes.

² <http://childrenscommission.nt.gov.au/publications/Annual%Report%3008-09.pdf> - viewed on January 20 2010